



Form AA-1

Application for Section 42 Method of Apportionment

Rev. 5/23
Massachusetts
Department of
Revenue

For calendar year or taxable year beginning

and ending

Registration

Business code number (from U.S. return)

Federal identification number

Name of corporation

Present address of principal office

Present location of principal office in Massachusetts

Pursuant to MGL ch 63, § 42 and 830 CMR 63.42.1 the corporation named herein makes application for permission to use section 42 alternative apportionment. An applicant seeking permission to use an alternative apportionment method must first file a return and pay the tax using the statutory method. See 830 CMR 63.42.1. An application will not be considered if it is received by the Commissioner after the due date of the return, taking into account valid extensions.

A taxpayer seeking to use an apportionment method that it is otherwise permitted to use does not need to apply for alternative apportionment. For example, a section 38 manufacturer, as defined in MGL ch 63, § 38(l)(1) does not need to apply for alternative apportionment to apply the single-sales factor method under MGL ch 63, § 38(l)(2).

Note: If the Commissioner does not act upon an application before the expiration of nine months from the date of filing, the application is deemed denied. The Commissioner and the applicant may agree in writing to extend the time for decision on the application.

Enclose With This Application Form:

A statement of the reasons, supported by detailed facts, why the applicant believes that the allocation and apportionment provisions of MGL ch 63 are not reasonably adapted to approximate its Massachusetts income. The applicant must show by clear and cogent evidence that the income attributed to Massachusetts using statutory apportionment does not fairly represent the extent of the applicant's business activity in Massachusetts.

A detailed description of the sought after proposed alternative apportionment method and computation of tax applying that alternative method. The applicant must provide a written explanation of the proposed alternative method, attaching sufficient documentation to justify the figures used, their origin, nature and relation to the overall result reached. The Commissioner may request additional information from the applicant.

Sign Here

Under penalties of perjury, I declare that I have examined this application including accompanying materials, and to the best of my knowledge and belief, it is true, correct and complete.

Type or print name of responsible corporate officer

Signature of responsible corporate officer

Title

Date

Type or print paid preparer's name

Individual or firm signature of preparer

Address

Date

Authorized representatives or employees of the corporation to whom contents may be disclosed in discussing questions which may arise in connection with this application: Such person must submit a properly completed Power of Attorney (Form M-2848).

Name of authorized person

Title

Address

Note: This application must be submitted with the return. Taxpayers filing an electronic return may submit the Form AA-1 electronically with the return filing and electronic payment. For more information on electronic filing and payment requirements see TIR 21-9. Make check or money order payable to the **Commonwealth of Massachusetts**. Send the application and return to: **Massachusetts Department of Revenue, Rulings and Regulations Bureau, PO Box 9566, Boston, MA 02114.**