New York State Department of Taxation and Finance

Instructions for Form PT-103

Tax on Residual Petroleum Product Businesses, and for Supporting Schedules (Forms PT-103.1, PT-103.2 and PT-103.3)

PT-103-I
(4/97)

General Information

Anyone registered as a residual petroleum product business must file Form PT-103.

If you are an exempt organization that has established its status as an exempt organization under section 1116(a) of the Tax Law, and any motor fuel, diesel motor fuel or residual petroleum product that you import into New York State or that you produce, refine, manufacture or compound in New York State is consumed exclusively by you, then you are not subject to the Article 13-A tax on petroleum businesses (enter none on the tax due line).

Residual petroleum product is the topped crude of refinery operations and includes products commonly designated by the petroleum refining industry as number 4 diesel fuel not suitable for use as a fuel in the operation of a motor vehicle, numbers 5 and 6 fuel oil, and "Bunker C."

Inventory and Purchases (lines 1 through 7)

Line 1 — Enter total gallons of your residual petroleum product on hand at all storage facilities in New York State at the beginning of the month. This figure should be the same as that reported on line 6 of Form PT-103 filed for the preceding month.

Line 2 — Enter the total number of gallons from Form PT-103.1, Part(s) I, *Receipts in New York State from Sources Outside New York State.*

Line 3 — Enter the total number of gallons from Form PT-103.1, Part(s) II, *Receipts in New York State from Sources Within New York State.*

Line 4 — Enter the total gallons of nonresidual petroleum product substances that were added to and increased your overall inventory of residual petroleum product.

Line 6 — Enter the total gallons of your residual petroleum product on hand at all storage facilities in New York State at the end of the month. This figure cannot be a negative amount. An *accommodation* sale must be treated as a purchase and a sale.

Line 7 — Line 7 includes gallons sold or used during the reporting period.

Computation of the Article 13-A Tax (lines 8 through 25)

Line 8 — Enter the total number of gallons from Form PT-103.1, Part(s) III, *Sales to Registered Residual Petroleum Product Businesses* (includes sales to electric utilities with a direct pay permit for the production of electricity for sale).

Line 9 — Enter the total number of gallons from Form PT-103.1, Part(s) IV, *Sales to United States, New York State and Municipalities.*

Line 10 — Enter the total number of gallons from Form PT-103.1, Part(s) V, *Sales to Exempt Organizations.* Do not include sales for residential heating; report sales for residential heating on line 13.

Line 11 — Enter the total number of gallons from Form PT-103.2, Part(s) I, *Transfers Out of New York State,* prepared for each state and Canadian province.

Line 12 — Enter the total number of gallons from Form PT-103.2, Part(s) II, *Sales in New York State for Immediate Export,* that was prepared for each state and Canadian province.

Line 13 — Enter the total number of gallons of residual petroleum product sold to consumers for residential heating upon which the petroleum business tax was not passed through. Also include the total gallons you used for residential heating.

Line 14 — Enter the total number of gallons from Form PT-103.3, Part(s) I, *Sales for Use as Bunker Fuel in Vessels.*

Line 15 — Enter the number of gallons of residual petroleum product that you purchased on which you paid the petroleum business tax and that you used during the month.

Line 16 — Enter the total number of gallons of residual petroleum product that you sold to farmers during the month in New York State upon which you did not pass through the petroleum business tax. You must have Form FT-1004, *Farmers' Exemption Certificate for Purchases of Diesel Motor Fuel/Residual Petroleum Product,* on file to cover such sales. Also, if you are a farmer, include gallons you used for farming.

Line 19 — Enter the net number of gallons of residual petroleum product from your adjustments. Explain all adjustments in detail. Attach additional sheets, if necessary, to explain the adjustments.

Examples of adjustments include the following:

— Number of gallons of residual petroleum product that were lost due to evaporation, shrinkage and handling at bulk storage facilities (other than retail service stations). This figure should be subtracted from line 18 when computing line 20. You must maintain records to substantiate these losses. In addition, you may include on line 19 the total gallons of residual petroleum product lost due to a casualty, provided the loss has been approved by the Tax Department. You must submit a report of casualty loss within 24 hours to the NYS Tax Department, TTTB-FACCTS, Fuel Audit Unit, W A Harriman Campus, Albany NY 12227-0250, requesting to include the loss on your tax return.

— Bulk inventory gains of residual petroleum product sold or used. This figure should be added to line 18 when computing line 20.

— Adjustments (in gallons) from prior periods. Subtract a credit or add a debit to line 18 when computing line 20.

Line 22 — Enter the total number of gallons from Form PT-103.3, Part(s) II, *Sales to Manufacturers for Use in Manufacturing.*

Line 23 — Enter the number of gallons of **residual petroleum product** included on line 20 less: (a) gallons claimed on line 22 (manufacturing exemption/reimbursement), (b) product that was sold to an electric corporation for use in manufacturing or producing electricity for sale, and (c) product sold to an electric corporation by use of a direct pay permit. If you are an electric corporation, you may not include residual petroleum product that you used in fueling generators for the purpose of producing electricity by generation. Only include gallonage that was included for the first time in the measure of the petroleum business tax on or after **September 1, 1994**.

Note: Exemption/reimbursement/credit cannot be claimed on both lines 22 and 23 on the same gallonage. Gallonage entered on line 22 under the manufacturing exemption/reimbursement cannot be claimed as commercial gallonage on line 23.

Line 25 — Transfer this amount to Form PT-100, *Petroleum Business Tax Return,* line 5, Column B.

Instructions for Form PT-103.1

Residual Petroleum Product - Schedule of Receipts and Sales

Part I - Receipts in New York State from Sources Outside New York State

For each out-of-state supplier from whom you imported residual petroleum product during the month, enter the name and address of the supplier and the total gallons imported.

Where residual petroleum product has been imported from your out-of-state facilities, enter the name and address of each facility and the total gallons imported during the month.

Include gallons shipped directly to any of your facilities or customers in New York State.

You are the importer of residual petroleum product if you:

1) have ownership of the product at the time it enters New York State's jurisdiction; or
2) direct or control the importation of product into New York State.

Part II - Receipts in New York State from Sources Within New York State

For each supplier from whom you purchased or received residual petroleum product in New York State, enter the name of the supplier, the supplier's residual petroleum product business registration number, and the total gallons purchased.

Include gallons shipped directly to any of your facilities or customers in New York State.

Part III - Sales to Registered Residual Petroleum Product Businesses (includes sales to electric utilities with a direct pay permit for the production of electricity for sale)

Enter the date, the name, residual petroleum product business registration number, and number of gallons of residual petroleum product sold to residual petroleum product businesses upon which the petroleum business tax was not passed through.

You must have Form PT-301, *Petroleum Business Tax Residual Petroleum Product Exemption Certificate* on file for each such customer.

Part IV - Sales to the United States Government, New York State and Municipalities

Enter (1) the date, (2) the name of the governmental entity to which you sold residual petroleum product without passing through the petroleum business tax, (3) the contract or approval number, and (4) the number of gallons sold.

The United States government and its agencies, and New York State, its agencies and municipalities are the only governmental entities that may purchase residual petroleum product without paying the petroleum business tax.

Part V - Sales to Exempt Organizations

Enter (1) the date (month and year), (2) the name and address of the exempt organization to which you sold residual petroleum product without passing through the petroleum business tax, (3) the exempt organization number, and (4) the number of gallons sold.

Exempt organizations granted exemption from sales tax under sections 1116(a)(4) or 1116(a)(5) of the Tax Law are the exempt organizations that may purchase residual petroleum product without paying the petroleum business tax. This product must be used in the furtherance of the exempt purposes of the organization and not in any unrelated business activities. You must have Form FT-1021-A, *Certification for Purchases of Unenhanced Diesel Motor Fuel or Residual Petroleum Product by Certain Exempt Organizations,* on file to cover such sales. Do not include sales for residential heating. Include all sales for residential heating on line 13.

Instructions for Form PT-103.2

Residual Petroleum Product - Schedule of Transfers Out of New York State and Sales in New York State for Immediate Export

Part I - Transfers Out of New York State

Prepare a separate Part I for each state and Canadian province. List the name and address of each purchaser that is a residual petroleum product business, wholesaler, or other reseller of the residual petroleum product in the other state or province.

Submit two copies of each Part I with your tax return.

Part II - Sales in New York State for Immediate Export

Prepare a separate Part II for each state and Canadian province.

For each transaction where you sell residual petroleum product within New York State to a residual petroleum product business or dealer registered or authorized to conduct business in the other state or province for immediate export to that state or province upon which the petroleum business tax has not been passed through and for which you received a properly completed Form PT-300, *Statement of Exportation of Residual Petroleum Product by Purchaser*, enter (1) the name of the out-of-state distributor or dealer, (2) the date shipped, (3) the name of the transporter, (4) the loading point in New York State, and (5) the number of gallons.

Submit two copies of each Part II with your tax return.

Instructions for Form PT-103.3

Residual Petroleum Product - Schedule of Sales for Use as Bunker Fuel in Vessels and Sales to Manufacturers for Use in Manufacturing

Part I - Sales for Use As Bunker Fuel in Vessels

Enter (1) the date on which you sold residual petroleum product for use as bunker fuel in vessels without passing through the petroleum business tax, (2) the customer's name, (3) the vessel's name and/or identification number, and (4) the number of gallons sold. Also include the total gallons used as bunker fuel in your vessels.

Add the number of gallons shown in the *Gallons* column of Part I and enter the total.

You must have Form PT-301, *Petroleum Business Tax Residual Petroleum Product Exemption Certification*, on file for each such customer.

Part II - Sales to Manufacturers for Use in Manufacturing

Enter (1) the date on which you sold residual petroleum product for use in manufacturing without passing through the supplemental tax and related surcharge of the petroleum business tax, (2) the customer's name, (3) the customer's address, and (4) the number of gallons sold for manufacturing. Also include the total gallons you used for such purposes.

Add the number of gallons shown in the *Gallons for Manufacturing* column of Part II and enter the total.

You must have Form FT-1012, *Manufacturing Certification for Certain Taxes Imposed on Diesel Motor Fuel and Residual Petroleum Product*, on file to cover such sales.

Need Help?

For information, forms or publications, call the Business Tax Information Center at 1 800 972-1233. For information, you can also call toll free 1 800 225-5829. For forms or publications, call toll free 1 800 462-8100.

Telephone assistance is available from 8:30 a.m. to 4:25 p.m., Monday through Friday.

From areas outside the U.S. and Canada, call (518) 485-6800.

Hotline for the Hearing and Speech Impaired - If you have a hearing or speech impairment and have access to a telecommunications device for the deaf (TDD), you can get answers to your New York State tax questions by calling toll free from the U.S. and Canada 1 800 634-2110. Hours of operation are from 8:30 a.m. to 4:15 p.m., Monday through Friday. If you do not own a TDD, check with independent living centers or community action programs to find out where machines are available for public use.

Persons with Disabilities - In compliance with the Americans with Disabilities Act, we will ensure that our lobbies, offices, meeting rooms and other facilities are accessible to persons with disabilities. If you have questions about special accommodations for persons with disabilities, please call the information numbers listed above.

If you need to write, address your letter to: NYS Tax Department, Taxpayer Assistance Bureau, W A Harriman Campus, Albany NY 12227.