

Form CT-1120A-BPE

Instructions

Purpose

Form CT-1120A-BPE, *Corporation Business Tax Return Apportionment Computation - Broadcasters and Production Entities*, must be completed and attached to **Form CT-1120**, *Corporation Business Tax Return*, only if the company carried on business both within and outside Connecticut and was taxable in another state during the income year for which the return is filed.

For income years beginning on or after October 1, 2001, broadcasters and production entities must complete this form. See Conn. Gen. Stat. §12-218(l).

Broadcasters - Schedule 1 — Gross Receipts

Any **broadcaster** which is taxable both within and outside Connecticut shall apportion their net income derived from the broadcast of video or audio programming, whether through the public airwaves, by cable, by direct or indirect satellite transmission network, through a television or radio station, or through a cable network or cable television system and, if such **broadcaster** is a cable network, all net income derived from activities related to or arising out of the foregoing, including, but not limited to, broadcasting, entertainment, publishing, whether electronically or in print, electronic commerce, and licensing of intellectual property created in the pursuit of such activities by a receipts factor apportionment fraction.

Column A

The numerator of the apportionment fraction for a **broadcaster** shall include the gross receipts of the taxpayer from sources within Connecticut as follows:

Line 1 - Gross receipts, including without limitation, advertising revenue, affiliate fees and subscriber fees, received by a broadcaster from video or audio programming in release to or by a broadcaster for telecast which is attributed to Connecticut.

Line 2 - Gross receipts, including without limitation, advertising revenue, received by an over-the-air television or radio network or a television or radio station from video or audio programming in release to or by such network or station for telecast shall be attributed to Connecticut in the same ratio that the audience for such over-the-air network or station located in Connecticut bears to the total audience for such over-the-air network or station inside and outside of the U. S.

The audience shall be determined either by reference to the books and records of the taxpayer or by reference to the applicable year's published rating statistics, provided the method used by the taxpayer is consistently used from year to year for such purpose and fairly represents the taxpayer's activity in Connecticut.

Line 3 - Gross receipts including, without limitation, advertising revenue, affiliate fees, and subscriber fees, received by a cable network or a cable television system

from video or audio programming in release to or by such cable network or cable television system for telecast and other receipts (that are derived from the activities listed above for broadcasters) shall be attributed to Connecticut in the same ratio that the subscribers for such cable network or cable television system located in Connecticut bears to the total of such subscribers of such cable network or cable television system inside and outside of the U. S.

The number of subscribers of a cable network shall be measured by reference to the number of subscribers or cable television systems that are affiliated with such network and that receive video or audio programming of such network.

The number of subscribers of a cable television system shall be determined either by reference to the books and records of the taxpayer or by reference to the applicable year's published rating statistics located in published surveys, provided the method used by the taxpayer is consistently used from year to year for such purpose and fairly represents the taxpayer's activities in Connecticut.

Lines 4 through 10 - Gross Receipts From Sales and Other Sources Including:

- Receipts from sales of tangible property delivered or shipped to a purchaser within Connecticut regardless of the f.o.b. point or other conditions of sale;
- Receipts from services performed within Connecticut;
- Rents and royalties from property situated within Connecticut;
- Royalties from patents and copyrights used within Connecticut;
- Interest earned from assets managed or controlled within Connecticut;
- Net gains from sales or other disposition of intangible assets managed or controlled within Connecticut; **and**
- Net gains from sales or disposition of tangible assets situated within Connecticut.

If losses from sales or other dispositions of such tangible or intangible assets exceed the gains, enter zero for net gains. Dividends are excluded from the receipts factor. All other receipts earned within Connecticut not included above must be apportioned.

Column B

The denominator of the apportionment fraction for a broadcaster shall consist of total gross receipts whether or not assignable to Connecticut.

Production Entities - Schedule 2 — Gross Receipts

An **eligible production entity** taxable both within and outside Connecticut shall apportion its net income derived from video or audio programming production services by means of receipts factor apportionment.

Column A

The numerator of the apportionment fraction for a production entity shall include the gross receipts of the taxpayer from sources within Connecticut as follows:

Line 1 - Gross receipts that are derived from video or audio programming production services relating to events which occur within Connecticut.

Lines 2 through 7 - Gross Receipts From Sales and Other Sources Including:

- Receipts from sales of tangible property delivered or shipped to a purchaser within Connecticut regardless of the f.o.b. point or other conditions of sale;
- Receipts from services performed within Connecticut;
- Rents and royalties from property situated within Connecticut;
- Royalties from patents and copyrights used within Connecticut;
- Interest earned from assets managed or controlled within Connecticut;
- Net gains from sales or other disposition of intangible assets managed or controlled within Connecticut; **and**
- Net gains from sales or disposition of tangible assets situated within Connecticut.

If losses from sales or other dispositions of such tangible or intangible assets exceed the gains, enter zero for net gains. Dividends are excluded from the receipts factor. All other receipts earned within Connecticut not included above must be apportioned.

Column B

The denominator of the apportionment fraction for **eligible production entities** shall include gross receipts derived from video or audio programming production services relating to events that occur within or outside Connecticut.

Definitions

Eligible production entity means a corporation which provides video or audio programming production services and which is affiliated, within the meaning of Sections 1501 to 1504 of the Internal Revenue Code and the regulations promulgated thereunder, with a **broadcaster**.

Broadcaster means a corporation that is engaged in the business of broadcasting video or audio programming, whether through the public airwaves, by cable, by direct or indirect satellite transmission or by any other means of communication, through an over-the-air television or radio network, through a television or radio station or through a cable network or cable television system, and that is primarily engaged in activities that, in accordance with the *North American Industry Classification System (NAICS), United States, 1997 manual*, are included in industry group 5131 or 5132.