

FIRM NEWS

Schulte Special Counsel Chaim Stern Quoted in *Tax Notes*

Jul 11, 2023, 12:00 AM

Schulte Roth & Zabel special counsel Chaim Stern recently spoke to Marie Sapirie from *Tax Notes* for her article on the Treasury and the IRS's proposed regulations on direct pay and transferability of renewable energy credits, "Required Summer Reading From the IRS: Transfer and Elective Payment Rules."

In regard to various limitations imposed by the regulations on transferred credits, Chaim noted that "From a tax logic perspective, they found the right balance, particularly in the section 6418 regulations."

Because the regulations require taxpayers to register eligible credit property, which will apply to the underlying property rather than the unit of production, Chaim commented that it would be better to register each unit of production as it is produced, rather than adding up production tax credits sold to multiple buyers and accounting for them under a single registration number.

He said, "If a solar facility that is producing electricity has a single registration number for its production and sales to various buyers over the course of a number of years, it becomes very hard to track the total credit amount." Chaim's recommended approach would simplify tracking and would reduce risk of double counting.

[Read the article here.](#)

Related People



Chaim Stern

Special Counsel
New York

Practices

TAX