2009

Department of the Treasury
Internal Revenue Service

Instructions for Form CT-1

Employer's Annual Railroad Retirement Tax Return

Section references are to the Internal Revenue Code unless otherwise noted.

What's New

Changes to tax rates and compensation bases. For 2009 tax rates and compensation bases, see *Employer and Employee Taxes—Tax Rates and Compensation Bases* on page 2.

Reminders

Prior period adjustments. If you discover an error on a **previously filed** Form CT-1, use Form CT-1 X, Adjusted Employer's Annual Railroad Retirement Tax Return or Claim for Refund, to make the correction. Do not use line 12 of Form CT-1 to make prior period corrections. Use Form 843, Claim for Refund or Request for Abatement, when requesting a refund or abatement of assessed interest or penalties. For more information, see section 13 of Pub. 15 (Circular E), Employer's Tax Guide, or visit the IRS website at *www.irs.gov* and enter the keywords "Correcting Employment Taxes".

Electronic payment. Now, more than ever before, businesses can enjoy the benefits of paying their railroad retirement taxes electronically. Whether you rely on a tax professional or handle your own taxes, the IRS offers you convenient programs to make it easier. Spend less time on taxes and more time running your business. Use Electronic Federal Tax Payment System (EFTPS) to your benefit. To learn more about EFTPS, visit *www.eftps.gov* or call EFTPS Customer Service at 1-800-555-4477.

Where can you get telephone help? You can call the IRS toll free at 1-800-829-4933 on Monday through Friday from 7 a.m. to 10 p.m. your local time (Alaska and Hawaii follow Pacific time) to order tax deposit coupons (Form 8109) and for answers to your questions about completing Form CT-1, tax deposit rules, or obtaining an employer identification number (EIN).

Additional information.
- Pub. 15 (Circular E), Employer's Tax Guide, contains information for withholding, depositing, reporting, and paying employment taxes.
- Pub. 15-A, Employer's Supplemental Tax Guide, contains specialized and detailed employment tax information supplementing the basic information provided in Pub. 15 (Circular E).
- Pub. 15-B, Employer's Tax Guide to Fringe Benefits, contains information about the employment tax treatment of various types of noncash compensation.
- Pub. 915, Social Security and Equivalent Railroad Retirement Benefits, contains the federal income tax rules for social security benefits and equivalent Tier I railroad retirement benefits.
- The Railroad Retirement Board (RRB) website at *www.rrb.gov* contains additional employer reporting information and instructions.

You can order forms and publications by calling 1-800-829-3676 or visiting the IRS website at *www.irs.gov*.

Photographs of Missing Children

The Internal Revenue Service is a proud partner with the National Center for Missing and Exploited Children. Photographs of missing children selected by the Center may appear in instructions on pages that would otherwise be blank. You can help bring these children home by looking at the photographs and calling 1-800-THE-LOST (1-800-843-5678) if you recognize a child.

General Instructions

Purpose of Form

Use Form CT-1 to report taxes imposed by the Railroad Retirement Tax Act (RRTA). Use Form 941, Employer's QUARTERLY Federal Tax Return, or, if applicable, Form 944, Employer's ANNUAL Federal Tax Return, to report federal income taxes withheld from your employees' wages.

Who Must File

File Form CT-1 if you paid one or more employees compensation subject to tax under RRTA.

A payer of sick pay (including a third party) must file Form CT-1 if the sick pay is subject to Tier I railroad retirement taxes. Include sick pay payments on lines 7 through 10 of Form CT-1. Follow the reporting procedures for sick pay reporting in section 6 of Pub. 15-A, Employer's Supplemental Tax Guide.

Disregarded entities and qualified subchapter S subsidiaries. Treasury Decision 9356, effective for wages paid **on or after January 1, 2009**, treats eligible single-owner disregarded entities and qualified subchapter S subsidiaries (Q Subs) as separate entities for employment tax purposes. Business owners can no longer elect to treat the related employment taxes as a liability of the owner. Instead, report the employment taxes on employment tax returns filed by the disregarded entity or Q Sub. For more information, *see Disregarded entities and qualified subchapter S subsidiaries* in the *Introduction* section of Pub. 15 (Circular E), Employer's Tax Guide. You can find T.D. 9356 at *www.irs.gov/irb/2007-39_IRB/ar11.html*.

Where To File

Send Form CT-1 to:

Department of the Treasury
Internal Revenue Service Center
Cincinnati, OH 45999-0007

When To File

File Form CT-1 by March 1, 2010.

Definitions

The terms "employer" and "employee" used in these instructions are defined in section 3231 and in its regulations.

Cat. No. 16005H

Compensation

Compensation means payment in money, or in something that may be used instead of money, for services performed as an employee of one or more employers. It includes payment for time lost as an employee.

Group-term life insurance. Include in compensation the cost of group-term life insurance over $50,000 you provide to an employee. This amount is subject to Tier I and Tier II taxes, but not to federal income tax withholding. Include this amount on your employee's Form W-2, Wage and Tax Statement.

Former employees for whom you paid the cost of group-term life insurance over $50,000 must pay the employee's share of these taxes with their Form 1040. You are not required to collect those taxes. For former employees, you must include on Form W-2 the part of compensation that consists of the cost of group-term life insurance over $50,000 and the amount of railroad retirement taxes owed by the former employee for coverage provided after separation from service. For more information, see section 2 of Pub. 15-B.

Timing. Compensation is considered paid when it is actually paid or when it is constructively paid. It is constructively paid when it is set apart for the employee or credited to an account the employee can control without any limit or condition on how and when the payment is to be made.

Any compensation paid during the current year that was earned in a prior year is taxable at the current year's tax rates; you must include the compensation with the current year's compensation on lines 1 through 10 of Form CT-1, as appropriate. An exception applies to nonqualified deferred compensation that was subject to Tier I and Tier II tax in a prior year. See the rules for social security, Medicare, and FUTA taxes in *Nonqualified Deferred Compensation Plans* in Pub. 15-A.

Exceptions. Compensation does not include:

- Any benefit provided to or on behalf of an employee if at the time the benefit is provided it is reasonable to believe the employee can exclude such benefit from income. For information on what benefits are excludable, see Pub. 15-B. Examples of this type of benefit include:

  1. Certain employee achievement awards under section 74(c),
  2. Certain scholarship and fellowship grants under section 117,
  3. Certain fringe benefits under section 132, and
  4. Employer payments to an Archer MSA under section 220 or health savings accounts (HSA) under section 223.

- Stock transferred to an individual pursuant to the exercise of an incentive stock option (as defined in section 422(b)) or under an employee stock purchase plan (as defined in section 423(b)); or the disposition of such stock by the individual.
- Payments made specifically for traveling or other bona fide and necessary expenses that meet the rules in the regulations under section 62.
- Payments for services performed by a nonresident alien temporarily present in the United States as a nonimmigrant under subparagraphs (F), (J), (M), or (Q) of the Immigration and Nationality Act.
- Compensation under $25 earned in any month by an employee in the service of a local lodge or division of a railway-labor-organization employer.
- Payments made to or on behalf of an employee or dependents under a sickness or accident disability plan or a medical or hospitalization plan in connection with sickness or accident disability. This applies to **Tier II** taxes only.

CAUTION

For purposes of employee and employer ***Tier I*** *taxes, compensation does not include sickness or accident disability payments made:*

1. Under a workers' compensation law,
2. Under section 2(a) of the Railroad Unemployment Insurance Act for days of sickness due to on-the-job injury,
3. Under the Railroad Retirement Act, or
4. More than 6 months after the calendar month the employee last worked.

Employer and Employee Taxes

Tax Rates and Compensation Bases

Tax Rates	Compensation Paid in 2009
Tier I	
Employer and Employee: Each pay 6.2% of first	$106,800
Tier I Medicare	
Employer and Employee: Each pay 1.45% of	All
Tier II	
Employer: Pays 12.1% of first	$79,200
Employee: Pays 3.9% of first	$79,200

Employer Taxes

Employers must pay both Tier I and Tier II taxes. Tier I tax is divided into two parts. The amount of compensation subject to each tax is different. See the table above for the 2009 tax rates and compensation bases.

Concurrent employment. If two or more related corporations that are rail employers employ the same individual at the same time and pay that individual through a common paymaster, which is one of the corporations, the corporations are considered a single employer. They have to pay, in total, no more in railroad retirement taxes than a single employer would. See Regulations section 31.3121(s)-1 for more information.

Successor employers. Successor employers should see section 3231(e)(2)(C) and Pub. 15 (Circular E) to see if they can use the predecessor's compensation paid against the maximum compensation bases.

Employee Taxes

You must withhold the employee's part of Tier I and Tier II taxes. See the table above for the tax rates and compensation bases. See *Tips* below for information on the employee tax on tips.

Withholding or payment of employee tax by employer. You must collect the employee railroad retirement tax from each employee by deducting it from the compensation on which employee tax is charged. If you do not withhold the employee tax, you must still pay the tax. If you withhold too much or too little tax because you cannot determine the correct amount, correct the amount withheld by an adjustment, credit, or refund according to the applicable regulations.

If you pay the railroad retirement tax for your employee rather than withholding it, see Rev. Proc. 83-43, 1983-1 C.B. 778, for information on how to figure and report the proper amounts.

Tips. An employee who receives tips must report them to you by the 10th of the month following the month the tips are received. Tips must be reported for every month, unless the tips for the month are less than $20.

An employee must furnish you with a written (or electronic) statement of tips, signed by the employee, showing (a) his or her name, address, and social security number; (b) your name and address; (c) the month or period for which the statement is furnished; and (d) the total amount of tips. Pub. 1244, Employee's Daily Record of Tips and Report to Employer, a booklet for daily entry of tips and forms to report tips to employers, is available by calling 1-800-TAX-FORM (1-800-829-3676) or on the IRS website at *www.irs.gov*.

Tips are considered to be paid at the time the employee reports them to you. You must collect both federal income tax and employee railroad retirement tax on tips reported to you from the employee's compensation (after deduction of employee railroad retirement and federal income tax related to the nontip compensation) or from other funds the employee makes available. Apply the compensation or other funds first to the railroad retirement tax and then to federal income tax. You do not have to pay the employer railroad retirement taxes on tips.

If, by the 10th of the month after the month you received an employee's tip income report, you do not have enough employee funds available to deduct the employee tax, you no longer have to collect it. Report uncollected Tier I Employee tax, Tier I Employee Medicare tax, and Tier II Employee tax on tips on line 12. See section 6 in Pub. 15 (Circular E).

Depositing Taxes

For Tier I and Tier II taxes, you are either a monthly schedule depositor or a semiweekly schedule depositor. Also, see the *$2,500 Rule* and the *$100,000 Next-Day Deposit Rule* under *Exceptions to the Deposit Rules* on page 4. The terms "monthly schedule depositor" and "semiweekly schedule depositor" identify which set of rules you must follow when a tax liability arises (for example, when you have a payday). They do not refer to how often your business pays its employees or to how often you are required to make deposits.

If you were a monthly schedule depositor for the entire year, please complete the *Monthly Summary of Railroad Retirement Tax Liability* in Part II of Form CT-1. If you were a semiweekly schedule depositor during any part of the year or you accumulated $100,000 or more on any day during a deposit period, you must complete Form 945-A, Annual Record of Federal Tax Liability.

Lookback Period

Before each year begins, you must determine the deposit schedule to follow for depositing Tier I and Tier II taxes for a calendar year. This is determined from the total taxes reported on your Form CT-1 for the calendar year lookback period. The lookback period is the second calendar year preceding the current calendar year. For example, the lookback period for calendar year 2010 is calendar year 2008.

Use the table below to determine which deposit schedule to follow for 2010.

IF you reported taxes for the lookback period (2008) of...	THEN for 2010 you are a...
$50,000 or less	Monthly schedule depositor
More than $50,000	Semiweekly schedule depositor

New employer. If you are a new employer, your taxes for both years of the lookback period are considered to be zero. Therefore, you are a monthly schedule depositor for the first and second years of your business. However, see *$100,000 Next-Day Deposit Rule* on page 4.

Example. Employer A reported Form CT-1 taxes as follows:

- 2008 Form CT-1—$49,000
- 2009 Form CT-1—$52,000

Employer A is a monthly schedule depositor for 2010 because its Form CT-1 taxes for its lookback period (calendar year 2008) were not more than $50,000. However, for 2011, Employer A is a semiweekly schedule depositor because A's taxes exceeded $50,000 for its lookback period (calendar year 2009).

Adjustments and the lookback rule. To determine the amount of taxes paid for the lookback period, use only the Form CT-1 taxes reported on your original return, including any adjustments reported on that return for prior periods. Adjustments to a return for a prior period are not taken into account in determining the taxes for that prior period. See the instructions for *Line 12* on page 5.

Example. Employer B originally reported Form CT-1 taxes of $45,000 for the lookback period (2008). B discovered in March 2010 that the tax during the lookback period (2008) was understated by $10,000 and will correct this error with an adjustment on Form CT-1 X filed for 2008.

B is a monthly schedule depositor for 2010 because the lookback period Form CT-1 taxes are based on the amount originally reported ($45,000), which was not more than $50,000. The $10,000 adjustment does not affect either 2008 taxes or 2010 taxes. See Treasury Decision 9405 at *www.irs.gov/irb/2008-32_irb/ar13.html*.

When To Deposit

Monthly Schedule Depositor

If you are a monthly schedule depositor, deposit employer and employee Tier I and Tier II taxes accumulated during a calendar month by the 15th day of the following month.

Example. Employer C is a monthly schedule depositor with seasonal employees. C paid wages each Friday during February but did not pay any wages during March. Under the monthly schedule deposit rule, C must deposit the combined taxes for the February paydays by March 15. C does not have a deposit requirement for March (due by April 15) because no wages were paid and, therefore, C does not have a tax liability for the month.

Semiweekly Schedule Depositor

If you are a semiweekly schedule depositor, use the table below to determine when to make deposits.

Deposit Tier I and Tier II taxes for payments made on...	No later than...
Wednesday, Thursday, and/or Friday	The following Wednesday
Saturday, Sunday, Monday, and/or Tuesday	The following Friday

Example. Employer D, a semiweekly schedule depositor, pays wages on the last Saturday of each month. Although D is a semiweekly schedule depositor, D will deposit just once a month because D pays wages only once a month. The deposit, however, will be made under the semiweekly deposit schedule as follows: D's taxes for the January 30, 2010 (Saturday), payday must be deposited by February 5, 2010 (Friday). Under the semiweekly deposit rule, taxes arising on Saturday through Tuesday must be deposited by the following Friday.

CAUTION *The last day of the calendar year ends the semiweekly deposit period and begins a new one.*

Deposits on Banking Days Only

If a deposit is required to be made on a day that is a nonbanking day, it is considered timely if it is made by the close of the next banking day. In addition to federal and state bank holidays, Saturdays and Sundays are treated as nonbanking days. For example, if a deposit is required to be made on Friday and Friday is a nonbanking day, the deposit will be considered timely if it is made by the following Monday (if Monday is a banking day).

Semiweekly schedule depositors will always have at least 3 banking days to make a deposit. If any of the 3 weekdays after the end of a semiweekly period is a nonbanking day, you have 1 additional day to deposit. For example, if you have Form CT-1 taxes accumulated for payments made on Friday and the following Monday is a nonbanking day, the deposit normally due on Wednesday may be made on Thursday (allowing 3 banking days to make the deposit).

Exceptions to the Deposit Rules

The two exceptions that apply to the above deposit rules are the:

- $2,500 Rule, and
- $100,000 Next-Day Deposit Rule.

$2,500 Rule. If your total Form CT-1 taxes for the year are less than $2,500 and the taxes are fully paid with a timely filed Form CT-1, no deposits are required. However, if you are unsure that you will accumulate less than $2,500, deposit under the appropriate deposit rules so that you will not be subject to deposit penalties.

$100,000 Next-Day Deposit Rule. If you accumulate taxes of $100,000 or more on any day during a deposit period, you must deposit the taxes by the next banking day regardless of whether you are a monthly or semiweekly schedule depositor.

If you are a monthly schedule depositor and you accumulate $100,000 or more on any one day during the month, you become a semiweekly schedule depositor on the next day for the remainder of the calendar year and for the following year.

Once a semiweekly schedule depositor accumulates $100,000 or more in a deposit period, it must stop accumulating at the end of that day and begin to accumulate anew on the next day. The following example explains this rule.

Example of $100,000 Next-Day Deposit Rule. Employer E is a semiweekly schedule depositor. On Monday, E accumulates taxes of $110,000 and must deposit this amount by Tuesday, the next banking day. On Tuesday, E accumulates additional taxes of $30,000. Because the $30,000 is not added to the previous $110,000, E must deposit the $30,000 by Friday using the semiweekly deposit schedule.

Example of $100,000 Next-Day Deposit Rule during the first year of business. Employer F started its business on January 29, 2010. Because this was the first year of its business, its Form CT-1 taxes for its lookback period (2008) are considered to be zero, and F is a monthly schedule depositor. On February 1, F paid compensation for the first time and accumulated taxes of $40,000. On February 5, F paid compensation and accumulated taxes of $60,000, bringing its total accumulated (undeposited) taxes to $100,000. Because F accumulated $100,000 or more on February 5 (Friday), F must deposit the $100,000 by February 8 (Monday), the next banking day. F became a semiweekly schedule depositor on February 6. F will be a semiweekly schedule depositor for the rest of 2010 and for 2011.

Example of when $100,000 Next-Day Deposit Rule does not apply. Employer G, a semiweekly schedule depositor, accumulated taxes of $95,000 on a Tuesday (of a Saturday-through-Tuesday deposit period) and accumulated $10,000 on Wednesday (of a Wednesday-through-Friday deposit period). Because the $10,000 was accumulated in a deposit period different from the one in which the $95,000 was accumulated, the $100,000 Next-Day Deposit Rule does **not** apply. Thus, G must deposit $95,000 by Friday and $10,000 by the following Wednesday.

How To Make Deposits

In general, you must deposit railroad retirement taxes with an authorized financial institution.

Electronic deposit requirement. You must make electronic deposits of **all** depository taxes (such as employment tax, excise tax, and corporate income tax) using the Electronic Federal Tax Payment System (EFTPS) in 2010 if:

- The total of deposits of such taxes in 2008 was more than $200,000 or
- You were required to use EFTPS in 2009.

If you are required to use EFTPS and use Form 8109 (see below) instead, you may be subject to a 10% penalty. If you are not required to use EFTPS, you may participate voluntarily. To enroll in or get more information about EFTPS, visit the EFTPS website at *www.eftps.gov* or call 1-800-555-4477.

Depositing on time. For deposits made by EFTPS to be on time, you must initiate the transaction at least 1 business day before the date the deposit is due.

Use of Form 8109. If you are not making electronic deposits (explained above), use Form 8109, Federal Tax Deposit Coupon, with each deposit to indicate the type of tax deposited. To avoid a possible penalty, use an authorized financial institution; do not mail your deposit to the IRS. Records of your deposits will be sent to the IRS for crediting to your business accounts.

Accuracy of Deposits Rule. You are required to deposit 100% of your railroad retirement taxes on or before the deposit due date. However, penalties will not be applied for depositing less than 100% if both of the following conditions are met:

1. Any deposit shortfall does not exceed the greater of $100 or 2% of the amount of taxes otherwise required to be deposited, and
2. The deposit shortfall is paid or deposited by the shortfall makeup date for each type of depositor as described below.

- **Monthly schedule depositor.** Deposit the shortfall or pay it with your return by the due date of Form CT-1. You may pay the shortfall with Form CT-1 even if the amount is $2,500 or more.
- **Semiweekly schedule depositor.** Deposit the shortfall by the earlier of the first Wednesday or Friday that comes on or after the 15th of the month following the month in which the shortfall occurred or the due date of Form CT-1. For example, if a semiweekly schedule depositor has a deposit shortfall during January 2010, the shortfall makeup date is February 17, 2010 (Wednesday).

Penalties and Interest

The law provides penalties for failure to file a return, late filing of a return, late payment of taxes, failure to make deposits, or late deposits unless reasonable cause is shown. Interest is charged on taxes paid late at the rate set by law. For more information, see Pub. 15 (Circular E).

Order in which deposits are applied. Generally, tax deposits are applied first to the most recent tax liability within the specified tax period to which the deposit relates. If you receive a failure to deposit penalty notice, you may designate how your payment is to be applied in order to minimize the amount of the penalty. You must respond within 90 days of the date of the notice. Follow the instructions on the notice you received. See Rev. Proc. 2001-58 for more information. You can find Rev. Proc. 2001-58 on page 579 of Internal Revenue Bulletin 2001-50 at *www.irs.gov/pub/irs-irbs/irb01-50.pdf.*

Trust fund recovery penalty. If taxes that must be withheld are not withheld or are not deposited or paid to the United States Treasury, the trust fund recovery penalty may apply. The penalty is 100% of the unpaid taxes. This penalty may apply to you if these unpaid taxes cannot be immediately collected from the employer or business. The trust fund recovery penalty may be imposed on all persons who are determined by the IRS to be responsible for collecting, accounting for, and paying over these taxes, and who acted willfully in not doing so. For more information, see Pub. 15 (Circular E).

Specific Instructions

Final return. If you stop paying taxable compensation and will not have to file Form CT-1 in the future, you must file a final return and check the *Final return* box at the top of Form CT-1 under “2009.”

CAUTION *Processing of your return may be delayed if you do not provide the required amounts in the Compensation and Tax columns.*

Line 1— Tier I Employer Tax

Enter the compensation (other than tips and sick pay) subject to Tier I employer tax in the *Compensation* column. Do not enter more than $106,800 per employee. Multiply by 6.2% and enter the result in the *Tax* column.

Line 2— Tier I Employer Medicare Tax

Enter the compensation (other than tips and sick pay) subject to Tier I employer Medicare tax in the *Compensation* column. Multiply by 1.45% and enter the result in the *Tax* column.

Line 3— Tier II Employer Tax

Enter the compensation (other than tips) subject to Tier II employer tax in the *Compensation* column. Do not enter more than $79,200 per employee. Multiply by 12.1% and enter the result in the *Tax* column.

Line 4— Tier I Employee Tax

Enter the compensation, including tips reported, subject to Tier I employee tax in the *Compensation* column. Do not enter more than $106,800 per employee. Multiply by 6.2% and enter the result in the *Tax* column.

Stop collecting the 6.2% Tier I **employee** tax when the employee’s wages **and tips** reach the maximum for the year ($106,800 for 2009). However, your liability for Tier I **employer** tax on compensation continues until the compensation, **not including tips,** totals $106,800 for the year.

Line 5— Tier I Employee Medicare Tax

Enter the compensation, including tips reported, subject to Tier I employee Medicare tax in the *Compensation* column. Multiply by 1.45% and enter the result in the *Tax* column. For information on reporting tips, see *Tips* beginning on page 2.

Line 6— Tier II Employee Tax

Enter the compensation, including tips reported, subject to Tier II employee tax in the *Compensation* column. Only the first $79,200 of the employee’s compensation for 2009 is subject to this tax. Multiply by 3.9% and enter the result in the *Tax* column. For information on reporting tips, see *Tips* beginning on page 2.

CAUTION *Any compensation paid during the current year that was earned in prior years (reported to the Railroad Retirement Board on Form BA-4, Report of Creditable Compensation Adjustments) is taxable at the current year tax rates, unless special timing rules for nonqualified deferred compensation apply. See Publication 15-A. Include such compensation with current year compensation on lines 1 through 6, as appropriate.*

Lines 7 Through 10— Tier I Taxes on Sick Pay

Enter any sick pay payments during the year that are subject to Tier I taxes and Tier I Medicare taxes in the *Compensation* column. If you are a railroad employer paying your employees sick pay, or a third-party payer who did not notify the employer of the payments (thereby subject to the employee and employer tax), make entries on lines 7 through 10. If you are subject to only the employer or employee tax, complete only the applicable lines. Multiply by the appropriate rates and enter the results in the *Tax* column.

Line 12— Adjustments to Taxes Based on Compensation

CAUTION *Do not use line 12 for prior period adjustments. Make all prior period adjustments on Form CT-1 X.*

Enter on line 12:

- A fractions of cents adjustment (see *Fractions of cents* on page 6),
- Credits for overpayments of penalty or interest paid on tax for earlier years, and
- Any uncollected Tier I Employee tax, Tier I Employee Medicare tax, and Tier II Employee tax on tips.

Enter the total of these adjustments in the *Tax* column. If you are reporting both an addition and a subtraction, enter only the difference between the two on line 12. If the net adjustment is negative, report the amount on line 12 using a minus sign, if possible. If your computer software does not allow the use of minus signs, you may use parentheses.

Do not include on line 12 the 2008 overpayment that is applied to this year’s return (this is included on line 14).

Required statement. Except for adjustments for fractions of cents, explain amounts entered on line 12 in a separate statement. Include your name, employer identification number (EIN), calendar year of the return, and “Form CT-1” on each page you attach. Include in the statement the following information.

• An explanation of the item the adjustment is intended to correct showing the compensation subject to Tier I and Tier II taxes and their respective tax rates.
• The amount of the adjustment.
• The name and account number of any employee from whom employee tax was undercollected or overcollected.
• How you and the employee have settled any undercollection or overcollection of employee tax.

Fractions of cents. If there is a difference between the total employee tax (lines 4, 5, 6, 9, and 10) and the total actually deducted (employee compensation including tips plus the employer's contribution) due to rounding fractions of cents when collecting the tax, report the deduction or addition on line 12.

TIP *If this is the only entry on line 12, you are not required to attach a statement explaining the adjustment.*

Line 13— Total Railroad Retirement Taxes Based on Compensation

Combine the amounts shown on lines 11 and 12 and enter the result on line 13.

Line 14— Total Deposits for the Year

Enter the total Form CT-1 taxes you deposited. Also, include any overpayment applied from your 2008 Form CT-1 and from Form CT-1 X.

Line 15— Balance Due

Subtract line 14 from line 13. You should have a balance due only if line 13 is less than $2,500, unless the balance due is a shortfall amount for monthly schedule depositors as explained under the *Accuracy of Deposits Rule* on page 4.

Form CT-1(V), Payment Voucher, has instructions for making a payment with Form CT-1. You do not have to pay if line 15 is less than $1.

Line 16— Overpayment

Enter the overpayment on the designated entry line. Then check the appropriate box to have the overpayment applied to your 2010 Form CT-1 or refunded to you. If line 16 is less than $1, we will send you a refund or apply it to your next return only on written request.

Third-Party Designee

If you want to allow an employee of your business, a return preparer, or another third party to discuss your 2009 Form CT-1 with the IRS, check the “Yes” box in the *Third-Party Designee* section of Form CT-1. Also, enter the designee's name, phone number, and any five digits that person chooses as his or her personal identification number (PIN).

By checking the “Yes” box, you are authorizing the IRS to speak with the designee to answer any questions relating to the processing of or the information reported on Form CT-1. You are also authorizing the designee to:
• Exchange information concerning Form CT-1 with the IRS, and
• Respond to certain IRS notices that you have shared with your designee relating to Form CT-1. The IRS will not send notices to your designee.

You are not authorizing the designee to receive any refund check, bind you to anything (including additional tax liability), or otherwise represent you before the IRS. If you want to expand the designee's authority, see Pub. 947, Practice Before the IRS and Power of Attorney.

The authorization will automatically expire 1 year from the due date (without regard to extensions) for filing your 2009 Form CT-1. If you or your designee wants to revoke this authorization, send a written statement of revocation to: Department of the Treasury, Internal Revenue Service Center, Cincinnati, OH 45999. See Pub. 947 for more information.

Who Must Sign

Form CT-1 must be signed as follows:
• **Sole proprietorship**—The individual who owns the business.
• **Corporation** (including a limited liability company (LLC) treated as a corporation)—The president, vice-president, or other principal officer duly authorized to act.
• **Partnership** (including an LLC treated as a partnership) **or unincorporated organization**—A responsible and duly authorized member or officer having knowledge of its affairs.
• **Single member LLC treated as a disregarded entity for federal income tax purposes**—The owner of the LLC or a principal officer duly authorized to act.
• **Trust or estate**—The fiduciary.

Form CT-1 may also be signed by a duly authorized agent of the taxpayer if a valid power of attorney has been filed.

Alternative Signature Method

Corporate officers or duly authorized agents may sign Form CT-1, Employer's Annual Railroad Retirement Tax Return, by rubber stamp, mechanical device, or computer software program. For details and required documentation, see Rev. Proc. 2005-39 at *www.irs.gov/irb/2005-28_IRB/ar16.html*.

Paid Preparers

A paid preparer must sign Form CT-1 and provide the information in the Paid Preparer's Use Only section of Part I if the preparer was paid to prepare Form CT-1 and is not an employee of the filing entity. The preparer must give you a copy of the return in addition to the copy to be filed with the IRS.

If you are a paid preparer, write your social security number (SSN) or preparer tax identification number (PTIN) in the space provided. Include your complete address. If you work for a firm, write the firm's name and the EIN of the firm. You can apply for a PTIN using Form W-7P, Application for Preparer Tax Identification Number. You cannot use your PTIN in place of the EIN of the tax preparation firm.

Generally, you are not required to complete this section if you are filing the return as a reporting agent and have a valid Form 8655, Reporting Agent Authorization, on file with the IRS. However, a reporting agent must complete this section if the reporting agent offered legal advice, for example, by advising the client on determining whether its workers are employees or independent contractors for federal tax purposes.