



Instructions for Form CT-186-P/M

Utility Services MTA Surcharge Return

Tax Law — Article 9, Section 186-c

CT-186-P/M-I

New for 2023

For a detailed list of what's new, including a summary of tax law changes, visit our website at www.tax.ny.gov (search: 2023).

Form CT-1, Supplement to Corporation Tax Instructions

See Form CT-1 for the following topics:

- Business information (how to enter and update)
- Entry formats
 - Dates
 - Negative amounts
 - Percentages
 - Whole dollar amounts
- Are you claiming an overpayment?
- NAICS business code number and NYS principal business activity
- Limitation on tax credit eligibility
- Third-party designee
- Paid preparer identification numbers
- Is your return in processible form?
- Use of reproduced and computerized forms
- Online services
- 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

Who must file

Note: If you are a telephone or telegraph company or other provider of telecommunication services, even if those services are not your primary business, do not file this form. Instead, file Form CT-186-E, *Telecommunications Tax Return and Utility Services Tax Return*.

A taxpayer filing Form CT-186-P, *Utility Services Tax Return – Gross Income*, who does business in the Metropolitan Commuter Transportation District (MCTD), must also file Form CT-186-P/M and pay a metropolitan transportation business tax (MTA surcharge) on business done in the Metropolitan Transportation Authority region. The MCTD includes the counties of New York, Bronx, Queens, Kings, Richmond, Dutchess, Nassau, Orange, Putnam, Rockland, Suffolk, and Westchester.

When and where to file

This return is due on April 15, following the close of the calendar year. If April 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**
PO BOX 15181
ALBANY NY 12212-5181

Private delivery services – If not using U.S. Mail, see Publication 55, *Designated Private Delivery Services*.

Extension of time for filing MTA surcharge return – If you cannot meet the filing deadline, you may request an extension of time by filing 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 paying any amount you estimate to be due. An extension of time granted by the IRS to file a federal tax return does not extend the due date for filing Form CT-186-P/M.

Amended return

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

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 (EIN), file number, and other identifying information

Enter your EIN and file number. 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

Line 1 – Enter the amount of receipts shown on Form CT-186-P, line 3, that are derived from sources within the MCTD. Use the same method of accounting to compute MCTD gross income (that is, the **accounting** rule allocation method or the **formula** rule allocation method) as was used to compute New York State gross income.

Lines 6 and 9

If line 6 is **less than** line 9, go to line 15a.

If line 6 is **greater** than or equal to line 9, continue with line 10a.

Line 10b – If on Form CT-300, *Mandatory First Installment (MFI) of Estimated Tax for Corporations*, you **did not** apply an anticipated overpayment amount of MTA surcharge from this period to your next MTA surcharge period, enter **0** and complete line 10c. **Note:** For calendar-year filers, that Form CT-300 was due March 15, 2024.

If on Form CT-300 you **did** apply an anticipated overpayment amount of MTA surcharge from this period to your next MTA surcharge period, enter the amount from line 5, column **B**, of the Form CT-300 that represents such anticipated overpayment. **Note:** For calendar-year filers, that Form CT-300 was due March 15, 2024.

Line 11 – 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 penalty pursuant to Tax Law, Article 27, section 1085(d).

Line 12 – 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. Exclude from the interest computation any amount timely paid.

Line 13 – Compute late filing and late payment penalties 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 timely paid.

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

Line 15b – If on Form CT-300 you **did not** apply an anticipated overpayment amount of MTA surcharge from this period to your next MTA surcharge period, enter **0** and complete line 15c.

Note: For calendar-year filers, that Form CT-300 was due March 15, 2024.

If on Form CT-300 you **did** apply an anticipated overpayment amount of MTA surcharge from this period to your next MTA surcharge period, enter the amount from line 5, column **B** of the Form CT-300 that represents such anticipated overpayment.

Note: For calendar-year filers, that Form CT-300 was due March 15, 2024. If line 15b is **less** than line 15a, complete line 15c. If line 15b is **greater** than line 15a, subtract line 15a from line 15b and enter the result on line 10c. Complete lines 11 through 14 to determine your amount due.

Line 16 – You may divide the amount of overpayment on lines 16, 17, and 18 in any way you choose.

Composition of prepayments claimed on line 9

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 sheet to line 25, *Total prepayments*.

Line 19 – Add the following two amounts from the Form CT-300 that was due by March 15, 2023:

- (1) the amount shown on line A of that Form CT-300 that represents a payment of MTA surcharge; and
- (2) the amount included on line 5, column **B**, of that Form CT-300 that represents an overpayment of 2022 surcharge applied to the 2023 MFI.

Line 22 – Do **not** include any amount that was included in the amount reported on line 19 that represents an overpayment of 2022 surcharge applied to the 2023 MFI.

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.
