

# SPECIAL NOTICE

June 6, 2001

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## Public Utility Tax Credits Available for “Billing Discounts” and “Qualifying Contributions”

In cooperation with light and power businesses and gas distribution businesses, the Department of Community, Trade and Economic Development (CTED) administers the Low Income Home Energy Assistance Program (LIHEAP). Under this program, CTED administers funds from various sources, including contributions from light and power businesses and gas distribution businesses, to reduce energy costs for low income persons. CTED, or organizations that contract with CTED, then distributes these funds in the form of grants to light and power businesses and gas distribution businesses based on specifically identified need. In conjunction with the LIHEAP, many light and power businesses and gas distribution businesses provide billing discounts for low income customers.

To encourage such billing discounts and contributions, Section 13 of the omnibus energy bill, EHB 2247, Chapter 214, Laws of 2001, allows a limited credit against the public utility tax for *billing discounts* and *qualifying contributions* made by light and power businesses or gas distribution businesses.

- ◆ ***Billing Discounts*** are actual reductions in the amount charged for providing service to qualifying persons in Washington. A qualifying person is a Washington resident who applies and qualifies for LIHEAP assistance regardless of whether that person actually receives assistance.

Billing discounts do not include service charge reductions made using grants received from the LIHEAP, either from CTED or an organization that contracts with CTED, to administer LIHEAP funds.

- ◆ ***Qualifying Contributions*** are amounts given by light and power businesses or gas distribution businesses to an organization that contracts with CTED to administer LIHEAP funds.

Qualifying contributions do not include amounts received in the prior fiscal year from the business's customers for the purpose of assisting other customers.

### Eligibility

To be eligible for the credit using *billing discounts*, the business must give billing discounts greater than 125% of those given by the business in the state fiscal year 2000 (July 1, 1999 - June 30, 2000). If no

(more)

billing discounts were given in state fiscal year 2000, a credit is allowed in the first fiscal year that billing discounts are given. Each year thereafter, the business must give billing discounts of greater than 125% of those given in the first year to be eligible for the credit.

Similarly, to be eligible for the credit using *qualifying contributions*, the business must give qualifying contributions greater than 125% of those given in the state fiscal year 2000. If none were made, a credit is allowed in the first fiscal year that qualifying contributions are given. Each year thereafter, the business must make qualifying contributions of greater than 125% of those given in the first year.

### **Amount of the Credit**

The maximum amount of the credit is either 50% of a light and power or gas distribution business's total billing discounts and qualifying contributions or the business's *base credit*, whichever is less. A business's base credit is its proportional share of all grants given through the Department of Community, Trade and Economic Development and/or qualifying organizations in the prior fiscal year multiplied by \$2,500,000, which is the statewide credit cap.

Each year, the Department of Revenue will notify light and power or gas distribution businesses of the amount of their base credit. The base credit for state fiscal year 2002 is enclosed with this notice.

### **Credit Application**

Eligible businesses must apply for the credit. The application asks for the amount of billing discounts or qualifying contributions that the business will make in the next state fiscal year. If the total amount of credits to be taken by the businesses in the upcoming fiscal year is less than the \$2,500,000 statewide cap, the Department of Revenue will proportionately increase the base credit for each business that submitted an application. Businesses will be notified of the increased amount of credit that they may take. A copy of the Public Utility Tax Credit Application (REV 41 0078) is included with this notice.

The law requires that applications be submitted to the Department within eight weeks of the effective date of the legislation. The legislation was effective on May 8, 2001. **Therefore, the application must be mailed to the Department and postmarked by July 3, 2001.**

If you have any questions, please call (360) 902-7175.

To inquire about the availability of this document in an alternate format for the visually impaired, please call (360) 753-3217. Teletype (TTY) users please call 1-800-451-7985.