

Business Energy Tax Credit

Application for Final Certification for Pass-through Projects

1. When the project is finished, the project owner should complete this application. **Important: There may be tax implications to using the Pass-through Option. Please consult with your tax preparer.**
2. Include verification of your total project costs. Final eligible certified costs may exceed preliminary certified costs by no more than 10 percent unless you have submitted your changes in writing and received approval before you completed your project.
 - If the final total project costs are less than \$50,000, include copies of canceled checks copy both sides) **or** the contractor's or vendor's invoices/receipts. If you send copies of the invoices/receipts, please make sure they are dated, clearly marked "PAID" and signed or initialed by the contractor or vendor or identified by store name.
 - If the final total project costs are \$50,000 or more, send a letter signed by a Certified Public Accountant (CPA) *who is not an employee of your business*. A sample CPA letter is available on our Web site (www.oregon.gov/energy).
3. If part of the project included equipment that is leased, include a copy of the lease in the cost verification.
4. Subtract any federal grants or gifts from the project costs to arrive at the total project costs. Please note: Utility and local municipality incentives should **not** be deducted. If the total of your financial incentives and the tax credit exceed the final eligible project costs, please contact the Department of Energy at 1-800-221-8035.
5. The project owner must complete and sign the Project Owner Statement.
6. If you do not have a pass-through partner (the tax credit recipient) at this point, the Oregon Department of Energy will place your final application on "hold" status until you do secure a partner and the Application for Final Certification for Pass-through Projects form can be signed by a partner. By having your portion of the paperwork finalized and on "hold," the remaining steps can be completed in a timely manner when you secure a pass-through partner. If you decide to withdraw your application at any point within two years of the issue date of the Preliminary Certificate (even after the project is complete and the application is on "hold" status), you may request in writing that the project be withdrawn and recover up to 75 percent of your initial Business Energy Tax Credit application review charge.
7. If both the project owner and pass-through partner have signed this Application for Final Certification for Pass-through Projects, the Oregon Department of Energy will review it. The Oregon Department of Energy will then issue a Final Certified Amount Letter to both the project owner and pass-through partner that indicates the certified eligible project costs, the pass-through rate in effect, the pass-through amount, and the tax credit amount.
8. The pass-through partner will make a lump sum cash payment to the project owner equal to the pass-through amount indicated on the Final Certified Amount letter.
9. The project owner will notify the Oregon Department of Energy that the payment has been received.
10. The Oregon Department of Energy will issue the Final Certificate to the pass-through partner (tax credit recipient).

Questions? For questions on claiming the tax credit, contact the Oregon Department of Revenue (www.oregon.gov/DOR) or call 1-800-356-4222.

Call the Oregon Department of Energy at 1-800-221-8035 (toll-free in Oregon) or (503) 378-4040 (Salem). Or visit our Web site (www.oregon.gov/energy).

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**Application for
 Final Certification for Pass-through Projects**

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|----------------------------|
| For office use only |
| Date received: |
| Final certified cost: |

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| 1. Project information |
| Business name: Application # |
| Contact person: Title: |
| Phone: E-mail: |
| Site address: |
| City: County: Zip: |

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|-----------------------------------|
| 2. Date project completed: |
| |

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| 3. Project cost: |
| Final project costs <input type="checkbox"/> I have enclosed a CPA letter if final project costs are \$50,000 or more \$ |
| Subtract any federal grants or gifts: \$ |
| Total project costs*: \$ |
| Preliminary certified cost of project (on your Preliminary Certification): \$ |
| Final eligible project costs (can be no more than 10% over preliminary certified project costs) \$ |

*The sum of all financial incentives and the tax credit may not exceed the total eligible project cost. Please contact the Department of Energy at 1-800-221-8035 if it does.

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4. Project Owner Statement

Business Energy Tax Credit #

1. I certify that the information in this application is correct and I am the owner of this energy project. I have complied with all conditions of the Preliminary Certificate: ORS 469.185-225, 315.354, 315.356, and OAR 330-090-0105 to 330-090-0150. I grant to the Oregon Department of Energy permission to inspect the project for compliance with tax credit requirements either before issuing Final Certification or during the years in which a tax credit is being claimed. I understand that the Director may order me, as the project owner, to pay the State of Oregon an amount up to the equivalent to the net present value of tax credits for the years remaining if I refuse to grant permission to inspect the project.
2. I will comply with the provision that the facility must operate in accordance with the representation made in the Application for Preliminary Certification. I understand that I must inform the Oregon Department of Energy in writing within 60 days if the facility is sold, traded or disposed of in some way, or if the term of a leased facility has ended. I understand that the Director may order me, as the project owner, to pay the State of Oregon an amount up to the equivalent to the net present value of tax credits for the years remaining as of the date the benefits were revoked.
3. I certify that the project complies with all local, state and federal requirements and I obtained all necessary permits.
4. I understand that this tax credit application is a public record and that Oregon Department of Energy may be required by law to disclose information in this tax credit application to the public on request. I have marked any information that I request be kept confidential. I understand that marking information does not guarantee that it will be kept confidential and that the Director of the Oregon Department of Energy will make any decisions regarding public disclosure of information contained in this application in accordance with the Oregon Public Records Law.
5. I understand that the Oregon Department of Energy does not endorse any company that requests information on this application and does not sell information as a mailing list.
6. I hereby release the State of Oregon and its commissions, agencies, officers, employees, contractors, and agents, and agree to defend and indemnify the foregoing from and against any claims, demands, or costs (including attorney and expert witness fees at trial and on appeal) arising from or in any way related to the Oregon Department of Energy's issuance or failure to issue any pre-certification or final certification for a Business Energy Tax Credit, or any party's inability to obtain a Business Energy Tax Credit.
7. I recognize and agree that neither the State of Oregon nor the Oregon Department of Energy is a party to any agreement between the project owner and the pass-through partner. I agree that the Final Certification for this project will be issued to the pass-through partner (tax credit recipient) and I may not claim the tax credit and may not use the project or any part of the project on any other Business Energy Tax Credit applications.
8. I understand that the sum of all financial incentives for this project and the tax credit amount can not exceed the total eligible project cost.
9. I verify that the project owner does not restrict membership, sales, or services on the basis of race, color, creed, religion, national origin, sexual preference or gender.

I have read and agree to comply with the terms and conditions of the Project Owner Statement.

Project owner name: _____ Title: _____

Signature: _____ Date: _____

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5. Tax Credit Recipient Statement (pass-through partner) Please photocopy for each partner

1. I understand that OAR 330-090-0130 authorizes the Oregon Department of Energy to use my federal tax identification or social security number as an identification number in maintaining internal records and may be shared with the Oregon Department of Revenue to establish the identity of an individual in order to administer state tax law.
2. I understand that the tax credit recipient must comply with Oregon Department of Revenue requirements to document that the credit has been appropriately assigned, allocated or transferred, and claimed, and that compliance is subject to audit.
3. I understand that this tax credit application is a public record and that Oregon Department of Energy may be required by law to disclose information in this tax credit application to the public on request. I have marked any information that I request be kept confidential. I understand that marking information does not guarantee that it will be kept confidential and that the Director of the Oregon Department of Energy will make any decisions regarding public disclosure of information contained in this application in accordance with the Oregon Public Records Law.
4. I understand that the Oregon Department of Energy does not endorse any company that requests information on this application and does not sell information as a mailing list.
5. I hereby release the State of Oregon and its commissions, agencies, officers, employees, contractors, and agents, and agree to defend and indemnify the foregoing from and against any claims, demands, or costs (including attorney and expert witness fees at trial and on appeal) arising from or in any way related to the Oregon Department of Energy's issuance or failure to issue any pre-certification or final certification for a Business Energy Tax Credit, or any party's inability to obtain a Business Energy Tax Credit.
6. I verify that the tax credit recipient does not restrict membership, sales, or services on the basis of race, color, creed, religion, national origin, sexual preference or gender.
7. I have completed this form to the best of my knowledge.

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| Tax Credit Recipient (Please print) | Business Energy Tax Credit # |
| Soc. Sec. or Tax I.D. #: | Tax Credit share: % |
| Name of tax credit recipient: | |
| Phone: | |
| Mailing address: | |
| City/state/zip: | |
| <input type="checkbox"/> I have read and agree with the terms and conditions of the Tax Credit Recipient Statement above. | |
| Signature: | Date: |
| Name (please print) | |