

Department of the Treasury, Departmental Offices
Supporting Statement and Request for Clearance
Qualifying Advanced Energy Project Credit

1. Circumstances necessitating the collection of information

This notice establishes the qualifying advanced energy project program (“advanced energy program”) under § 48C(d) of the Internal Revenue Code and announces an initial allocation round of the qualifying advanced energy project credit (“advanced energy credit”) to qualifying advanced energy projects under the advanced energy program. A qualifying advanced energy project re-equips, expands, or establishes a manufacturing facility for the production of certain energy related property. A taxpayer must submit, for each qualifying advanced energy project: (1) an application for recommendation by the DOE (“application for DOE recommendation”), and (2) an application for certification under § 48C(d)(2) by the Service (“application for § 48C certification”). Both applications may be submitted only during the 2-year period beginning on August 14, 2009. Certifications will be issued and credits will be allocated to projects in annual allocation rounds. The initial allocation round will be conducted in 2009-10, and if necessary, additional allocation round in 2010-11.

2. Use of the data

The information will be used to determine whether or not a project should be included in the advanced energy program. If the Department of Energy (DOE) provides a recommendation that the project is feasible and meets the criteria under § 48C(d)(3)(B) (“DOE recommendation”) and ranking for the project, the project will be considered under the advanced energy program.

3. Use of information technology

Applications are submitted according to requirements prescribed in Notice 2009-72. Documents are to be provided in electronic format but electronic submission is not available.

4. Efforts to identify duplication

NA

5. Impact on small entities

NA

6. Consequences of less frequent collection and obstacles to burden reduction

The information is submitted by respondents only once.

7. Circumstances requiring special information collection

NA

8. Solicitation of comments on information collection

We received no comments during the comment period in response to the Federal Register Notice dated September 22, 2009 (74 FR 48351).

9. Provision of payments to recordkeepers

NA

10. Assurance of confidentiality

Information is protected by Disclosure rules of Internal Revenue Code.

11. Justification of sensitive questions

There are no sensitive questions in this collection.

12. Estimated burden of information collection

It is estimated that there will be approximately 1,000 applicants for this program, at an estimated 110 hours per submission. The estimated annual reporting burden is therefore 110,000 hours (1,000 respondents x 110 hours per response).

13. Estimated total annual cost burden to respondents

As suggested by OMB, our Federal Register notice dated September 22, 2009 (74 FR 48351), requested public comments on estimates of cost burden that are not captured in the estimates of burden hours, i.e., estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. However, we did not receive any response from taxpayers on this subject. As a result, estimates of the cost burdens are not available at this time.

14. Estimated cost to the federal government.

There will be no annualized capital/start-up costs for the government to receive this information.

15. Reasons for change in burden

There are no changes to the burden previously approved by OMB. This submission is for renewal purposes. .

16. Plans for tabulation, statistical analysis and publication

NA

17. Reasons why displaying the OMB expiration date is inappropriate

We believe that the public interest will not be served by printing the expiration date on this collection.

18. Exceptions to certification requirement of OMB Form 83-I

NA

OMB EXPIRATION DATE

We believe the public interest will be better served by not printing an expiration date on the form(s) in this package.

Printing the expiration date on the form will result in increased costs because of the need to replace inventories that become obsolete by passage of the expiration date each time OMB approval is renewed. Without printing the expiration date, supplies of the form could continue to be used.

The time period during which the current edition of the form(s) in this package will continue to be usable cannot be predicted. It could easily span several cycles of review and OMB clearance renewal. In addition, usage fluctuates unpredictably. This makes it necessary to maintain a substantial inventory of forms in the supply line at all times. This includes supplies owned by both the Government and the public. Reprinting of the form cannot be reliably scheduled to coincide with an OMB approval expiration date. This form may be privately printed by users at their own expense. Some businesses print complex and expensive marginally punched continuous versions, their expense, for use in their computers. The form may be printed by commercial printers and stocked for sale. In such cases, printing the expiration date on the form could result in extra costs to the users.

Not printing the expiration date on the form(s) will also avoid confusion among taxpayers who may have identical forms with different expiration dates in their possession.

For the above reasons we request authorization to omit printing the expiration date on the form(s) in this package.