



Small Business Investment Company Financing Eligibility Statement for Usage of Energy Saving Debenture

INSTRUCTIONS: Only Small Business Investment Companies (“SBICs”) requesting a pre-Financing determination of eligibility for use of the Small Business Administration’s (“SBA’s”) Energy Saving Debenture [per CFR §107.610\(f\)\(2\) and/or §107.610\(f\)\(3\)](#) are required to complete this form. Answers to the following questions will be used to determine your eligibility to utilize the Energy Saving Debenture. SBA may confer with the Department of Energy in making this determination.

Please provide complete responses to each question. If you believe a question does not apply, identify it as not applicable. When your answers require additional space or supplemental information, you may expand the blocks provided as needed or you may use plain white paper properly identifying the item number to which you are responding.

The total number of pages submitted (including this form and any supplemental information provided as attachments) may not exceed 25 pages. After the small business concern seeking financing has signed the Certification in Section V, please email the signed form (in PDF format) and any attachments (in Microsoft Word, Excel or PDF format) to sbic@sba.gov or as directed by the Office of SBIC Operations. In addition, please retain the original form and attachments in your files for the duration of the financing.

SECTION I – GENERAL INFORMATION

- a. SBIC Name:
- b. License Number:
- c. Date of Request

d. Reason pre-Financing determination of eligibility by SBA is requested (“X” all applicable):

- 1) “Primarily Engaged” Determination: The concern did not derive at least 50 percent of its revenues during its most recently completed fiscal year from Energy Saving Activities and the Small Business will not utilize 100% of the Financing proceeds received from the Licensee to engage in Energy Saving Activities.
- 3) “Energy Saving Activity” Determination: Require determination that the activities in which the concern is primarily engaged are Energy Saving Activities.

SECTION II – SMALL BUSINESS INFORMATION

- a. Name of Small Business Concern
- b. Employer ID Number
- c. Anticipated Size of Financing
- d. Street Address
City, State, Zip code
- e. Industry

f. Date Business Established

g. Provide a description of the small business concern's products, services, and other activities. You may attach a copy of the small business concern's business plan presented to investors as part of a formal solicitation if you feel this would be helpful in SBA's determination.

h. Identify any intellectual property rights held by the small business concern related to energy saving, including copyrights, trademarks, patents, industrial design rights and trade secrets.

i. Identify any grants or other awards received by the small business concern related to energy saving, including federal, state, and educational.

SECTION III – INFORMATION FOR “PRIMARYLY ENGAGED” DETERMINATION

This section is only required if you are seeking a “Primarily Engaged” Determination.

- a. Describe why you believe the small business concern is “primarily engaged” in Energy Saving Activities. As part of this statement, you may include (or attach) any information not provided elsewhere that supports this financing eligibility determination request.

- b. Identify revenues, expenditures (both expenses and capital expenditures), and assets (including intellectual property value), for the small business over the past 3 years, separating energy saving related revenues, expenditures, and assets from non-energy saving related.

- c. Identify the total number of employees in the small business concern and the number of employees who devote more than 50% of their time towards energy saving activities, along with a description of the Energy Saving Activities in which such employees are engaged.

SECTION IV – INFORMATION FOR DETERMINATION OF “ENERGY SAVING ACTIVITY”

This section is only required if you are seeking an “Energy Saving Activity” Determination.

- a. Describe how the small business concern’s activities use less energy to provide the same level of energy service or reduce the consumption of non-renewable energy by providing renewable energy sources. As part of this statement, you may include (or attach) any information not provided elsewhere that supports this financing eligibility determination request.

- b. Identify whether the small business concern’s product or service would have qualified for a Federal tax credit cited in CFR §107.50 under “Energy Saving Activity” in a previous year. If so, identify the associated tax credit and the year it was eligible.

- c. Describe any analyses performed that demonstrate energy efficiency or reduction of the consumption of non-renewable energy and their results. For research and development products or services that are anticipated to reduce the consumption of non-renewable energy, describe the feasibility, commercial potential, and projected energy savings of such products and services. Identify whether such analyses were conducted by a qualified third party (such as a certified energy assessor, energy auditor, energy engineer, or a professor specializing in energy sciences). You should attach a copy of supporting analyses and their results.

SECTION V – SMALL BUSINESS CONCERN CERTIFICATION OF STATEMENT

WARNING: By signing below, you are certifying as to the accuracy of information you have provided on or with this statement. You are further acknowledging that a small business investment company, which is licensed by the U.S. Small Business Administration (SBA), and the SBA are relying on this information, and that false statements can lead to criminal prosecution under 18 U.S.C. 1014, and other statutes, with fines of up to \$1,000,000 and imprisonment of up to 30 years, and civil fraud damages of three times the Government's loss.

I hereby certify that all information provided in Sections II through IV of this Financing Eligibility Statement, and all information, exhibits and supporting documentation that I have provided with this statement, and any other submission to the SBIC, are true and correct to the best of my knowledge.

Name of Business

Typed Name and Title of Qualifying Person

Signature of Qualifying Person

Date

PLEASE NOTE: The estimated burden for completing this form, including gathering and compiling the information, is 10 hours per response. You are not required to respond to any collection of information unless it displays a currently valid OMB approval number. Comments on the burden should be sent to the U.S. Small Business Administration, Chief, Records Management Division, 409 3rd St., S.W., Washington, D.C. 20416 and/or Office of Management and Budget, Desk Officer for the Small Business Administration, New Executive Office Building, Room 10202, Washington, D.C. 20503. OMB Approval (3245-0379). **PLEASE DO NOT SEND FORMS TO OMB.**