



Instructions for Form CT-184-M Transportation and Transmission Corporation MTA Surcharge Return

Form CT-1, Supplement to Corporation Tax Instructions

See Form CT-1 for the following topics:

- Changes for the current tax year (general and by Tax Law Article)
- Business information (how to enter and update)
- Entry formats
 - Dates
 - Negative amounts
 - Percentages
 - Whole dollar amounts
- Third-party designee
- Paid preparer identification numbers
- Is your return in processible form?
- Use of reproduced and computerized forms
- Electronic filing and electronic payment mandate
- Web File
- Form CT-200-V
- Collection of debts from your refund or overpayment
- Fee for payments returned by banks
- Reporting requirements for tax shelters
- Tax shelter penalties
- Voluntary Disclosure and Compliance Program
- Your rights under the Tax Law
- Need help?
- Privacy notification

General information

Who must file

Form CT-184 filers — If you do business, employ capital, own or lease property, or maintain an office in the Metropolitan Commuter Transportation District (MCTD), you must file Form CT-184-M and pay the metropolitan transportation business tax surcharge (MTA surcharge) on business done in the Metropolitan Transportation Authority region. The MCTD includes the counties of New York, Bronx, Kings, Queens, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester.

When and where to file

This return is due on March 15 following the close of the calendar year. If March 15 falls on a Saturday, Sunday, or legal holiday, the return is due on the next business day. Mail your return to:

**NYS CORPORATION TAX
PROCESSING UNIT
PO BOX 22038
ALBANY NY 12201-2038**

Private delivery services

If you choose, you may use a private delivery service, instead of the U.S. Postal Service, to mail in your form and tax payment. However, if, at a later date, you need to establish the date you filed or paid your tax, you cannot use the date recorded by a private delivery service **unless** you used a delivery service that has been designated by the U.S. Secretary of the Treasury or the Commissioner of Taxation and Finance. (Currently designated delivery services are listed in Publication 55, *Designated Private Delivery Services*. See *Need help?* for information on obtaining forms and publications.) If you have used a designated private delivery service and need to establish the date you filed your form, contact that private delivery service for instructions on how to obtain written proof of the date your form was given to the delivery service for delivery. If you use **any** private delivery service, whether it is a designated service or not, send the forms covered by these instructions to: State Processing Center, 431C Broadway, Albany NY 12204-4836.

Extension of time for filing MTA surcharge return

You may request additional time to file an MTA surcharge return. File Form CT-5.9, *Request for Three-Month Extension to File*, on or before the due date of the return for which you are requesting the extension and pay the MTA surcharge you estimate to be due.

Completing your tax return

Amended return — If you are filing an amended return, mark an **X** in the *Amended return* box on the top of page 1.

An amended New York State return requesting a credit or refund must be filed within three years of the time the original return was filed or within two years of the time the tax was paid, whichever is later; or, if no return was filed, within two years of the time the tax was paid. For additional limitations on credits or refunds, see Tax Law, Article 27, section 1087.

Employer identification number, file number, and other identifying information — For us to process your corporation tax forms, it is important that we have the necessary identifying information. Keep a record of that information and include it on each corporation tax form mailed.

If you use a paid preparer or accounting firm, make sure they use your complete and accurate identifying information when completing all forms.

Line instructions

Line A — Make your check or money order payable in United States funds. We will accept a foreign check or foreign money order only if payable through a United States bank or if marked **Payable in U.S. funds**.

Computation of MTA surcharge

Worksheet for line 1

The MTA surcharge related to Article 9 section 184 must be computed as if the tax rates effective in periods ending on or before **December 31, 1999**, were still in effect. Complete this worksheet before computing the surcharge.

- a. Gross earnings (from Form CT-184, line 1) a. _____
- b. Tax rate (see instruction below) b. _____
- c. Tax on gross earnings (multiply line a by line b) c. _____
- d. Tax on certain railroad dividends (from Form CT-184, line 4) d. _____
- e. Tax before credits (add lines c and d) e. _____
- f. Tax credits (from Form CT-184, line 5) f. _____
- g. Total tax (subtract line f from line e; transfer this amount to Form CT-184-M, line 1) g. _____

Worksheet instruction

Line b — Corporations principally engaged in railroad or trucking activities (or a combination of both) enter **.006**. All other corporations subject to section 184 enter **.0075**.

Line 4 — Foreign authorized corporations only: Credit this amount as a payment toward your annual maintenance fee. See *Foreign corporations — Maintenance fee* on Form CT-183/184-I, *Instructions for Forms CT-183 and CT-184*.

Line 5b — If the franchise tax on Form CT-184, *Transportation and Transmission Corporation Franchise Tax Return on Gross Earnings*, line 6, is over \$1,000, but is not greater than \$100,000, enter 25% (.25) of the amount on line 4. If the franchise tax on Form CT-184, line 6, is over \$100,000, enter 40% (.40) of the amount on line 4.

Enter **0** if the franchise tax on Form CT-184, line 6, is not more than \$1,000.

Line 9 — Form CT-222, *Underpayment of Estimated Tax by a Corporation*, is filed by a corporation to inform the Tax Department that the corporation meets one of the exceptions to reduce or eliminate the underpayment of estimated tax pursuant to Tax Law, Article 27, section 1085(d).

Line 10 — If you do not pay the MTA surcharge on or before the original due date (**without** regard to any extension of time for filing), you must pay interest on the amount of the underpayment from the original due date to the date paid.

Line 11 — Compute additional charges for late filing and late payment on the amount of MTA surcharge, minus any payment made on or before the due date (**with** regard to any extension of time for filing). Exclude from the penalty computation any amount shown on line 5a or 5b, first installment of estimated tax for the next period.

A. If you do not file a return when due or if the request for extension is invalid, add to the MTA surcharge 5% per month up to 25% (section 1085(a)(1)(A)).

- B. If you do not file a return within 60 days of the due date, the addition to MTA surcharge in item A above cannot be less than the smaller of \$100 or 100% of the amount required to be shown as tax (section 1085(a)(1)(B)).
- C. If you do not pay the MTA surcharge shown on a return, add to the MTA surcharge $\frac{1}{2}$ % per month up to 25% (section 1085(a)(2)).
- D. The total of the additional charges in items A and C above may not exceed 5% for any one month, except as provided for in item B above (section 1085(a)).

If you think you are not liable for these additional charges, attach a statement to your return explaining the delay in filing, payment, or both (section 1085).

Note: You may compute your penalty and interest by accessing our Web site, or you may call and we will compute the penalty and interest for you (see *Need help?*).

Line 13 — If line 6 is less than line 7, subtract line 6 from line 7. This is the amount of overpayment which may be divided between lines 14, 15, and 16 in any way you choose.

Schedule A — Computation of MCTD allocation percentage

If you do **all** of your New York State business within the 12 counties of the MCTD, do not complete this schedule. Enter **100** on line 2. If you do part of your business outside the MCTD, compute an MCTD allocation percentage by completing the appropriate part of this schedule.

Part 1 — General transportation or transmission corporations

General transportation and transmission corporations such as trucking, railroad, cable television operators, and messenger service companies must use Part 1.

- For **general transportation corporations**, the MCTD allocation percentage is based on miles traveled within the 12 counties of the MCTD compared to total miles traveled within New York State.
- For **cable television operators**, the MCTD allocation percentage is based on gross receipts from subscribers within the 12 counties of the MCTD compared to gross receipts from subscribers within New York State.

Part 2 — Corporations operating vessels in MCTD territorial waters

Corporations operating vessels must use Part 2. The same type of information used on Form CT-183, *Transportation and Transmission Corporation Franchise Tax Return on Capital Stock*, in Schedule A, Part 2, is required.

Part 3 — Telegraph corporations and local telephone corporations

A telegraph corporation or **local** telephone corporation must use Part 3. The MCTD allocation percentage is based upon total gross operating revenue from transmission services performed wholly within the 12 counties of the MCTD, compared to total gross operating revenue from transmission services performed within the entire state during the period covered by the return.

Line 21 — Enter the gross operating revenue received from telegraph services performed wholly within the MCTD in column A. Enter the gross operating revenue received from telegraph services performed within the entire state in column B.

Line 22 — Column A: Enter the gross operating revenue received from local telephone services performed wholly within the MCTD. To determine gross operating revenue in the MCTD you must: (1) follow the same instructions for Form CT-184, line 22, except you must substitute *MCTD* for *New York State*, and (2) from the amount determined in (1) deduct the following (if sold to your customers for ultimate consumption):

- 100% of separately charged receipts derived from the provision of inter-LATA, interstate, international, or inter-MCTD telecommunication services; and
- 30% of separately charged receipts from the provision of telecommunication services that originate and terminate entirely within a LATA and entirely within the MCTD (but not including any receipts from carrier access services).

Line 22 — Column B: Enter from Form CT-184, line 47, the gross operating revenue received from local telephone services performed within the entire state.

Composition of prepayments claimed on line 7

If you need more space, write **see attached** in this section, and attach a separate sheet showing all relevant prepayment information. Transfer the total shown on the attached sheet to line 7.

Signature

The return must be certified by the president, vice president, treasurer, assistant treasurer, chief accounting officer, or other officer authorized by the taxpayer corporation.

The return of an association, publicly traded partnership, or business conducted by a trustee or trustees must be signed by a person authorized to act for the association, publicly traded partnership, or business.

If an outside individual or firm prepared the return, all applicable entries in the paid preparer section must be completed, including identification numbers (see *Paid preparer identification numbers* in Form CT-1). Failure to sign the return will delay the processing of any refunds and may result in penalties.