



DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

OFFICE OF
CHIEF COUNSEL

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The Honorable Tim Holden
U.S. House of Representatives
Washington, DC 20515

Dear Mr. Holden:

I am responding to your letter of January 8, 2007, to the Secretary of the Treasury on behalf of
applied for tax credits under the Qualifying Gasification Project Program of the Energy Policy Act of 2005 (EPACT).

The tax credits are available under section 48B of the Internal Revenue Code (the Code), which the Congress enacted as part of EPACT. Under section 48B of the Code, the Secretary of the Treasury, in consultation with the Secretary of Energy, established a qualifying gasification project program to consider and award certifications for qualified investments eligible for credits to qualifying gasification project sponsors. On March 13, 2006, we published Notice 2006-25, which established the qualifying gasification project program. I am enclosing a copy of this notice.

Under the notice, a taxpayer does not have a right to a conference (Section 6.04 of Notice 2006-25). However, either the U.S. Department of Energy (DOE) or the IRS can offer to meet with a taxpayer to discuss its application. We have communicated with the DOE on this issue and understand that they are considering meeting with taxpayers that submitted applications during 2006. The DOE should be notifying them soon about its decision.

I hope this information is helpful. If you have any questions, please contact me or
at () .

Sincerely,
Charles B. Ramsey
Branch Chief, Branch 6
(Passthroughs and Special Industries)

Enclosure