

SUPPORTING STATEMENT

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Section 25D of the Internal Revenue Code allows a credit for qualified residential energy efficient property expenditures.

This notice provides procedures by which a manufacturer may certify that solar electric property, solar water heating property, fuel cell property, small wind property, and geothermal heat pump property meet the requirements for qualified residential energy efficient property for purposes of the § 25D credit.

Taxpayers may rely on this certification to claim the credit under § 25D.

2. USE OF DATA

The data will be used by (1) manufacturers for the purpose of determining which specific types of property are considered qualified under § 25D and determining the methods by which certifications will be provided to taxpayers, and (2) taxpayers for the purpose of determining the methods by which the credit may be claimed and whether the credit is allowed with respect to specific property.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

IRS Publications, Regulations, Notices and Letters are to be electronically enabled on a practicable basis in accordance with the IRS Reform and Restructuring Act of 1998.

4. EFFORTS TO IDENTIFY DUPLICATION

We have attempted to eliminate duplication within the agency wherever possible.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

Not applicable.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS

OR POLICY ACTIVITIES

Not applicable.

7. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)

Not applicable.

8. CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS

Not applicable.

9. EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS

Not applicable.

10. ASSURANCE OF CONFIDENTIALITY OF RESPONSES

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

Not applicable.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

It is estimated that the total annual reporting burden will be 350 hours. The estimated average annual burden per respondent will be 2.5 hours to complete the requests for certification required under this notice. This estimated burden is based upon the approximated amount of time it will take the average respondent to gather the necessary data and mail that data to the IRS. The estimated number of respondents is 140. This estimate is based upon the approximated number of total manufacturers of the different types of residential energy efficient property.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

Not applicable.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

Not applicable.

15. REASONS FOR CHANGE IN BURDEN

Not applicable.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

Not applicable.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

We believe that displaying the OMB expiration date is inappropriate because it could cause confusion by leading taxpayers to believe that the notice sunsets as of the expiration date. If § 25D is extended, this could cause confusion among taxpayers.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT ON OMB FORM 83-I

Not applicable.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.

19. Emergency Justification

Section 106 of the Energy Improvement and Extension Act of 2008, Pub. L. No. 110-343, 122 Stat. 3765 (2008) amended § 25D of the Internal Revenue Code. Changes in the Code resulting from Pub. L. No. 110-343 are effective now and taxpayers will need to understand the new procedures to certify that solar electric property, solar water heating property, fuel cell property, small wind property, and geothermal heat pump property meet the requirements for qualified residential energy efficient property

for purposes of the § 25D credit.