

STATE OF
COLORADO

CITCO - CEO , CEO <ceo_citco@state.co.us>

ACTION REQUIRED: CITCO Info Needed - 855400 LLC

14 messages

CITCO - CEO , CEO <ceo_citco@state.co.us>

Fri, Jan 2, 2026 at 9:49 AM

To: saustin@glankler.com

Cc: Wil Mannes - CEO He Him <wil.mannes@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>

Bcc: Nathaniel Dungey <nathaniel.dungey@clearesult.com>, Eliana Olais <eliana.olais@clearesult.com>

Dear applicant,

During our eligibility review of your application, we identified several points of clarification that are needed in order for this application to meet eligibility requirements and move on to technical review and the evaluation committee.

Our review team specifically noted the following items:

1. Update project schedule:

- a. Please update the project schedules with specific start and end dates (day, month, year). When applying for multiple project types under one application, the CITCO program requires all project completion dates to fall within the same income tax year. The CEO suggests 855400 LLC to create one master GANTT chart showing the timeline for all project completion dates, and creating project-type specific tabs to show the project timelines. If awarded, the income tax year that the completion dates fall within will be the tax year that 855400 LLC would claim the credit.
- b. The CEO requests clarification that if awarded, 855400 LLC will not incur any eligible expenditures nor complete any allowable work that they would like to claim credit towards before notification of award (March 31, 2026) AND before they go under contract with the CEO.

2. Update project budget

- a. When applying for multiple project types under one application, the CITCO program requires all project completion dates to fall within the same income tax year. Due to this requirement, the total summation of all project CITCO funding requests cannot exceed \$8 million. Please adjust all project budgets so that the summation is equal to or under \$8 million.
- b. In each project budget workbook, the "total" column in each tab must be the total cost for that specific line item. The "CITCO share" will be Redacted of that total cost. Please adjust each project workbook to reflect this.
- c. Additionally, the CEO requires each budget line item to be as itemized as possible. Please expand on the "project description" and "purpose" columns for each line item. Review the General Standards and Guidelines and project-specific Standards and Guidelines to confirm no disallowed costs are included in the budget templates - [here](#).

3. **Tax Credit Agreement with redlines.** Please have your project management and legal team review the [Tax Credit Agreement](#), and supply to the CEO with any redlines. If no redlines are necessary, please provide a response saying so.

4. **Energy Audit Clarification:** When the CEO conducts the technical review of the application, energy and emission audits, or similar studies, will be needed to determine project technical feasibility. Does 855400 LLC have a timeline for when they will be submitting these audits, or similar studies, to the CEO?

5. New Build GHG emission avoidance calculations: Please review the New Build & Expansion Project Requirements and supply the CEO with the necessary additional information and documentation.

We ask for you to acknowledge receipt of this notice and provide these clarifications in writing within **five (5) business days (due January 9, 2026)**. Please respond to this email with these clarifications and additional document requests.

Sincerely,

The CITCO team

CITCO - CEO , CEO <ceo_citco@state.co.us>

Tue, Jan 6, 2026 at 11:11 AM

To: saustin@glankler.com

Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Hello,

Checking in on the status of this request. Please let us know if you have any questions.

- CITCO Team

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Stewart G. Austin, Jr. <saustin@glankler.com>

Tue, Jan 6, 2026 at 2:07 PM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>

Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Yes, message received. I am discussing with the applicant team.

Thanks.

Stewart G. Austin, Attorney

Glankler Brown, PLLC

901.576.1706 saustin@glankler.com

www.glankler.com

6000 Poplar Avenue, Suite 400, Memphis, TN 38119

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Stewart G. Austin, Jr. <saustin@glankler.com>

Tue, Jan 6, 2026 at 4:50 PM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>

Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

I checked with our team, and we expect a full response later this week as requested.

Stewart G. Austin, Attorney

Glankler Brown, PLLC

901.576.1706 saustin@glankler.com

www.glankler.com

6000 Poplar Avenue, Suite 400, Memphis, TN 38119

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a. Please update the project schedules with specific start and end dates (day, month, year). When applying for multiple project types under one application, the CITCO program requires all project completion dates to fall within the same income tax year. The CEO suggests 855400 LLC to create one master GANTT chart showing the timeline for all project completion dates, and creating project-type specific tabs to show the project timelines. If awarded, the income tax year that the completion dates fall within will be the tax year that 855400 LLC would claim the credit.

b. The CEO requests clarification that if awarded, 855400 LLC will not incur any eligible expenditures nor complete any allowable work that they would like to claim credit towards before notification of award (March 31, 2026) AND before they go under contract with the CEO.

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Haecker - CEO, Lille <lille.haecker@state.co.us>

Wed, Jan 7, 2026 at 9:23 AM

To: "Stewart G. Austin, Jr." <saustin@glankler.com>

Cc: "CITCO - CEO , CEO" <ceo_citco@state.co.us>, Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Thank you, please let us know if you have any questions.

Best,
Lille

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Stewart G. Austin, Jr. <saustin@glankler.com>

Fri, Jan 9, 2026 at 3:54 PM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>

Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Hello CITCO Team,

The attached letter summarizes the response of the applicant to the guidance provided by CITCO on January 2, 2026.

Thank you for your consideration of the attached and the applicant looks forward to future discussion.

Please note that in order to align the budget request to the guidance, the GHG calculations for the sub application of industrial equipment have changed marginally. The applicant was unable to update the BAU/New technology tables in the portal itself but has uploaded a new GHG calculation attachment into the sub-application document.

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 **Response Letter to CITCO_Jan 9 2026.docx**
18K

CITCO - CEO , CEO <ceo_citco@state.co.us>
To: "Stewart G. Austin, Jr." <saustin@glankler.com>
Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>

Mon, Jan 12, 2026 at 1:27 PM

Received, thank you

- CITCO Team

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CITCO - CEO , CEO <ceo_citco@state.co.us> Thu, Jan 15, 2026 at 1:19 PM
To: "Stewart G. Austin, Jr." <saustin@glankler.com>
Cc: Elizabeth Lee - CEO <elizabeth.r.lee@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Hi Stewart,

Thank you for uploading all the documents and supplying a detailed response to each clarification question. One additional question:

In the CITCO application portal, the review team noted that newly uploaded project schedules for each sub-application are labeled "Confidential Business Information_Example Project Schedule", and they seem to be the exact same GANTT charts. Is this correct?

Is the applicant able to segment the project schedules based on sub-application type in any further detail?

- CITCO Team

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CITCO - CEO , CEO <ceo_citco@state.co.us> Fri, Jan 16, 2026 at 12:46 PM
To: "Stewart G. Austin, Jr." <saustin@glankler.com>
Cc: Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>
Bcc: Nathaniel Dungey <nathaniel.dungey@clearesult.com>

Hi Stewart,

After further review of the 855400 LLC application, the CEO would like to request a few additional technical documents.

1. The energy and emissions audit is not a requirement, but the CEO is in need of technical documentation to justify and assess viability for the proposed processes being implemented at the **Redacted** Specifically, in order to conduct the technical evaluation, the CEO requests site designs, process plans and/or project designs for the proposed projects. Feel free to redact any information not applicable to the project's you are requesting cost coverage for.
2. Can the applicant provide proof of experience for Yates for the people calculating the GHG emissions? (e.g. certifications / resumes / CVs)
3. Project schedule clarifications. Please refer to the previous email in this email chain.

Please acknowledge receipt, and return this information within 5 business days (due Jan 26, 2026).

- CITCO Team

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Stewart G. Austin, Jr. <saustin@glankler.com>

Fri, Jan 16, 2026 at 12:49 PM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>

Cc: Lille Haecker - CEO <lille.haecker@state.co.us>, Wil Mannes - CEO He Him <wil.mannes@state.co.us>

Message received—I will get with our engineering group for details.

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CITCO - CEO , CEO <ceo_citco@state.co.us>

Thu, Jan 22, 2026 at 9:23 AM

To: "Stewart G. Austin, Jr." <saustin@glankler.com>, Lille Haecker - CEO <lille.haecker@state.co.us>

Hi Austin,

Checking back in on this request as the information is due tomorrow.

- CITCO Team

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Stewart G. Austin, Jr. <saustin@glankler.com>

Thu, Jan 22, 2026 at 10:15 AM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>

Thanks- our team should have the details by tomorrow morning, and

I will send that as soon as I have it.

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Stewart G. Austin, Jr. <saustin@glankler.com>

Fri, Jan 23, 2026 at 2:30 PM

To: "CITCO - CEO , CEO" <ceo_citco@state.co.us>, Lille Haecker - CEO <lille.haecker@state.co.us>

CITCO team,

Regarding your follow up questions:

1. The Company will upload to the CITCO portal additional documents including PIDs, layouts, example Gantts, schedules. These are confidential business information that the Company requests be protected as they are process and design secrets of the Company. The documents are marked "Confidential and Proprietary."
2. The resumes of the supporting engineers will be uploaded to the portal.
3. The Company has added clarification to the existing schedule provided to show more information regarding the specific project timelines (now highlighted in blue, new titles, new description in the

body of the tables). The schedule contains the timelines for each sub application as requested within the format of the overall project schedule as was previously requested.

Thank you - please provide any additional questions as needed.

Stewart G. Austin, Attorney

Glankler Brown, PLLC

901.576.1706 saustin@glankler.com

www.glankler.com

6000 Poplar Avenue, Suite 400, Memphis, TN 38119

From: CITCO - CEO , CEO <ceo_citco@state.co.us>

Sent: Thursday, January 22, 2026 10:24 AM

To: Stewart G. Austin, Jr. <saustin@glankler.com>; Lille Haecker - CEO <lille.haecker@state.co.us>

Subject: Re: ACTION REQUIRED: CITCO Info Needed - 855400 LLC

Hi Austin,

Checking back in on this request as the information is due tomorrow.

- CITCO Team

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CITCO - CEO , CEO <ceo_citco@state.co.us>

To: "Stewart G. Austin, Jr." <saustin@glankler.com>

Tue, Jan 27, 2026 at 12:38 PM

Hi Stewart,

Received - thank you! We will reach out with any further questions.

- CITCO Team

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