

## **Just Energy Income Fund 2010 U.S. Tax Information**

The following is intended to provide individual U.S. Unitholders of the Just Energy Income Fund (“JEIF”) additional information to assist in the preparation of their 2010 IRS Form 1040 – U.S. Individual income tax return:

### **Trust Units Held Within a Qualified Retirement Plan**

No amounts are required to be reported on an IRS Form 1040 – U.S. Individual Income Tax Return where JEIF trust units are held within a qualified retirement plan.

### **Trust Units Held Outside of a Qualified Retirement Plan**

U.S. individual Unitholders who hold their JEIF trust units through a stockbroker or other intermediary should receive tax-reporting information from their stockbroker or intermediary. We expect that the stockbroker will issue a Form 1099–DIV “Dividends and Distributions” or a substitute form developed by the stockbroker or other intermediary.

The amount included on Line 1b of the Form 1099–DIV represents dividends that could be eligible for the low dividend rate of tax. JEIF believes that its dividends are “Qualified Dividends” and therefore should be reported on Line 9b of the U.S. federal income tax return unless the fact situation of a particular U.S. individual Unitholder determines otherwise. Refer to Page 20 and 21 of the IRS 2010 Form 1040 Instruction booklet for examples of individual situations where the dividends are not “Qualified Dividends”. In the cases that the amount is not a “Qualified Dividend” due to individual situations, it should be reported on Line 9a of your U.S. federal income tax return as an Ordinary Dividend.

The amount included in Line 3 of the Form 1099–DIV is generally non-taxable. This amount is non-taxable if it is a return of your cost in the trust units. You must reduce your cost by this amount for calculating capital gain or loss when you sell your units. If this amount exceeds your cost, report the excess as a capital gain, even though the Form 1099–DIV shows the amount as non-taxable.

The amount included on Line 6 of the Form 1099–DIV representing the amount of foreign tax paid (Canadian withholding tax, see below) that should be reported on Form 1116 “Foreign Tax Credit (Individual, Estate, or Trust)”. Information regarding the amount of Canadian tax withheld in 2010 should be available from your stockbroker or other intermediary and is not available from JEIF.

## **Canadian Withholding Tax**

Monthly distributions payable (including the special distribution) to non-residents of Canada are normally subject to a withholding tax of 25% as prescribed by the Income Tax Act of Canada. This withholding tax may be reduced in accordance with reciprocal tax treaties, and in the case of the Tax Treaty between Canada and the U.S., the withholding tax for U.S. residents is 15%. U.S. taxpayers may be eligible for a foreign tax credit with respect to the Canadian withholding taxes paid.

**This information is not exhaustive of all possible U.S. income tax considerations, but is a general guideline and is not intended to be legal or tax advice to any particular holder or potential holder of JEIF units. Holders or potential holders of JEIF units should consult their own legal and tax advisors as to their particular tax consequences of holding JEIF units as well as to determine whether claiming a credit or deduction for foreign income taxes is more beneficial for you.**