Biogás y Biometano - Spanish Market Regulatory Framework

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14 October 2026
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Spanish regulatory framework

1. **Climate Change and Energy Transition Law (Law 7/2021)**
2. **National Energy and Climate Plan (PNIEC) 2023-2030**
3. **Biogas Roadmap**

20 TWh of biogas per year by 2030, compared to the 10.4 TWh initially envisaged by the 2022 Biogas Roadmap

Cross-sectoral regulatory framework

- 🌿 Environment
- ♻️ Waste
- ⚡ Energy
- 📍 Urban Planning, Culture, Landscape
- 🔗 Grid Access

Permitting

Distributed among the **State administration**, the **Autonomous Regions** and **local authorities.**

Social acceptance

European context

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42.5%

renewable energy by 2030

35 billion m³

of biomethane per year by 2030

The Spanish framework is largely based on European regulation: the European Union has set a target of reaching 42.5% renewable energy by 2030 and, through the REPowerEU initiative, promotes reaching a production of 35 billion cubic metres of biomethane per year within the same timeframe.

Main regulating institutions

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Spanish Parliament and Government

Approve laws and the country's general energy policy, including Royal Decrees

MITECO

Competent authority on energy and environmental matters at State level; exceptionally: authorizing entity.

CNMC

Independent regulator responsible for regulating and supervising energy markets

Autonomous Communities and local authorities

Legislative power; competent for environmental, urban planning, construction and activity permits, authorisations and licences.

Enagás GTS

Transmission System Operator (TSO), Technical Manager of the Gas System, resp. for technical integration of renewable gases (BM, H2), GDO system operator

Main legal framework – biogas specific

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Law 34/1998, of 7 October, on the Hydrocarbons Sector

Basic legal framework for the Spanish gas system

Renewable gas producer

Royal Decree 1434/2002 – Gas system and authorisation procedures

Regulates transmission, distribution, trading and supply of natural gas, and the authorisation of gas transport facilities

Royal Decree 376/2022 – Sustainability and Guarantees of Origin

Regulates sustainability criterio and the Guarantees of Origin system for renewable gases

Permitting – overview

There is no single “biomethane permit” allowing a plant to be developed and operated

Developing a biomethane plant requires multiple coordinated permits

Shared Responsibilities

Multi-level governance involving national, regional (Autonomous Communities), and local authorities.

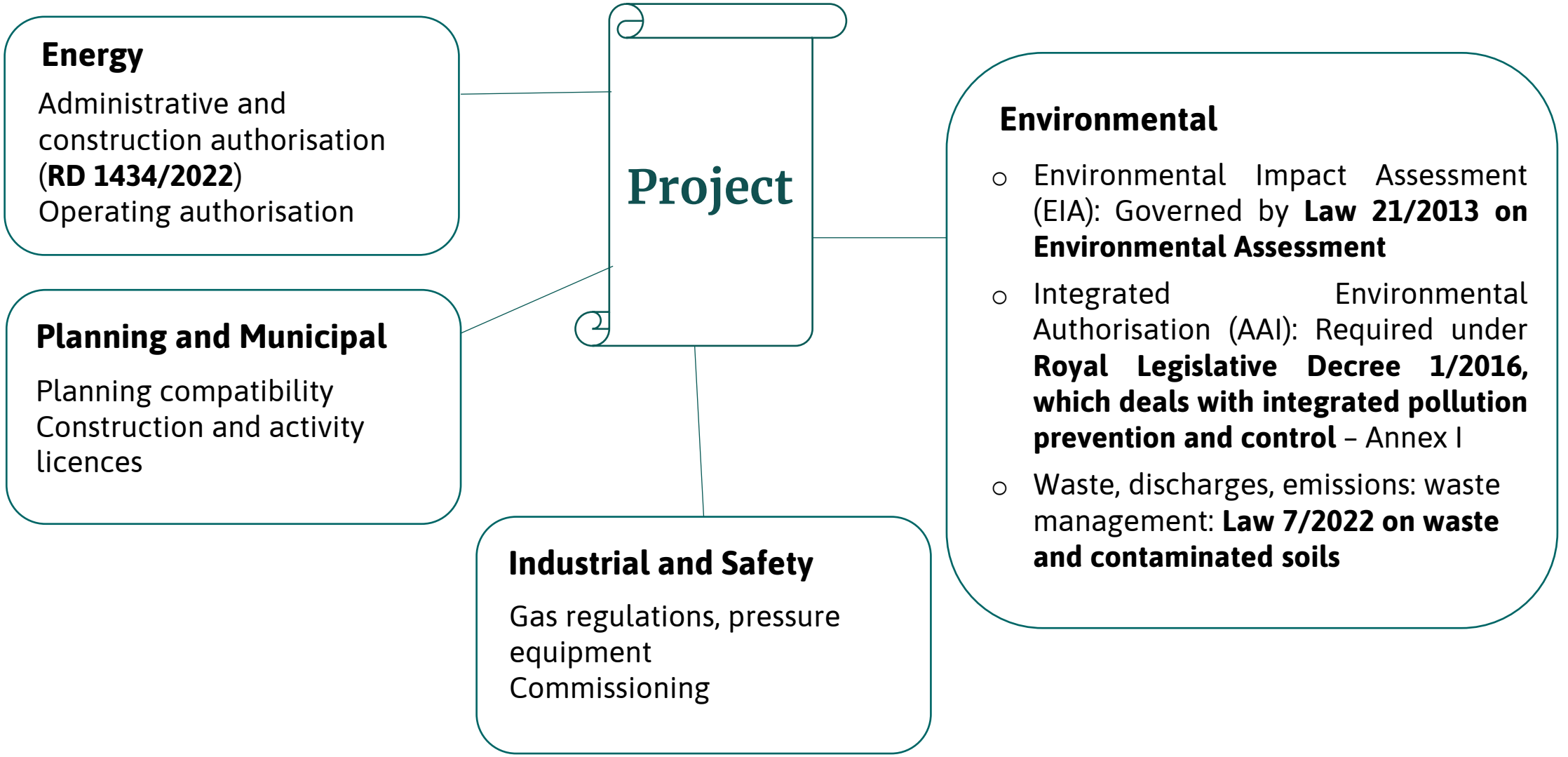
Autonomous Communities play a central role in environmental matters,

while local authorities handle planning, construction, and activity permits.

Levels of authorizing entities



Permitting – subjects



Permitting – Grid access and biomethane injection

🔌 Connection

→ Project location
→ Transmission network or Distribution network
→ Relevant network operator
→ Available capacity

📄 Procedure

Art. 12bis RD 1434/2002 (2024)

→ Anti-speculation bond
→ Request to the relevant network operator
→ Assessment
→ Contract
→ Injection

🎯 Viability

→ Capacity
→ Technical feasibility
→ Economic conditions
→ Gas quality

- **Royal Decree 1434/2002, of 27 December**, regulating the activities of transmission, distribution, marketing, supply and authorisation procedures for natural gas facilities
- **CNMC Circular 2/2025, of 9 April**, establishing the methodology and conditions for access and capacity allocation in the natural gas system
- **CNMC Resolution of 13 June 2025**, establishing the procedure for managing applications and contracting the connection of plants producing other gases to the natural gas transmission or distribution network

Grid connection = Project viability
Assess the connection at an early stage

GoOs and PoS serve different functions

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Proof of Sustainability (PoS)

Certifies that the gas meets the sustainability and greenhouse gas emission reduction criteria required by regulation

Guarantees of Origin (GoOs)

Electronic certificates that certify to the end consumer that a given amount of gas (1 MWh) has a renewable origin

Unlike PoS, they are independent of the physical gas flow and can be transferred in the market

Although related, each serves a different function

- **Royal Decree 376/2022, 17 May** — Sustainability criteria and Guarantees of Origin
- **Order TED/1026/2022** — Management of the Guarantees of Origin System
- **Royal Decree 611/2026, 22 July** — Recent amendments to sustainability and Guarantees of Origin

Recent Regulatory Developments

1

Royal Decree-Law 7/2026 of 20 March

Now being developed through the draft **Royal Decree promoting biomethane**

Proposed binding blending targets – Art. 26

0.5% in 2028

1.1% in 2029

1.8% in 2030

2.5% in 2031

3.3% in 2032

4.1% in 2033

5.0% in 2034

and 6.0% in 2035

Sello de Excelencia – social acc.

Improvement of injection rights – am. RD 1434/2002

2

Royal Decree 611/2026, 22 July

Sustainability, certification and Guarantees of Origin

3

Three new CNMC circulars

🏭 **Transmission and Regasification – Circular 4/2026.**

Establishes the methodology for determining the remuneration of gas transmission facilities and LNG plants, including updated investment and O&M parameters and incentives for renewable gas injection.

🏠 **Distribution – Circular 6/2026**

Establishes the remuneration methodology for natural gas distribution**, including new incentives for renewable gas injection and a remuneration component for digitalisation, cybersecurity and methane-related measure.

💶 **Financial Rate of Return – Circular 5/2026**

Establishes the financial rate of return applicable to regasification, transmission and technical system management activities (6.46%), as well as gas meter rental activities (6.87%), for the 2027–2032 period.

Spain is moving towards a more developed framework- conclusions

Decentralized Permitting: Approval processes operate entirely at regional and municipal levels via local town halls and Autonomous Regions (except >50 MW or cross-border pipelines under MITECO)

Regulated Grid Access: Connection and grid injection are legally fixed in RD 1434/2002 (Art. 12 bis) + CNMC rules, with anti-speculation guarantees

Enagás' Role: Acts as the national TSO and Technical Manager, coordinating grid stability, managing infrastructure integration and Registry for GdO

RDL 7/2026 (game-changer): Introduces binding biomethane quotas for gas traders, leades to off-take security for producers, and prioritizes local socio-environmental value through the new "*Sello de Excelencia*."

Thank you.
Vielen Dank.

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