

15 AAC 55.520 is amended to read:

15 AAC 55.520. Monthly filings. (a) For each month for which a producer is required to make an installment payment of estimated tax under AS 43.55.020(a)(1) or **(3)** [(4)], a surcharge under AS 43.55.201, or a surcharge under AS 43.55.300, the ^{↳ left bracket should not be boldface} producer or the person paying on behalf of the producer shall provide to the department with the payment a remittance advice identifying the producer, the amount and type of the payment, and the month and calendar year of production for which the payment is made. If a single payment combining amounts due under two or more of the provisions referenced in this subsection is made for a month, the remittance advice must state the respective amount paid under each provision. In the absence of the pertinent information required by this subsection, the department will treat a payment received as an installment payment of estimated tax due under AS 43.55.020(a)(1) and **(3)** [(4)] on the last day of the month before the month in which the payment is made.

(b) **An** [A PRODUCER THAT IS ALSO THE] operator of a lease or property in the state from which oil or gas is produced during a month shall submit to the department no later than the last day of the following month

(1) the production offtake schedule and the operator's supporting documentation for the month of production for the lease or property;

(2) the information described in 15 AAC 55.021(a), if applicable; and

(3) **a report of any unscheduled interruption of, or reduction in the rate of, oil or gas production during the month** [ONE OF THE FOLLOWING SETS OF COST DOCUMENTATION:

(A) COST DATA THAT

(i) ARE FOR THE MONTH OF PRODUCTION;

(ii) ARE FOR THE LEASE OR PROPERTY ~~THAT~~

(iii) ARE ACTUALLY USED BY THE OPERATOR

FOR BUSINESS PURPOSES;

(iv) IDENTIFY WHETHER A COST IS A CAPITAL COST, AN OVERHEAD COST, OR A NON-CAPITAL, NON-OVERHEAD COST;

(v) IDENTIFY WHETHER A COST IS FOR EXPLORATION, DEVELOPMENT, OR PRODUCTION; AND

(vi) ARE IN A FORM FOR WHICH THE DEPARTMENT'S APPROVAL HAS BEEN REQUESTED IN ADVANCE AND HAS BEEN OBTAINED;

(B) COST DATA THAT

(i) ARE FOR THE MONTH OF PRODUCTION OR, IF APPROVED BY THE DEPARTMENT, A LONGER PERIOD INCLUDING THE MONTH OF PRODUCTION;

(ii) ARE FOR THE LEASE OR PROPERTY OR, IF

APPROVED BY THE DEPARTMENT, THE LEASE OR PROPERTY TOGETHER WITH ONE OR MORE OTHER LEASES OR PROPERTIES OPERATED BY THE PRODUCER; ~~AND THAT~~

(iii) ARE ACTUALLY USED BY THE OPERATOR FOR BUSINESS PURPOSES OR, IF APPROVED BY THE DEPARTMENT, ARE GENERATED FROM DATA ACTUALLY USED BY THE OPERATOR FOR BUSINESS PURPOSES;

(iv) IDENTIFY WHETHER A COST IS A CAPITAL COST, AN OVERHEAD COST, OR A NON-CAPITAL, NON-OVERHEAD COST;

(v) IDENTIFY WHETHER A COST IS FOR EXPLORATION, DEVELOPMENT, OR PRODUCTION; AND

(vi) ARE IN A FORM FOR WHICH THE DEPARTMENT'S APPROVAL HAS BEEN REQUESTED IN ADVANCE AND HAS BEEN OBTAINED;

(C) IN THE ABSENCE OF THE DEPARTMENT'S APPROVAL UNDER (A) OR (B) OF THIS PARAGRAPH, A COPY OF

(i) EACH AUTHORIZATION FOR EXPENDITURE OR REVISION APPROVED DURING THE MONTH OF PRODUCTION FOR THE LEASE OR PROPERTY; AND

(ii) THE OPERATOR'S BILLINGS FOR THE MONTH OF PRODUCTION TO OTHER PRODUCERS UNDER THE OPERATING AGREEMENT OR OTHER JOINT INTEREST

ARRANGEMENT, IF ANY, APPLICABLE TO THE LEASE OR PROPERTY OR, IN THE ABSENCE OF AN APPLICABLE OPERATING AGREEMENT OR OTHER JOINT INTEREST ARRANGEMENT, THE OPERATOR'S MONTHLY ACCOUNTING RECORDS OR SUMMARIES FOR THE MONTH OF PRODUCTION FOR THE LEASE OR PROPERTY].

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(c) A [FOR EACH MONTH DURING WHICH A PRODUCER PRODUCES OIL OR GAS FROM A LEASE OR PROPERTY IN THE STATE, THE] producer shall submit to the department no later than the last day of each [THE FOLLOWING] month, a complete copy of each contract, agreement, and amendment to a contract or agreement that was entered into by the producer during the previous month [OF PRODUCTION] and that concerns the sale, exchange, or transportation of oil or gas produced in the state, unless the contract, agreement, or amendment was previously provided to the department under this subsection. The producer shall also submit to the department a summary list of all contracts, agreements, and amendments to a contract or agreement to which the producer is a party and that concern the sale, exchange, or transportation of oil or gas produced in the state during the previous month [OF PRODUCTION]. The list must include a notation as to when each contract was submitted to the department. On a form prescribed by the department, the producer shall identify the contract, agreement, or amendment to the contract or agreement that concerns each disposition of oil or gas reported on the form.

(d) No later than 60 days after the department sends a written request, a **person** [PRODUCER] subject to (b) or (c) of this section shall submit to the department any additional documents obtained by or generated by the **person** [PRODUCER] that concern a matter that is the subject of a submission required to be made to the department under (b) or (c) of this section.

(e) If a **person** [PRODUCER] subject to (b), (c), or (d) of this section fails to submit documents or information required under (b), (c), or (d) of this section, the department may request the documents or information from **any** [ANOTHER] producer of oil or gas from the lease or property in question. A producer to which the department makes a written request under this subsection shall submit the requested documents or information no later than 60 days after the request is sent.

(f) A producer or explorer that produces oil or gas during a month, incurs a lease expenditure during a month, incurs an expenditure during a month for which a tax credit may be claimed under AS 43.55.025, or receives during a month a payment or credit that constitutes an adjustment to lease expenditures under AS 43.55.170 shall submit to the department no later than the last day of the following month a report of

(1) amounts and dispositions of oil and gas produced;

(2) destination values, calculated in accordance with 15 AAC

55.151(b)(1), of oil and gas produced;

(3) transportation costs and adjustments for oil and gas produced;

(4) lease expenditures incurred, separately setting out

(A) qualified capital expenditures and other lease

expenditures;

(B) exploration, development, and production expenditures;

(C) expenditures for which a tax credit may be claimed under

AS 43.55.025 and the anticipated amount of the tax credit;

(D) overhead allowance;

(E) property taxes;

(F) net profit share payments;

(G) exclusions under AS 43.55.165(e)(18) and (19); and

(H) applicable lease expenditures under AS 43.55.165(j) and

(k);
total

(5) payments or credits received that constitute adjustments to lease expenditures under AS 43.55.170;

(6) tax credits subtracted in calculating the monthly installment payment of estimated tax;

(7) potential tax credits generated during the month but of which no portion is subtracted in calculating the monthly installment payment of estimated tax;

(8) tax credit certificates issued under AS 43.55.023 or AS 43.55.025 and transferred to another person; and under AS 43.55.261 or 43.55.300

(9) tax payments, including conservation surcharges, due for the month.

(g) Reports and other documents required to be submitted to the department under this section must be filed electronically in the applicable form

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prescribed by the department. (Eff. 5/3/2007, Register 182; am __/__/__,

Register _____)

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| Authority: | AS 43.05.080 | AS 43.55.040 | AS 43.55.165 |
| | AS 43.55.020 | AS 43.55.110 | AS 43.55.180 |
| | AS 43.55.030 | | |