

CAPSTONE TURBINE CORP
Form 8-K
September 02, 2009

UNITED STATES
SECURITIES AND EXCHANGE COMMISSION

WASHINGTON, D.C. 20549

FORM 8-K

CURRENT REPORT

Pursuant to Section 13 or 15 (d) of The Securities Exchange Act of 1934

Date of Report (Date of earliest event reported) **September 2, 2009 (August 27, 2009)**

CAPSTONE TURBINE CORPORATION

(Exact name of registrant as specified in its charter)

Delaware
(State or other jurisdiction
of incorporation)

001-15957
(Commission File Number)

95-4180883
(I.R.S. Employer
Identification No.)

**21211 Nordhoff Street,
Chatsworth, California**
(Address of principal executive offices)

91311
(Zip Code)

(818) 734-5300

(Registrant's telephone number, including area code)

Edgar Filing: CAPSTONE TURBINE CORP - Form 8-K

Check the appropriate box below if the Form 8-K filing is intended to simultaneously satisfy the filing obligation of the registrant under any of the following provisions:

- Written communications pursuant to Rule 425 under the Securities Act (17 CFR 230.425)

 - Soliciting material pursuant to Rule 14a-12 under the Exchange Act (17 CFR 240.14a-12)

 - Pre-commencement communications pursuant to Rule 14d-2(b) under the Exchange Act (17 CFR 240.14d-2(b))

 - Pre-commencement communications pursuant to Rule 13e-4(c) under the Exchange Act (17 CFR 240.13e-4(c))
-

Item 1.01 Entry into a Material Definitive Agreement.

On August 27, 2009, Capstone Turbine Corporation (the Company) and Northpark Industrial, Northwest Industrial Center, LLC, and Northpark Industrial-Leahy Division entered into a second amendment (the Amendment) to the Lease Agreement dated December 1, 1999, for leased premises used by the Company for primary office space, engineering testing and manufacturing located at 21211 Nordhoff Street, Chatsworth, California. The Amendment extends the term of the Lease Agreement from May 31, 2010 to July 31, 2014. The Company has two 5-year options to extend the term of the Lease Agreement beyond July 31, 2014. The Amendment also sets the monthly base rent payable by the Company under the Lease Agreement at \$66,640 per month, with an annual increase in the base rent on August 1, 2010, August 1, 2011, August 1, 2012 and August 1, 2013. On such dates, the base rent shall increase by 5% of the base rent in effect at the time of the increase or a percentage equivalent to the increase in the Consumer Price Index, whichever is greater.

A complete copy of the Lease Agreement, as amended, is filed as Exhibit 10 to this Current Report on Form 8-K.

Item 9.01 Financial Statements and Exhibits.

(d) Exhibits.

| | |
|------------|--|
| Exhibit 10 | Lease Agreement between Capstone Turbine Corporation and Northpark Industrial, Northwest Industrial Center, LLC, and Northpark Industrial-Leahy Division dated December 1, 1999, as amended. |
|------------|--|

SIGNATURE

Pursuant to the requirements of the Securities Exchange Act of 1934, the Registrant has duly caused this report to be signed on its behalf by the undersigned hereunto duly authorized.

CAPSTONE TURBINE CORPORATION

Date: September 2, 2009

By:

/s/ Edward I. Reich
Edward I. Reich
Executive Vice President and Chief Financial Officer

Exhibit Index

| Exhibit | Description |
|----------------|--|
| 10 | Lease Agreement between Capstone Turbine Corporation and Northpark Industrial, Northwest Industrial Center, LLC, and Northpark Industrial-Leahy Division dated December 1, 1999, as amended. |