

Richard,

Thank you. That is clear, and is in line with our reading of the TNP rules.

Regards,

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**From:** Vincent, Richard (ERG-ALE) [mailto:Richard.Vincent@defra.gsi.gov.uk]  
**Sent:** 11 January 2013 16:49  
**To:**  
**Cc:**  
**Subject:** RE: Query on TNP rules

Please see interpolations below.

Richard

**From:**  
**Sent:** 11 January 2013 14:40  
**To:** Vincent, Richard (ERG-ALE)  
**Cc:**  
**Subject:** RE: Query on TNP rules

Richard,

Thank you for your quick response. Two follow-on questions of clarification:

1) If a unit (rather than the whole plant) closes prior to 2016, we assume that the plant can remain in the TNP and that the emission ceilings would be unchanged. Is this correct? ***The plant can remain. I see no provision in the Directive regarding amendment of the ceilings in such circumstances: Article 32(2) requires the ceilings to be calculated on 10 year fuel use to the end of 2010, and the RTI as it was on 31 December 2010.***

2) In the case in which one of more units are mothballed prior to 2016 do the TNP ceilings for the plant remain unchanged? ***The plant remains, even though mothballs are applied to a part, and so the situation is as in 1) above.***

Regards,

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**From:** Vincent, Richard (ERG-ALE) [mailto:Richard.Vincent@defra.gsi.gov.uk]  
**Sent:** 11 January 2013 14:30  
**To:**  
**Cc:**  
**Subject:** RE: Query on TNP rules

My view is that, if a plant is closed before 1 January 2016, it cannot be in TNP when the latter become live.

If a plant is “mothballed” but not actually closed (and the regulator would need to be satisfied that is so), then it can remain in the TNP.

Richard

**From:**

**Sent:** 11 January 2013 14:10

**To:** Vincent, Richard (ERG-ALE)

**Cc:**

**Subject:** Query on TNP rules

Dear Richard,

In considering the future options for the RWE npower generation portfolio we have come upon a point related to the UK Transitional National Plan on which we would welcome, in confidence, your clarification.

The query relates to the applicable TNP annual emissions for the years 2016 to 2020 in the case in which one or more units at a plant are mothballed or closed before 31st December 2015. In Appendix 1 to your letter of 28th December 2011 you make it clear that:

A7. Under the TNP, if a part of a plant is closed after 1 January 2016, the original TNP emission ceiling for that plant (based on the original capacity entering the TNP) continues to apply.

While we would expect that the same logic would apply to closure or mothballing of one or more units prior to 1st January 2016, and that this latter course of action would not change the TNP emission ceilings for that plant, I would be grateful if you would confirm that this is indeed the case.

Regards,

RWE npower

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