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STATUTORY INSTRUMENTS

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**2018 No. 611**

**The Renewable Heat Incentive Scheme Regulations 2018**

**PART 8**

**Additional RHI capacity and additional capacity for biomethane production**

**Additional capacity for biomethane production**

77.—(1) A participant—

- (a) who is a producer of biomethane for injection;
- (b) whose original application for registration was made on or after 28th May 2014; and
- (c) who is producing additional biomethane for injection,

may apply to the Authority to be registered in respect of that additional biomethane.

(2) Regulation 32(2) to (8), (10)(a) to (c) and (e), and (11) to (14) applies to an application for registration in respect of additional biomethane, but as if—

- (a) references to an applicant were references to the participant,
- (b) references to biomethane were references to additional biomethane,
- (c) references to registering the applicant as a participant were references to registering the participant in respect of that additional biomethane.

(3) Where a participant is registered in respect of additional biomethane, the Authority must specify the maximum additional capacity in relation to which the participant is being registered.

(4) Periodic support payments for additional biomethane may not be made beyond the tariff end date notified in accordance with regulation [F132(10)(e)] when the participant was originally registered as a producer of biomethane for injection.

(5) For the purposes of this regulation—

- (a) “additional biomethane” means any biomethane—
  - (i) which exceeds the sum of the maximum initial capacity, together with any maximum additional capacity previously specified under this regulation; and
  - (ii) which is being supplied by the participant for injection at the same injection point as the biomethane in respect of which that participant was first registered;
- (b) “maximum additional capacity” means the volume of biomethane expressed in cubic metres per quarterly period which—
  - (i) is additional biomethane; and
  - (ii) is the maximum volume which a participant is entitled to supply for injection under the network entry agreement applicable to that additional biomethane.

(6) Where the Authority does not register an applicant in respect of additional biomethane, it must notify the applicant in writing that the application for registration has been rejected, giving reasons.

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**Changes to legislation:** There are currently no known outstanding effects for the The Renewable Heat Incentive Scheme Regulations 2018, Section 77. (See end of Document for details)

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**Textual Amendments**

- F1** Word in reg. 77(4) substituted (1.4.2021) by [The Domestic Renewable Heat Incentive Scheme and Renewable Heat Incentive Scheme \(Amendment\) Regulations 2021 \(S.I. 2021/76\)](#), regs. 1(4)(b), **34**

**Changes to legislation:**

There are currently no known outstanding effects for the The Renewable Heat Incentive Scheme Regulations 2018, Section 77.