



## Monetizing Certain U.S. Tax Credits: Sales and Transfers

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### Disclaimer

*This document has been prepared for discussion and informational purposes only.*

*The contents are intended to provide a general guide to the subject matter only and should not be treated as a substitute for specific advice concerning individual situations.*

*In addition to the U.S. federal provisions and proposals, various U.S. states have state-level incentives and proposals related to renewable energy, which are not covered herein.*

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# Today's speakers

**Moderator:**  
**Greg Matlock**  
EY's Global Energy & Resources  
Industry Tax Leader  
Ernst & Young LLP

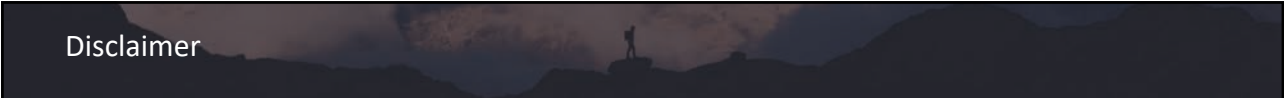
**Jim Cole**  
Partner, Latham & Watkins LLP

**James A. Holmes**  
IRS Office of Chief Counsel

**Colin Zelmer**  
Principal, PWC

**Tracey Baird**  
Managing Director, Grant Thornton

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## Transfer of credits

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- ▶ Under section 6418, an eligible taxpayer can elect to transfer all (or any portion specified in the election) of an eligible credit determined with respect to such eligible taxpayer to an unrelated transferee taxpayer.
- ▶ Section 6418 “Eligible credits”
  - i. Section 30C alternative fuel vehicle refueling property credit
  - ii. Section 45 PTC
  - iii. Section 45Q carbon oxide sequestration credit
  - iv. Section 45U zero-emission nuclear power production credit
  - v. Section 45V clean hydrogen production credit
  - vi. Section 45X advanced manufacturing production credit
  - vii. Section 45Y clean electricity PTC
  - viii. Section 45Z clean fuel production credit
  - ix. Section 48 ITC
  - x. Section 48C advanced energy project credit
  - xi. Section 48E clean electricity ITC

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## Transfer of credits (cont.)

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### Eligible Taxpayer

- ▶ Defined as a taxpayer that is not an applicable entity (as defined in section 6717(d)(1)(A)).
- ▶ The term “applicable entity” means
  - i. any tax-exempt organization,
  - ii. any State or political subdivision thereof,
  - iii. the Tennessee Valley Authority,
  - iv. an Indian tribal government (as defined in section 30D(g)(9)),
  - v. any Alaska Native Corporation (as defined in 43 U.S.C. 1602(m)), or
  - vi. any corporation operating on a cooperative basis which is engaged in furnishing electric energy to persons in rural areas.

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