

NC-478E - Investing in Central Office or Aircraft Facility Property

The credit for investing in central office or aircraft facility property expired for taxable years beginning on or after January 1, 2007. However, if you signed a letter of commitment with the Department of Commerce on or before December 31, 2006 stating your intent to invest in central office or aircraft facility property in this State, the credit is repealed for business activities that occur in taxable years beginning on or after January 1, 2008.

If you have a letter of commitment and you conduct an activity that qualifies for the investing in central office or aircraft facility property credit under Article 3A, you may not take any credits under Article 3J with respect to the same establishment or activities occurring in 2007.

The following instructions for completing Part 1 through Part 4 of NC-478E apply to taxpayers that have a signed letter of commitment. Taxpayers who do not have a letter of commitment may continue to take installments of the credit and any carryforward of prior years' installments by completing Parts 5 and 6.

Part 1. Qualifying Information. *(The information requested in Part 1 is for a single establishment at which central office or aircraft facility property was purchased or leased and placed in service in North Carolina during 2007. If you invested in more than one central office or aircraft facility property in tax year 2007, complete a separate NC-478E for each location.)*

To be eligible for the credit for investing in central office or aircraft facility property, a taxpayer must be one of the eligible business types. In addition, taxpayers must meet all of the following conditions:

1. Meet the general eligibility requirements.
2. Purchase or lease real property in North Carolina.
3. Begin to use the property as a central office or an aircraft facility during tax year 2007.

Name, Address, and County of Establishment at which Credit is Generated. Enter the name, address and county for each establishment in which an investment of central office or aircraft facility property is made.

Business, Tier, and Zone Information. Enter the NAICS code for each establishment. If the establishment is located in a tier three, four, or five area and not in a development zone or agrarian growth zone, a wage standard test must also be satisfied. The wage standard test for investing in central office or aircraft facility property requires the combined average weekly wage of all jobs at the location with respect to which a credit is claimed to meet the wage standard. For more information about the wage standard test, see the "Guidelines for Article 3A Tax Credits" available from the Department's website.

Taxpayers must provide health insurance for all full-time positions at the central office or aircraft facility location. The insurance must be provided to the employees at the time the central office or aircraft facility property is purchased or leased and placed in service, and must be maintained every year an installment of the credit or a carryforward of the credit is claimed. Taxpayers must provide with the tax return certification that health insurance is provided to all full-time positions at the central office or aircraft facility location.

Part 2. Computation of Credit Amount for Investing in Central Office or Aircraft Facility Property at this Establishment in 2007 with Signed Letter of Commitment. *(The information requested in Part 2, Lines 1 through 5, is a cumulative total for all central or aircraft facility property in service in North Carolina and will be the same number on all NC-478Es filed. The information requested in Part 2, Lines 6 through 9, is for a single establishment at which central office or aircraft facility property was purchased or leased and placed in service in North Carolina during 2007. If you invested in more than one central office or aircraft facility property in tax year 2007, complete a separate NC-478E for each location.)*

Line 1. Enter the cost of central office or aircraft facility property purchased or leased and placed in service in North Carolina during tax year 2007. **(Note.** *If you own the property, cost is determined pursuant to the regulations of Section 1012 of the Internal Revenue Code. If you lease the property, cost is considered to be the amount of the lease payments over a seven-year period, plus any expenditures made to improve the property before the property is used as a central office or aircraft facility if the expenditures are not reimbursed or credited by a lessor.)*

Line 2. Enter the cost of all central office or aircraft facility property used in North Carolina on the last day of 2007. **(Note.** *The cost of all central office and aircraft facility property used in North Carolina on the last day of 2007 must also be entered in the 2007 column of Part 4.)*

Line 3. Enter the cost of all central office or aircraft facility property used in North Carolina on the last day of the base year. The base year is that year, of the three immediately preceding taxable years, in which the most central office or aircraft facility property is in service in North Carolina.

Line 4. Subtract Line 3 from Line 2, but not less than zero.

Line 5. Enter the lesser of Line 1 or Line 4. This is the maximum eligible investment amount for investing in central office or aircraft facility property in North Carolina for tax year 2007.

Line 6. Enter the amount of Line 5 attributed to this establishment.

Line 7. Multiply Line 6 by 7%.

Line 8. Enter the percentage of square feet of property used as central office or aircraft facility property.

Line 9. Multiply Line 7 by Line 8. **This is the amount of credit for investing in central office or aircraft facility property at this establishment in 2007.**

Part 3. Computation of Credit Amount for Investing in Central Office or Aircraft Facility Property Statewide. *(The information requested in Part 3 is a cumulative total for all separate NC-478Es and should be entered only once on the last NC-478E filed.)*

Line 10. Add the amount on Part 2, Line 9 for each establishment in tax year 2007.

Line 11. The maximum credit for investing in central office or aircraft facility property in N.C. in tax year 2007 is \$500,000.

Line 12. Enter the lesser of Line 10 or Line 11. **This is the amount of credit for investing in central office or aircraft facility property in North Carolina in 2007.** Enter the total credit

amount for investing in central office or aircraft facility property in 2007 for **ALL** establishments in the Credit History Table. (See Part 6, 2007 Column, Credit Amount.)

Line 13. Divide Line 12 by the number 7. This is the installment amount for investing in central office or aircraft facility property to be taken starting in tax year 2007.

Part 4. Central Office or Aircraft Facility Property in Service in North Carolina on Last Day of Tax Year. (The information requested for Part 4 is a cumulative total for all establishments and should be entered only once on the last NC-478E filed.)

Enter the total cost of all property in service in North Carolina on the last day of each tax year for each year requested. This information is used to determine the base year on Part 2, Line 3.

Part 5. Computation of Amount To Be Taken in 2007. (The information requested for Part 5 is a cumulative total for all establishments and should be entered only once on the last NC-478E filed.)

Line 14. Enter the 2006 installment amount.
(From 2006 NC-478E, Part 3, Line 13.)

Line 15. Enter the 2005 installment amount.
(From 2005 NC-478E, Part 3, Line 13.)

Line 16. Enter the 2004 installment amount.
(From 2004 NC-478E, Part 3, Line 13.)

Line 17. Enter the 2003 installment amount.
(From 2003 NC-478E, Part 3, Line 13.)

Line 18. Enter the 2002 installment amount.
(From 2002 NC-478E, Part 3, Line 15.)

Line 19. Enter the 2001 installment amount.
(From 2001 CD-478E, Part 1, Line 13.)

Line 20. Enter the 2000 installment amount.
(From 2000 CD-478E, Part 1, Line 11.)

Line 21. Enter the portion of installment amounts not taken for tax years 1997 through 2005.

Line 22. Add Lines 14 through 21. **This is the amount of credit to take in 2007 for investing in central office or aircraft facility property.** (Carry amount to Line 5 of NC-478.)

Part 6. Central Office or Aircraft Facility Property Credit History Table. (The information requested for Part 6 is a cumulative total for all establishments and should be entered only once on the last NC-478E filed. The installment portion of Credit History Table can not be completed in its entirety until after completing Part 3 of NC-478.)

Office Employees in NC at Year-end In the 2007 column, enter the number of office employees in North Carolina at the end of 2007
In the 2000 through 2006 columns, enter the number of office employees in N.C. for each year as previously reported on NC-478E.

Credit Amount In the 2007 column, enter the total credit amount for investing in central office or aircraft facility property in tax year 2007. (From Part 3, Line 12.)

In the 2000 through 2006 columns, enter the total credit amount as calculated on the prior years' NC-478E.

Installments In the 2000 through 2006 columns, enter the amount of installment actually taken in each tax year. The amount of installment taken includes the amount of each year's installment utilized during that tax year plus any unused portion of a prior year's installment taken in that tax year. (For more information on the Credit History Table, see the detailed example.)

Carryforwards Taken If any portion of a prior year's installment is taken in tax year 2007, enter the amount in the applicable column. (**Important.** Carryforwards taken do not include the amount of current year's installment taken. Carryforwards taken should only be entered if in 2007 a portion of a prior year's installment is utilized.)

Carryforwards To Take In Future If the current year's installment is not fully utilized in tax year 2007, enter the amount not taken as a carryforward to take in the future. (**Important.** Carryforwards to take in the future do not include eligible installments to be taken in future years. Carryforwards to take in the future should only be entered if in 2007 a portion of a current year's installment can not be utilized due to the 50% of tax limitation.)

Expired Installments If an installment expires, enter the amount of expired credit in the applicable column. Generally, a credit for investing in central office or aircraft facility property expires if a taxpayer fails to meet the general eligibility requirements described previously or if the central office or aircraft facility property is disposed of, taken out of service, or moved out of North Carolina prior to the end of the seven-year period in which the credit is claimed. (For a detailed example on how to calculate the amount of expired installment, see the "Guidelines for Article 3A Tax Credits" available from the Department's website.)

Pass-through entities. S corporations claiming the credit against income tax complete Parts 1 through 4 as one taxpayer, then allocate the amount from Part 3, Line 13 among the shareholders. Complete Parts 5 and 6 by including the amounts allocated to those nonresident shareholders on whose behalf a composite return is being filed. On Part 5, Line 21, include only the carryforwards for those nonresident shareholders on whose behalf a composite return is filed in both the prior year and the current year. **Partnerships** complete Parts 1 through 4 as one taxpayer, then allocate the amount from Part 3, Line 13 among the partners. Complete Parts 5 and 6 by including the amounts allocated to those nonresident partners on whose behalf the managing partner pays the tax. On Part 5, Line 21, include only the carryforwards for those nonresident partners on whose behalf the partnership pays tax in both the prior year and the current year. **Trusts and estates** complete Parts 1 through 4 as one taxpayer, then allocate the amount from Part 3, Line 13 among the fiduciary and the beneficiaries. Complete Parts 5 and 6 by including only the amount that is allocated to the fiduciary.