

# ExSTARS Reporting Information Request for Employer Identification Number and Certification

▶ Information about Form W-13 and its instructions is at [www.irs.gov/formw13](http://www.irs.gov/formw13).

**Print or type**

Name (as shown on your tax returns; see instructions)	
Business name/disregarded entity name, if different from above	
Check appropriate box for federal tax classification: <input type="checkbox"/> Individual/sole proprietor <input type="checkbox"/> C corporation <input type="checkbox"/> S corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Trust/estate  <input type="checkbox"/> Limited liability company (see instructions). Enter the tax classification (C=C corporation, S=S corporation, P=partnership) ▶ _____  <input type="checkbox"/> Other (see instructions) ▶ _____	
Address (number, street, and apt. or suite no.)	Requester's name and address
City, state, and ZIP code	

## Part I Employer Identification Number (EIN)

Enter your EIN in the appropriate box. The EIN provided must be for the ExSTARS transaction entity. Report the disregarded entity's EIN, not the owner's EIN, when applicable.

**Social security numbers not permitted in ExSTARS reporting.**

Employer identification number									
					-				

## Part II Certification

Under penalties of perjury, I certify that the number shown on this form is my correct employer identification number.

<b>Sign Here</b>	Signature of U.S. person ▶	Date ▶
------------------	----------------------------	--------

Type or write name and title ▶

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

### Future Developments

For the latest information about developments related to Form W-13 and its instructions, such as legislation enacted after they were published, go to [www.irs.gov/formw13](http://www.irs.gov/formw13).

### General Instructions

#### Purpose of Form

Filers should use this form to request a valid employer identification number (EIN) for purposes of Excise Summary Terminal Activity Reporting System (ExSTARS) reporting.

A person who is required to file an ExSTARS information return with the IRS must obtain your correct EIN to report. For example, a truck carrier making a delivery to a terminal must provide the carrier company's EIN to the terminal operator.

The receiving party returns the form to the requester after providing a correct EIN.

#### Updating Your Information

You must provide the requester with updated information if the name or EIN changes while still engaged in ExSTARS reporting activities.

#### Penalties

**Failure to furnish EIN.** If you fail to furnish your correct EIN to a requester, you are subject to a penalty of \$50 for each such failure unless your failure is due to reasonable cause and not to willful neglect.

**Civil penalty for false information with respect to withholding.** If you make a false statement with no reasonable basis that results in no backup withholding, you are subject to a \$500 penalty.

**Criminal penalty for falsifying information.** Willfully falsifying certifications or affirmations may subject you to criminal penalties including fines and/or imprisonment.

**Misuse of EINs.** If the requester discloses or uses EINs in violation of federal law, the requester may be subject to civil and criminal penalties.

### Specific Instructions

#### Name

**Sole proprietor.** Enter your individual name as shown on your income tax return on the "Name" line. You may enter your business, trade, or "doing business as (DBA)" name on the "Business name/disregarded entity name" line.

**Partnership, C corporation, or S corporation.** Enter the entity's name on the "Name" line and any business, trade, or "doing business as (DBA) name" on the "Business name/disregarded entity name" line.

**Limited liability company (LLC).** If the person identified on the "Name" line is an LLC, check the "Limited liability company" box only and enter the appropriate code for the tax classification in the space provided. If you are an LLC that is treated as a partnership for federal tax purposes, enter "P" for partnership.

**Note.** If you are an LLC that has elected to be treated as a disregarded entity separate from its owner under Regulation section 301.7701-3, check the LLC box and select the appropriate classification of the disregarded entity, not the owner listed in the "Name" line.

**Disregarded entity.** Enter the owner's name on the "Name" line. The name of the entity entered on the "Name" line should never be a disregarded entity. The name on the "Name" line must be the name shown on the income tax return on which the income will be reported. For example, if a foreign LLC that is treated as a disregarded entity for U.S. federal tax purposes has a domestic owner, the domestic owner's name is required to be provided on the "Name" line. If the direct owner of the entity is also a disregarded entity, enter the first owner that is not disregarded for federal tax purposes. Enter the disregarded entity's name on the "Business name/disregarded entity name" line.

**Note.** Check the appropriate box for the federal tax classification of the person whose name is entered on the "Name" line (Individual/sole proprietor, partnership, C corporation, S corporation, trust/estate).

**Other entities.** Enter your business name as shown on required federal tax documents on the "Name" line. This name should match the name shown on the charter or other legal document creating the entity. You may enter any business, trade, or DBA name on the "Business name/disregarded entity name" line.

### Part I. Employer Identification Number (EIN)

Persons engaging in ExSTARS activities must possess an employer identification number (EIN). Social Security Numbers and "Applied For" type designations are not valid. If you do not have an EIN, see *How to get an EIN* below.

**Enter your EIN in the appropriate box.** Enter the EIN associated with the ExSTARS activities.

**How to get an EIN.** If you do not have an EIN, apply for one immediately. Use Form SS-4, Application for Employer Identification Number, to apply for an EIN. You can apply for an EIN online by going to [www.irs.gov/businesses](http://www.irs.gov/businesses) and clicking on Employer Identification Number (EIN) under Starting a Business. You can get Form SS-4 from the IRS by visiting [www.irs.gov/formspubs](http://www.irs.gov/formspubs) or by calling 1-800-TAX-FORM (1-800-829-3676).

### Part II. Certification

**Signature requirements.** Signing Form W-13 certifies that the EIN you are providing is correct, and establishes the proper U.S. entity engaging in ExSTARS activities.

Form W-13 must be signed by an owner or principal officer. Complete the signature requirement by typing or clearly writing the name and title of the signee.

### Privacy Act Notice

Section 6109 requires you to provide your correct EIN to persons (including federal agencies) who are required to file information returns with the IRS. The person collecting this form uses the information on the form to file information returns with the IRS. Routine uses of this information include giving it to the Department of Justice for civil and criminal litigation and to cities, states, the District of Columbia, and U.S. commonwealths and possessions for use in administering their tax laws. The information also may be disclosed to other countries under a treaty, to federal and state agencies to enforce civil and criminal laws, or to federal law enforcement and intelligence agencies to combat terrorism. You must provide your EIN whether or not you are required to file a tax return. Certain penalties may also apply for providing false or fraudulent information.

If you have comments concerning the accuracy of these time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send your comments from [www.irs.gov/formspubs/](http://www.irs.gov/formspubs/). Click on "More Information" and then on "Comment on Tax Forms and Publications." You can also write to:

Internal Revenue Service  
Tax Forms and Publications  
1111 Constitution Ave. NW, IR-6526  
Washington, DC 20224

Do not send the form to this address. Instead, see *Purpose of Form*.

We respond to many letters by telephone. Therefore, it would be helpful if you would include your daytime phone number, including the area code, in your correspondence.

Although we cannot respond individually to each comment received, we do appreciate your feedback and will consider your comments as we revise our tax products.