

SUPPORTING STATEMENT
Performance & Quality for Small Wind Energy Property
Notice 2015-4
1545-2259

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Section 48(a)(3)(D) of the Internal Revenue Code allows a credit for energy property which meets, among other requirements, the performance and quality standards (if any) which have been prescribed by the Secretary by regulations (after consultation with the Secretary of Energy), and are in effect at the time of the acquisition of the property. Energy property includes small wind energy property.

This notice provides performance and quality standards for small wind energy property that such property must meet in order to qualify for the energy credit under § 48. Although a certification is not required, this notice provides that a taxpayer may rely on a certification from an eligible certifier in determining whether the wind turbine meets the performance and quality standards as provided in the notice. This notice also includes the required contents of a certification and defines an eligible certifier.

The certification, requires the following information:

CERTIFICATION

In General. A taxpayer may rely on a certification from an eligible certifier in determining whether the wind turbine meets the performance and quality standards of American Wind Energy Association (AWEA) or International Electrotechnical Commission (IEC).

Content of the Certification. The certification statement must contain the following:

- (a) The name and address of the manufacturer;
- (b) The name and address of the eligible certifier; and
- (c) A statement specifying the nameplate capacity of the wind turbine.

2. USE OF DATA

The data will be used by (1) manufacturers for the purposes of determining if the manufacturer's small wind energy property is considered qualified under § 48 and determining the methods by which certifications will be obtained and

provided to taxpayers, and (2) taxpayers for the purpose of determining if small wind energy property which is constructed, reconstructed, erected, or acquired by the taxpayer meets the standards in the notice and thus whether the credit is allowed with respect to specific small wind energy property.

This information will be used by the Internal Revenue Service to determine whether the small wind energy property qualifies for the energy credit. The collection of information is required to ensure that property meets certain requirements that must be satisfied to qualify for the credit. The likely respondents are corporations, partnerships, and individuals.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

IRS Publications, Regulations, Notices and Letters are to be electronically enabled on an as 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

There are no small entities affected by this collection.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES

If the IRS did not collect this information, there would be no way of determining if the manufacturer's small wind energy property is considered qualified under § 48 and determining the method by which certifications was obtained and provided to taxpayers, and (2) taxpayers for the purpose of determining if small wind energy property which is constructed, reconstructed, erected, or acquired by the taxpayer meets the standards in the notice and thus whether the credit is allowed with respect to specific small wind energy property and would impact their tax liability. This could affect the revenue needed to support the Federal government and would impact the IRS's mission to provide

America's taxpayers top quality service... and enforce the law with integrity and fairness to all.

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

There are no special circumstances requiring data collection to be inconsistent with Guidelines in 5 CFR 1320.5(d)(2).

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

We consulted with individuals at the Department of Energy about quality and performance standards for small wind energy property and the certification of small wind energy property to these standards.

We received no comments during the comment period in response to the **Federal Register notice** (80 FR 6176), dated February 4, 2015.

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

No payment or gift has been provided to any respondents.

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

A privacy impact assessment (PIA) has been conducted for information collected under this request and is currently covered by Treasury/IRS 24.030, CADE Individual Master File (IMF), as well Business Master File (BMF)-Treasury/IRS 24.046 and Treasury/IRS 34.047 IRS Audit Trail & Security Records System SORNs. The Internal Revenue Service PIAs can be found at <http://www.irs.gov/uac/Privacy-Impact-Assessments-PIA> .

Title 26 USC 6109 requires inclusion of identifying numbers in returns, statements, or other documents for securing proper identification of persons required to make such

returns, statements, or documents and is the authority for social security numbers (SSNs) in IRS systems. __

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

Section 48(a)(3)(D) of the Internal Revenue Code allows a credit for energy property which meets, among other requirements, the performance and quality standards (if any) which have been prescribed by the Secretary by regulations (after consultation with the Secretary of Energy), and are in effect at the time of the acquisition of the property. It is estimated that the total annual reporting burden will be 400 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. The estimated number of respondents is 160. This estimate is based upon the approximated number of taxpayers expected to claim the credit for small wind energy property.

Estimates of the annualized cost to individual respondents for the hour burdens shown are not available at this time.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

There are no start-up costs associated with this collection.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

There is no estimated annualized cost to the federal government.

15. REASONS FOR CHANGE IN BURDEN

There are no changes to the total burden at this time. We are making this submission for renewal purposes.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

There are no plans for tabulation, statistical analysis and publication.

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 the credit for small wind energy property under § 48 is extended, this could cause confusion among taxpayers.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT

There are no exceptions to the certification statement.

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.