

PDEOZE PowerContainer

Tax standards for energy storage projects



Overview

Of particular importance to the energy storage industry, the government has released final regulatory guidance for the ITC (both Section 48 and 48E of the Code), prevailing wage and apprenticeship (PWA) requirements, and transferability and direct payment, as well as other guidance on the energy community and domestic content tax credit “adders.” What are the New IRA rules for energy storage?

Energy storage was one of the major beneficiaries of the IRA’s new rules on both the deployment and manufacturing sides. The IRA enacted the long-sought investment tax credit (ITC) under Section 48 and 48E of the Internal Revenue Code (the Code) for standalone energy storage facilities.

How has the energy storage industry progressed in 2024 & 2025?

The energy storage industry has continued to progress over the course of 2024 and into 2025, buoyed in significant part by the federal income tax benefits in the form of tax credits enacted under the Inflation Reduction Act of 2022 (IRA).

What regulatory guidance has the government released on energy storage?

Of particular importance to the energy storage industry, the government has released final regulatory guidance for the ITC (both Section 48 and 48E of the Code), prevailing wage and apprenticeship (PWA) requirements, and transferability and direct payment, as well as other guidance on the energy community and domestic content tax credit “adders.”

Are IRA tax benefits a viable option for energy storage facilities?

While the vitality of the IRA tax benefits in their current form is currently subject to uncertainty given the results of the 2024 federal general election, the existing market practice for financing energy storage facilities since the IRA’s passage continues to evolve in reaction to the act’s new requirements and opportunities.

Is a stand-alone energy storage a qualified person?

Notably, no NAICS code describes stand-alone energy storage, and there is no published guidance on whether a stand-alone BESS could be a qualified person. Stand-alone BESS is subject to property tax. Texas offers an incentive program referred to as chapter 312 to attract new capital investment that has benefitted renewable development.

Did Treasury update the domestic content safe harbor cost percentages in 2025?

Treasury updated the Domestic Content Safe Harbor cost percentages. What's different in 2025?

The U.S. Department of the Treasury released additional guidance on the Inflation Reduction Act's domestic content tax credit bonus for solar and battery energy storage projects.

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Inflation Reduction Act's domestic content tax credit bonus for solar and battery energy storage projects.

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