

WTE-related PTC provisions in Stimulus Bill (as of 1/28/09)

<i>Provision</i>	<i>House Package</i>	<i>Senate Package</i>
Extension of PTC	The PTC for waste-to-energy is extended to cover new capacity placed in service by December 31, 2013. This is a three-year extension to current law. All other eligible renewables also get a 3-year extension to current law.	The PTC for waste-to-energy is extended to cover new capacity placed in service by December 31, 2012. This is a two-year extension to current law. All other eligible renewables also get a 2-year extension except wind which gets a 3-year extension.
Option to convert PTC to ITC	Those taxpayers eligible for the PTC (such as privately owned WTE) are eligible to claim a 30 percent investment tax credit for units placed in service in 2009 and 2010. The taxpayer can claim the ITC at once rather than using the PTC which pays out over 10 years.	Same as the House provision, except a taxpayer can elect to take the 30% ITC for any units placed in service prior to 12/31/12.
Refundability/Transfer of Credits	The bill does not provide for refundability of the credit or the transferring/trading of credits.	The bill does not provide for refundability of the credit or the transferring/trading of credits.
DOE Grants in lieu of PTC	Taxpayers eligible for the PTC (including WTE) can elect to receive a 30-percent Department of Energy grant in lieu of the PTC for units placed in service in 2009 and 2010. The grant would not be taxable, but the taxpayer's basis in the property would be reduced by half the amount of the grant. Recapture provisions apply if the facility is sold. Grants are prohibited from being made to local governments (and other tax-exempt entities).	The Senate bill contains no similar provision although Senator Bingaman received assurances from Sen. Baucus to work on such a provision during conference.
Credit rate parity	There is no provision that would equalize the credit rate. Wind and geothermal continue to receive 2 pennies per kWh and other technologies would continue to receive 1 penny.	There is no parity provision in the Senate bill although Sen. Wyden has supported such a provision and could be viable during a Senate floor debate.

Timeline:

Approved by House Ways and Means: January 22, by a 24-13 vote

Approved by Senate Finance Committee: January 27, by a 14-9 vote

Approved by House of Representatives: January 28, 2009, by a 244-188 vote