



Claim for Fuel Cell Electric Generating Equipment Credit

Personal Income Tax

Attach this form to Form IT-201 or IT-203.

Name(s) as shown on return

Your social security number

The fuel cell electric generating equipment credit was repealed. For tax years beginning on and after January 1, 2009, you may only claim a fuel cell electric generating equipment credit carryover from previous years.

Application of credit and computation of carryover

Table with 8 rows and 3 columns for credit application and computation.

Instructions

Temporary deferral of certain tax credits

For tax years beginning on or after January 1, 2010, and before January 1, 2013, if the total amount of certain credits that you may use to reduce your tax or have refunded to you is greater than \$2 million, the excess over \$2 million must be deferred to, and used or refunded in, tax years beginning on or after January 1, 2013.

If you are subject to the credit deferral, you must complete all credit forms without regard to the deferral. However, the credit amount that is transferred to your tax return to be applied against your tax due or to be refunded to you may be reduced.

General information

Tax year 2008 was the last year you could claim the fuel cell electric generating equipment credit. However, any unused credit from a prior year in which the credit was allowed can be carried over to the following five years.

Line instructions

Line 2

Form IT-201 filers: Enter the tax from Form IT-201, line 39, plus any amount from Form IT-201-ATT, line 21.

Form IT-203 filers: Enter the tax from Form IT-203, line 46, plus any amount from Form IT-203-ATT, line 20.

Line 3 — If you are applying any credits against the tax before this credit, enter those amounts here.

When applying credits, follow the order of credits under Tax Law section 606(yy):

- First apply any credits that cannot be carried over or refunded.
• Next apply any credits that can be carried over for a limited duration.
• Then apply any credits that can be carried over for an unlimited duration.
• Apply refundable credits last.

Line 5 — Enter the amount from line 1 or line 4, whichever is less.

If your total credits from all sources are \$2 million or less, enter the amount from line 5 and code 259 on Form IT-201-ATT, line 6, or Form IT-203-ATT, line 7.

If your total credits from all sources are more than \$2 million, you may be subject to a credit deferral. Complete lines 1 through 5, but do not enter the amount from line 5 on your tax return.

Line 7 — A credit amount in excess of the tax due can only be carried over for a maximum of up to five years. Enter any expired credit amount on this line.

