



TEXAS SALES TAX EXEMPTION CERTIFICATE

Account Name _____ Service Address _____
Must match name on the account

City/State _____ Zip Code _____ Telephone No. _____

Account No(s): _____

The undersigned claims exemption from Texas sales taxes on the purchase of electricity from First Choice Power, Inc., for the following reason:
(COMPLETE SECTION A OR B)

SECTION A (Check One)

- 1. Exempt organization-charitable, education, and religious, etc. as approved by the State Comptroller.
- 2. Electricity purchased as agent of a governmental entity with the power to bind and receive reimbursement (Letter/contract with governmental entity is attached.)
- 3. Electricity used 100% in exploring for, producing or transporting material extracted from the earth.
- 4. Electricity used 100% for agricultural purposes - farming, ranching, dairy or poultry operations.
- 5. Electricity used 100% in electrical processes - electroplating, electrolysis or cathode protection.
- 6. Electricity used 100% to pump water from the ground.
- 7. Electricity used 100% for residential and the Purchaser is a business.
- 8. Electricity purchased under Direct Pay Use Tax Permit No. _____
Purchaser agrees to comply with State Sales Tax 34 TAC Sec.3.288.
- 9. Electricity used to operate railroad equipment.
- 10. Electricity used 100% for manufacturing, processing, fabrication or other non-commercial purpose.

SECTION B (requires a separate certificate for each account)

Electricity used predominantly, less than 100% but more than 50%, for manufacturing, processing, fabricating or other non-commercial purpose (e.g., residential). Purchaser affirms that a valid and complete study (the "Study") has been performed pursuant to State Sales Tax Rule 34. TAC 3.295 which shows _____% of the electricity is for manufacturing, processing or fabricating tangible personal property for sale in the regular course of business or other non-commercial purpose. For study completed on hotels or motels, please complete the following:

Time Period	%	Time Period	%
_____	_____	_____	_____
_____	_____	_____	_____

EITHER affix seal of registered engineer below **OR** make the following certifications:

I, _____ (Business Owner/Officer - Type or Print), certify that all items using electricity are listed in the study and hours of use for each item is correct. I will immediately notify you in writing that the exemption is no longer valid.

Signature of Owner/Officer: _____ Date: _____

I, _____ (Engineer's Name - Type or Print), having an engineering degree from _____
_____(accredited College/University), certify the accuracy of the Study.

Signature of Engineer: _____ Date: _____

The undersigned certifies that the electricity used during the period covered by this claim is exempt from the Texas Sales Tax for the reason set forth. The claim covers the period: _____
The maximum period of refund is four years.

CERTIFICATION

I understand that I will be liable for payment of sales tax or use taxes which may become due for failure to comply with the provisions of the Tax Code: Limited Sales, Excise, and Use Tax Act; Municipal Sales and Use Tax Act; Sales and Use Taxes for Special Purposes Taxing Authorities; County Sales and Use Tax Act; County Health Services Sales and Use Tax; The Texas Health and Safety Code; Special Provisions Relating to Hospital Districts, Emergency Services Districts, and Emergency Services Districts in Counties with a population of 125,000 or less. I understand that it is a criminal offense to give an exemption certificate to the seller for taxable items that I know, at the time of purchase, will be used in a manner other than that expressed in this certificate and, depending on the amount of tax evaded, the offense may range from a Class C misdemeanor to a second degree felony.

Authorized Signature _____ Date _____

The completed certificate must be mailed or faxed to First Choice Power, Attention Tax Department

Mailing Address: First Choice Power
Alvarado Square MS 2708, Tax Dept.
Albuquerque, NM 87158-2708
Fax: (505) 241-2371