

Application for a Business Account

This application is for the establishment of a trading account for the purpose of purchasing bulk unbranded fuels from Amira USA. Attached is a business application and tax overview for prospective clients. AmiraUSA, LLC is registered with the IRS under the Excise Tax 637 Registration Program for activity letter Amira(S) 637 registration can be verified by entering our company's registration number at <http://www.irs.gov/app/exciseTax/>.

Proposed buyers are required to complete the business application and also the attached questionnaire so that we can determine the excise tax requirements and invoicing requirements.

As a position holder within the bulk terminal/transfer system, we are required to collect excise tax at the rates below for unregistered users who do not have 637 registrations; however, to take title of product within the bulk terminal/transfer system (which includes pipelines) you are required to be registered:

Gasoline	Aviation Gasoline	Diesel Fuel	Kerosene
\$.184 per gallon	\$.194 per gallon	\$.244 per gallon	\$.244 per gallon

A leaking underground storage tank (LUST) tax of \$.001 per gallon may also be applied to purchaser's dependant on the buyer's registration and position within the fuel purchasing system i.e. Federal or State Entity

A copy of the *Notification of Certificate of Taxable Fuel Registrant* is also attached and must be completed prior to any sale if your business is a taxable fuel registrant.

The notification certificate is used to notify a person of the registration status of the registrant. A copy of the registrant's letter of registration cannot be used as a notification certificate. The certificate may be included as part of any business records normally used for a sale. A certificate expires on the earlier of the date the registrant provides a new certificate, or the date the recipient of the certificate is notified that the registrant's registration has been revoked or suspended. The registrant must provide a new certificate if any information on a certificate has changed.

Bulk Fuels Pricing

Bulk fuel pricing is based on PLATTS plus number of points (1 point = 1/100th of a penny), on the day before loading with a minimum order qty of 250,000 gallons per month for 12 months unless it is a spot purchase. OPIS Rack pricing will occur at the terminal rack (excluding refinery) if the buyer requires to take delivery at a terminal location situated on the Colonial Pipeline system. Amira USA, LLC is registered as a Supplier/Consignor on the Colonial Pipeline and with T4 Transport.

The following entities can purchase fuel where tax does not apply if they are tax exempt registrants within the bulk terminal/transfer system:

An enterer, an industrial user, a refiner, a terminal operator, or a through putter who received a *Letter of Registration* under the excise tax registration provisions and whose registration has not been revoked or suspended.

If you are not 637 registered as a *Taxable Fuel Registrant* and wish to purchase product then you will be taxed at the above excise tax rates and will receive product at a rack terminal location at adjusted pricing. To move fuel within the bulk transfer/terminal system by the colonial pipeline you must also have shipper status and pay the tariffs imposed by the Colonial pipeline.

Tax Information and Documentation

Fuel taxes

Excise taxes are imposed on all of the following fuels:

- Gasoline, including aviation gasoline and gasoline blend stocks
- Diesel fuel, including dyed diesel fuel
- Diesel-water emulsion
- Kerosene, including dyed kerosene and kerosene used in aviation
- Other fuels (including alternative fuels)
- Compressed natural gas (CNG)
- Fuels used in commercial transportation on inland waterways

Registration requirements

Persons that are required to be registered:

- **Blender:**
This is a person that produces blended taxable fuel
- **Enterer:**
This is the importer of record (under customs law) for the taxable fuel
- **Pipeline Operator:**
This is a person that operates a pipeline within the bulk fuel transfer/terminal system
- **Position Holder:**
This is the person that holds the inventory position in the taxable fuel in the terminal, as reflected in the records of the terminal operator
- **Refiner:**
This is the person that owns, operates, or otherwise controls a refinery
- **Terminal Operator:**
This is any person that owns, operates, or otherwise controls any terminal
- **Vessel Operator:**
This is the person that holds a vessel within the bulk transfer/terminal system.
However vessel does not include a deep draft ocean going vessel
- **Producer or importer of alcohol, biodiesel, agri-diesel and renewable diesel, or**
- **Producer of cellulosic biofuel**

Persons that may register (but are not required to):

- Feedstock user
- Industrial user
- Through putter that is not a position holder
- Ultimate vendor
- Diesel-water fuel emulsion producer

- Credit card issuer
- Alternative fuel claimant

Taxable Fuel Registrant

This is an Enterer, an industrial user, a refiner, a terminal operator, or a through putter who received a *Letter of Registration* under the excise tax registration provisions and whose registration has not being revoked or suspended.

Sales

For taxable fuel not in a terminal, this is the transfer of title to or substantial incidents of ownership in, taxable fuel to the buyer for money, services, or other property for taxable fuel in a terminal; this is the transfer of the inventory position if the transferee becomes the position holder for that taxable fuel.

Sales to Unregistered Persons

The sale of gasoline located in the bulk transfer/terminal system to a person that is not a registrant is taxable if tax was not previously imposed. The seller is liable for the tax. However, sellers meeting all the following conditions at the time of sale will not be liable for the tax:

- The seller is a registrant
- The seller has an unexpired **notification certificate** (not attached) from the buyer
- The seller has no reason to believe any information on the certificate is false.

The buyer of the gasoline is liable for the tax if the seller meets these conditions. The buyer is jointly and severally liable if the seller does not meet these conditions.

Exception: The tax does not apply to a sale if all of the following apply.

- *The buyers' principal place of business is not in the United States*
- *The sale occurs as the fuel is delivered into a transport vessel with a capacity of at least 20,000 barrels of fuel*
- *The seller is a registrant and the exporter of record*
- *The fuel was exported*

Notification Certificate

The notification certificate is used to notify a person of the registration status of the registrant. A copy of the registrant's letter of registration cannot be used as a notification certificate. A model notification certificate is attached. The certificate may be included as part of any business records normally used for a sale. A certificate expires on the earlier of the date the registrant provides a new certificate, or the date the recipient of the certificate is notified that the registrant's registration has been revoked or suspended. The registrant must provide a new certificate if any information on a certificate has changed.

Gasoline and Aviation Gasoline

Gasoline means all products commonly or commercially known or sold as gasoline with an octane rating of 75 or more that are suitable for use as a motor fuel.

Aviation gasoline means all special grades of gasoline suitable for use in aviation reciprocating engines and covered by ASTM specification D910 or military specification MIL-G-5572.

Taxable Events

The tax on gasoline is \$.184 per gallon. The tax on aviation gasoline is \$.194 per gallon. Tax is imposed on the removal, entry, or sale of gasoline. If the tax is paid on the gasoline in more than one event, a refund may be allowed for the second tax paid.

Removal from Terminal

All removals of gasoline at a terminal rack is taxable. The position holder for that gasoline is liable for that tax.

Removal from Refinery

The removal of gasoline from a refinery is taxable if the removal meets either of the following conditions:

- It is made by bulk transfer and the refiner, the owner of the gasoline immediately before the removal, or the operator of the pipeline or vessel is not a registrant
- It is made at the refinery rack

Exception. The tax does not apply to a removal of gasoline at the refinery rack if all of the following requirements are met:

- *The gasoline is removed from an approved refinery not served by a pipeline (other than for receiving crude oil) or a vessel*
- *The gasoline is received at a facility operated by a registrant and located within the bulk transfer terminal system*
- *The removal from the refinery is by railcar*
- *The same person operates the refinery and the facility at which the gasoline is received*

Diesel Fuel and Kerosene

Generally diesel fuel and kerosene are taxed in the same manner as gasoline. Diesel fuel means any liquid that without further processing or blending is suitable for use as a fuel in a diesel powered highway vehicle or train, and Transmix. Transmix means a by-product of refined products created by the mixing of different specification products during pipeline transportation.

Diesel fuel does not include gasoline, kerosene, excluded liquid, No.5 and No.6 fuel oils covered by ASTM specification D396, or F-76 (Fuel Naval Distillate) covered by military specification MIL-F-16884.

Kerosene means any of the following liquids:

- One of the two grades of kerosene (No.1-K and No.2-K) covered by ASTM specification D3699
- Kerosene-type jet fuel covered by ASTM specification D1655 or military Specification MIL-DTL-5624T (Grade JP-5) or MIL-DTL-83133E (Grade JP-8).

Taxable Events

The tax on Diesel fuel and kerosene is \$.244 per gallon. It is imposed on the removal, entry or sale of diesel fuel or kerosene. Only the \$.001 LUST tax applies to dyed diesel fuel and dyed kerosene.

Removal from Rack

All removals of diesel fuel and kerosene at a terminal rack are taxable. The position holder for that fuel is liable for that tax.

Removal from Refinery

The removal of the fuel from a refinery is taxable if the removal meets either of the following conditions:

- It is made by bulk transfer and the refiner, the owner of the fuel immediately before the removal, or the operator of the pipeline or vessel is not a registrant
- It is made at the refinery rack

Exception. The tax does not apply to a removal of diesel fuel kerosene at the refinery rack if all of the following requirements are met :

- *The diesel fuel or kerosene is removed from an approved refinery not served by a pipeline (other than for receiving crude oil) or a vessel*
- *The diesel fuel or kerosene is received at a facility operated by a registrant and located within the bulk transfer terminal system*
- *The removal from the refinery is by:*

Railcar and the same person operates the refinery and the facility at which the diesel fuel or kerosene is received, or

For diesel fuel only, a trailer or semi-trailer used exclusively to transport the Diesel fuel from a refinery to a facility is less than 20 miles from a refinery.

- *The same person operates the refinery and the facility at which the gasoline is received*

Sales to Unregistered Persons

The sale of diesel fuel or kerosene located in the bulk transfer/terminal system to a person that is not a registrant is taxable if tax was not previously imposed. The seller is liable for the tax. However, a seller meeting all the following conditions at the time of sale will not be liable for the tax:

- The seller is a registrant
- The seller has an unexpired **notification certificate** (sample attached) from the buyer
- The seller has no reason to believe any information on the certificate is false.

The buyer of the diesel fuel or kerosene is liable for the tax if the seller meets these conditions. The buyer is jointly and severally liable if the seller does not meet these conditions.

Exception: The tax does not apply to a sale if all of the following apply.

- *The buyers' principal place of business is not in the United States*
- *The sale occurs as the fuel is delivered into a transport vessel with capacity of at least 20,000 barrels of fuel*
- *The seller is a registrant and the exporter of record*
- *The fuel was exported.*

Account Information

Approved account holders with Portal will be required to furnish a current letter of registration and notification certificate for each contract purchase. A minimum order quantity of 250,000 gallon per month is required for term contracts of 12 months at a price to be determined as referenced in Bulk Fuel Pricing previously mentioned.

As a registered wholesaler we have access to petroleum products from three refineries located in Baton Rouge and Houston. The preferred delivery is via the Colonial Pipeline or to the terminal rack. Pricing will depend on product delivery and termination point/s.

Fuel Exports

Product may be exported to foreign buyers in accordance with export controls and vessels must hold a minimum capacity of 20,000 barrels. Foreign buyers can inquire further about the delivery of bulk fuels outside the domestic US.



BUSINESS CONTACT INFORMATION			
Title:			
Company name:			
Phone:	Fax:	E-mail:	
Registered company address:			
City:	State:	ZIP Code:	
Date business commenced:		EIN:	
Sole proprietorship:	Partnership:	Corporation:	Other:
BUSINESS AND CREDIT INFORMATION			
Primary business address:			
City:	State:	ZIP Code:	
How long at current address?			
Telephone:	Fax:	E-mail:	
Bank name:			
Bank address:		Phone:	
City:	State:	ZIP Code:	
<u>Type of account (check one):</u>	Account number/s (only required for draft/wire transfers if applicable):		
Savings <input type="checkbox"/>	1.		
Checking <input type="checkbox"/>	2.		
Other <input type="checkbox"/>	3.		
BUSINESS/TRADE REFERENCES			
Company name:			
Address:			
City:	State:	ZIP Code:	
Phone:	Fax:	E-mail:	
Type of account:			
Company name:			
Address:			
City:	State:	ZIP Code:	
Phone:	Fax:	E-mail:	
Type of account:			
Company name:			
Address:			
City:	State:	ZIP Code:	

Instructions:

On completion of this form email to:

info@amirausa.com

This application in itself does not guarantee a successful application. Other factors including trade and credit history will also be taken into account.

This form will be processed in 3 business days and confirmation of account status will be emailed to the applicant.

This application once completed and sent is a privileged document with restricted access rights.

Phone:	Fax:	E-mail:
Type of account:		
AGREEMENT		
1. All invoices are to be prepaid or paid within 3 days from the date of delivery on the invoice, unless otherwise agreed upon. 2. By submitting this application, you authorize Portal Energy International LLC to make inquiries into the banking and business/trade references that you have supplied.		
SIGNATURES (TWO COMPANY SIGNATORIES REQUIRED)		
Title: Date:		Title: Date:
EXCISE TAX REGISTRATION		
Activity i.e. Position Holder, Refiner, Industrial User etc (see attached info):		
Company Terminal Authorizations (if applicable):		
Activity Letter:		Notification Certificate attached: Yes <input type="checkbox"/> No <input type="checkbox"/>
Registered authorized user (Individual/Company):		
City:	State:	ZIP Code:
Date business commenced:		
Office Phone:	Fax:	Email: Other:
TERMINAL LOCATION (IF APPLICABLE)		
Primary Terminal address:		
City:	State:	ZIP Code:
Authorized Operator		
Telephone:	Fax:	E-mail:
Contact name:		
Contact address:		Phone:
City:	State:	ZIP Code:
<u>Product Type</u>	637/Taxable Registrant Number:	
Gasoline:	Activity Letter:	
Diesel:	Activity Description:	
Kerosene:	Unregistered Person/Entity: Yes <input type="checkbox"/> No <input type="checkbox"/>	

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This form will be processed in 3 business days and confirmation of account status will be emailed to the applicant.

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Office Use Only

Date received:

Received by:

Action taken:

Account approved by:

Date approved:

Client account number:



IRS 637 MODEL CERTIFICATE C

NOTIFICATION CERTIFICATE OF TAXABLE FUEL REGISTRANT

TO: AmiraUSA, LLC

1250 24th Street, NW, Suite 300, Washington, DC 20037 [EIN: 35-2340645]

Name, Address, and employer identification number of person receiving certificate

The undersigned taxable registrant ("Registrant") hereby certifies under penalties of perjury that Registrant is registered by the Internal Revenue Service with registration number _____ and that Registrant's registration has not been revoked or suspended by the Internal Revenue Service.

Registrant understands that the fraudulent use of this certificate may subject Registrant and all parties making such fraudulent use of this certificate to a fine or imprisonment, or both, together with the costs of prosecution.

Signature and date signed

Printed or typed name of person signing

Title of person signing

Name of Registrant

Employer identification number

Address of Registrant