

December 18, 2012

The Honorable Harry Reid
Majority Leader
United States Senate
Washington, DC 20510

The Honorable Mitch McConnell
Republican Leader
United States Senate
Washington, DC 20510

The Honorable Max Baucus
Chairman, Senate Finance Committee
United States Senate
Washington, DC 20510

The Honorable Orrin Hatch
Ranking Member, Senate Finance Committee
United States Senate
Washington, DC 20510

Dear Majority Leader Reid, Republican Leader McConnell, Chairman Baucus, and Ranking Member Hatch:

On behalf of our thousands of employees who work in the solar industry, we respectfully request a modification of the clean energy tax credits from a “placed in service” standard of eligibility to a “commence construction” standard in both the Section 45 Production Tax Credit (PTC) and in the Section 48 Investment Tax Credit (ITC).

The Senate Finance committee tax extenders package, which was included in S. 3521, the Family and Business Tax Cut Certainty Act of 2012, allows wind and other Section 45 technologies’ projects to qualify for the PTC if the project “commences construction” (rather than is “placed in service”) by a certain date. We want to see this policy change applied to all renewable energy technologies, including solar and the other Section 48 technologies, which qualify for the ITC.

Commence construction is a great policy, makes a lot of sense, and allows us to make full and effective use of the investment tax credit all the way through 2016. In total, a commence construction standard would conservatively yield an additional 4,000 MW of solar electric generating capacity in 2017 and 2018 in the United States—enough to power 676,000 average households. This significant increase in installed capacity would support tens of thousands of additional jobs over this two-year period. Finally, because the tax credit can still only be claimed when the project is completed, this commence construction change would continue to protect taxpayers from any risk.

As our companies plan and participate in solar projects in the coming months and years, it is vital that all of the clean energy technologies have a predictable policy in place. Our companies face incredible amounts of risk based on events beyond our business control. The change to “commence construction” provides much-needed certainty.

It is imperative that this “commence construction” modification be part of any tax extenders package and included in any year-end legislation. Thank you again for your commitment to the clean energy industries, which continue to help diversify our nation’s energy

portfolio, promote competition in the energy markets, grow jobs across the country, and reduce energy prices for American families.

Sincerely,

Abengoa Solar

Arizona, California, and Colorado

AET. LLC

Florida

All Energy Solar Inc.

Massachusetts, Minnesota, and Wisconsin

AllEarth Renewables

Vermont

Amphenol Industrial Solar Technologies

California

Appalachian Energy Systems

Massachusetts, Maryland, Pennsylvania

Apricus Inc.

Connecticut

Aquatherm Industries, Inc.

New Jersey

Areva Solar

Arizona, California, Nevada, Pennsylvania

AST, Inc.

Indiana, Ohio

Atonometrics

Texas

ATS Ohio Inc.

Ohio

Aztec Solar Inc.

California

Bentek Corporation

California

Blattner Energy

Minnesota

Blue Ridge Energy Company

Virginia

Brightergy Solar

Kansas, Missouri

BrightSource Energy

California, Nevada

Butler Sun Solutions, Inc.

California

Caleffi Solar

Missouri

Cape Fear Solar Systems

North Carolina

Clark Engineering Company

Michigan

Clean Power Finance

California

Conserval Systems Inc.

New York

Cotuit Solar LLC

Massachusetts

EDF Renewable Energy

California, Colorado, Iowa, Minnesota, New York, Pennsylvania, Oregon, Texas

Enel Green Power

California, Massachusetts, Nevada

Energy Systems and Installations, Inc.

Pennsylvania

Estriatus Law

California

First Solar

Arizona, California, Maryland, Nevada, New Jersey, New Mexico, Ohio

Florida Solar Energy Industries Association

Florida

FLS Energy

North Carolina

Grenzebach Corporation

Georgia

Highway Safety Corporation

Connecticut

Hydroflex Systems, Inc.

Pennsylvania

Ice Industries, Inc.

Ohio

JA Solar USA, Inc.

California

John Nimmons & Associates, Inc.

California

Mainstream Energy Corp.

California

Mercury Solar Systems of Waltham

Massachusetts

Meridian Energy USA

California

Microgrid Solar

Missouri

Multi-Contact USA

California

NTS Solar

Massachusetts

Panasonic Corporation of North America

Arkansas, California, Colorado, Georgia, Illinois, Kentucky, Massachusetts, Michigan, New Jersey, Ohio, Oregon, Texas, Virginia, Washington

Paradigm Partners

Massachusetts

Pfister Energy, Inc.

Florida, Maryland, New Jersey

Pilkington North America

Ohio

Power One Inc.

California

Radiance Solar

Georgia

Renewable Portfolio Solutions

California

Renewergy Solutions Group, LLC

New Jersey

Renovus Energy

New York

Ritter Group USA

Pennsylvania

Roof Integrated Solar Energy

Illinois

Sabre Industries

Texas

Schmid Thermal Systems Inc.

California

Sener Energy and Systems Inc.

California

Soitec

California, Massachusetts

Shoals Technologies Group

Tennessee

Skyline Innovations

District of Columbia

SolarCity

Arizona, California, Colorado, District of
Columbia, Hawaii, Maryland, Massachusetts,
New Jersey, New York, Oregon, Pennsylvania

SolarNexus

California

Sol Systems, LLC

District of Columbia

Solar & More

New Jersey

Solar Panels Plus, LLC

Virginia

SolarUS Inc.

Connecticut

Solar Wave Energy, Inc.

Massachusetts

SolPowerPeople Inc.

Texas

Spire Solar

Massachusetts

SunEdison

California, Colorado, Maryland, New Jersey,
New York

Sunrun

Arizona, California, Colorado, Hawaii,
Maryland, Massachusetts, New Jersey, New
York, Oregon, Pennsylvania

Suntech

California

Sunvelope Solar, Inc.

Nevada

Tenaska

Nebraska

TEVA Energy

Florida

The LeverEdge

Florida

Trina Solar

California

Universal Solar Products, Inc.

Puerto Rico

Vidaris, Inc.

New York

Viessmann Manufacturing Co. Inc.

Rhode Island

Wagner Solar Inc.

Massachusetts

Westinghouse Solar

California

Yingli Green Energy Holding Co., LTD

California