



**Note:** *The draft you are looking for begins on the next page.*

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Most forms and publications have a page on IRS.gov: [IRS.gov/Form1040](https://www.irs.gov/Form1040) for Form 1040; [IRS.gov/Pub501](https://www.irs.gov/Pub501) for Pub. 501; [IRS.gov/W4](https://www.irs.gov/W4) for Form W-4; and [IRS.gov/ScheduleA](https://www.irs.gov/ScheduleA) for Schedule A (Form 1040), for example, and similarly for other forms, pubs, and schedules for Form 1040. When typing in a link, type it into the address bar of your browser, not a Search box on IRS.gov.

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# Instructions for Form 1120-ND



(Rev. December 2025)

## Return for Nuclear Decommissioning Funds and Certain Related Persons

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

### Future Developments

For the latest information about developments related to Form 1120-ND and its instructions, such as legislation enacted after they were published, go to [IRS.gov/Form1120ND](https://www.irs.gov/Form1120ND).

### What's New

**Form 1120-ND.** Use the December 2025 revision of Form 1120-ND and instructions for 2025 and subsequent years until a superseding revision of Form 1120-ND is issued.

**Increase in penalty for failure to file.** For tax returns required to be filed after 2025, the minimum penalty for failure to file a return that is more than 60 days late has increased to the lesser of the tax due or \$525 (adjusted for inflation). See [Late filing of return](#), later.

**Gain from the sale or exchange of qualified farmland property to qualified farmers.** P.L. 119-21, commonly known as the One Big Beautiful Bill Act, created new section 1062, regarding the gain from the sale or exchange of qualified farmland property to qualified farmers. Section 1062 allows taxpayers to elect to pay the net income tax attributable to the gain from the sale or exchange of qualified farmland property to qualified farmers in four equal, annual installments. This election is available for sales and exchanges of qualified farmland property to a qualified farmer in tax years beginning after July 4, 2025. For more information, see section 1062 and new Form 1062, *Deferral of Tax on Gain From the Sale or Exchange of Qualified Farmland Property to Qualified Farmers*, when it is available.

To report the section 1062 applicable net tax liability and the installment due in the first tax year, two lines were added to Form 1120-ND. Report the full amount of section 1062 applicable net tax liability on line 14f. Report the first installment due in tax year 2025 on Form 1120-ND, line 13b. For more information, see the instructions for [line 13b](#) and [line 14f](#), later.

**Electronic payments.** If the fund has access to U.S. banking services or electronic payment systems, it should use direct deposit for any refunds and pay electronically for any payments, whenever possible.

**Direct deposit.** Direct deposit fields have been added to the form on lines 18c, 18d, and 18e. If there is an overpayment on line 17, enter the amount the fund wants refunded on line 18b and complete the direct deposit information on lines 18c, 18d, and 18e. Instead of a direct

deposit of the fund's refund, it can still choose to have all or part of the overpayment credited to next year's estimated tax by completing line 18a. See [Line 17](#), later, for more information.

**Making a payment.** If there is a balance due on line 16, go to [IRS.gov/Payments](https://www.irs.gov/Payments) for information on how to make a payment. See [Tax Payments](#) and the instructions for [line 16](#), later, for more details.

## General Instructions

### Purpose of Form

Nuclear decommissioning funds use Form 1120-ND to report contributions received, income earned, the administrative expenses of operating the fund, and the tax on modified gross income. The return is also used to report the section 4951 initial taxes on self-dealing.

Taxpayers, electing under section 468A, are allowed deductions for amounts contributed to a qualified fund, up to 100% of the present value of the nuclear power plant's decommissioning costs. Taxpayers can apply for a new ruling amount if the nuclear power plant is granted a license renewal extending its useful life. See section 468A for more information.

### Who Must File

All section 468A nuclear decommissioning funds must file Form 1120-ND. A disqualified person engaging in self-dealing must file Form 1120-ND to report the initial tax. See [Part II](#), later, to determine if an individual has engaged in self-dealing as a trustee or disqualified person.

**Note:** Each person liable for filing a return to pay any tax reportable on this form must file a separate return.

### When To File

Generally, a fund must file its income tax return by the 15th day of the 4th month after the end of its tax year. The return of a trustee or self-dealer who owes tax under section 4951 must be filed by the 15th day of the 4th month after the end of the tax year of the trustee or self-dealer.

However, a fund with a fiscal tax year ending on June 30 must file by the 15th day of the 3rd month after the end of its tax year. A fund with a short tax year ending in June will be treated as if the short year ended on June 30, and must file by the 15th day of the 3rd month after the end of its tax year.

If the due date falls on a Saturday, Sunday, or legal holiday, the fund may file on the next business day.

## Where To File

File the fund's, disqualified person's, or trustee's return at the applicable IRS address listed below.

If the fund's principal business, office, or agency is located in the United States, file Form 1120-ND at the following address.

Department of the Treasury  
Internal Revenue Service Center  
Ogden, UT 84201-0012

If the fund's principal business, office, or agency is located in a foreign country or a U.S. territory, file Form 1120-ND at the following address.

Internal Revenue Service Center  
P.O. Box 409101  
Ogden, UT 84409

**Private delivery services (PDSs).** Funds can use certain PDSs designated by the IRS to meet the "timely mailing as timely filing" rule for tax returns. See the Instructions for Form 1120, U.S. Corporation Income Tax Return, for details.

**Caution:** PDSs can't deliver items to P.O. boxes. The fund must use the U.S. Postal Service to mail any item to an IRS P.O. box address.

**Extension of time to file.** File Form 7004, Application for Automatic Extension of Time To File Certain Business Income Tax, Information, and Other Returns, to request an extension of time to file. Generally, the fund must file Form 7004 by the regular due date of the return.

A disqualified person or trustee filing to report section 4951 taxes must also file Form 7004 to request an extension of time to file. See the Instructions for Form 7004.

## Who Must Sign

The return must be signed and dated by an authorized trustee. The return of any person who engaged in any act of self-dealing must be signed and dated by that person or the individual authorized to sign on behalf of that person.

**Paid Preparer Use Only section.** If an employee of the fund completes Form 1120-ND, the paid preparer section should remain blank. Anyone who prepares Form 1120-ND but doesn't charge the fund shouldn't complete that section. Generally, anyone who is paid to prepare the return must sign and complete the section.

The paid preparer must complete the required preparer information and:

- Sign the return in the space provided for the preparer's signature,
- Include their Preparer Tax Identification Number (PTIN), and
- Give a copy of the return to the taxpayer.

A paid preparer may sign original or amended returns by rubber stamp, mechanical device, or computer software program.

## Paid Preparer Authorization

If the fund wants to allow the IRS to discuss its tax return with the paid preparer who signed it, check the "Yes" box in the signature area of the return. This authorization applies only to the individual whose signature appears in the Paid Preparer Use Only section of the fund's return. It doesn't apply to the firm, if any, shown in that section.

If the "Yes" box is checked, the fund is authorizing the IRS to call the paid preparer to answer any questions that may arise during the processing of its return. The fund is also authorizing the paid preparer to:

- Give the IRS any information that is missing from the return;
- Call the IRS for information about the processing of the return or the status of any related refund or payment(s); and
- Respond to certain IRS notices about math errors, offsets, and return preparation.

The fund isn't authorizing the paid preparer to receive any refund check, bind the fund to anything (including any additional tax liability), or otherwise represent the fund before the IRS.

The authorization will automatically end no later than the due date (excluding extensions) for filing the fund's subsequent tax return. If the fund wants to expand the paid preparer's authorization or revoke authorization before it ends, see Pub. 947, Practice Before the IRS and Power of Attorney.

## Assembling the Return

To ensure that the fund's tax return is correctly processed, attach all schedules after page 2 of Form 1120-ND in alphabetical order followed by other forms in numerical order.

Complete every applicable entry space on Form 1120-ND. Don't enter "See Attached" or "Available Upon Request" instead of completing the entry spaces. If more space is needed on the forms or schedules, attach separate sheets using the same size and format as the printed forms.

If there are supporting statements and attachments, arrange them in the same order as the schedules or forms they support and attach them last. Show the totals on the printed forms. Enter the fund's name and employer identification number (EIN) on each supporting statement or attachment.

## Tax Payments

Generally, the fund must pay the tax due in full no later than the due date for filing its tax return (not including extensions). See the instructions for [line 16](#), later. If the due date falls on a Saturday, Sunday, or legal holiday, the payment is due on the next day that isn't a Saturday, Sunday, or legal holiday.

## Electronic Deposit Requirement

Nuclear decommissioning funds must use electronic funds transfer (EFT) to make all federal tax deposits (such as deposits of employment, excise, and corporate income taxes). An EFT can be made using the Electronic Federal Tax Payment System (EFTPS) or the fund's IRS business

tax account. However, if the fund doesn't want to use one of these methods, it can arrange for its tax professional, financial institution, payroll service, or other trusted third party to make deposits on its behalf. Also, it may arrange for its financial institution to submit a same-day wire payment (discussed below) on its behalf. EFTPS is a free service provided by the Department of the Treasury. Payments made using the fund's IRS business tax account are also free. Services provided by a tax professional, financial institution, payroll service, or other third party may have a fee.

To get more information about EFTPS or to enroll in EFTPS, go to [EFTPS.gov](https://www.eftps.gov) or call 800-555-4477. To contact EFTPS using Telecommunications Relay Services (TRS) for people who are deaf, hard of hearing, or have a speech disability, dial 711 and then provide the TRS assistant the 800-555-4477 number above or 800-733-4829. Additional information about EFTPS is also available in Pub. 966.

For more information about making an EFT through the fund's IRS business tax account, go to [IRS.gov/BusinessAccount](https://www.irs.gov/BusinessAccount).

**Depositing on time.** EFTPS accepts same day payments of \$1 million or less if the payment is submitted before 3:00 p.m. Eastern time on a business day. If the fund's payment is more than \$1 million, the fund must submit the deposit by 8:00 p.m. Eastern time the day before the date the deposit is due. If the fund uses a third party to make deposits on its behalf, they may have different cutoff times.

**Same-day wire payment option.** If the fund fails to submit a timely deposit transaction on EFTPS, it can still make its deposit on time by using the Federal Tax Collection Service (FTCS). To use the same-day wire payment method, the fund will need to make arrangements with its financial institution ahead of time regarding availability, deadlines, and costs. Financial institutions may charge a fee for payments made this way. To learn more about the information the fund will need to provide to its financial institution to make a same-day wire payment, go to [IRS.gov/SameDayWire](https://www.irs.gov/SameDayWire).

## Estimated Tax Payments

Generally, the following rules apply to the fund's payments of estimated tax.

- The fund must make installment payments of estimated tax if it expects its total tax for the year (less applicable credits) to be \$500 or more.
- The installments are due by the 15th day of the 4th, 6th, 9th, and 12th months of the tax year. If any date falls on a Saturday, Sunday, or legal holiday, the installment is due on the next regular business day.
- The fund must use EFTs to make installment payments of estimated tax.
- Figure the fund's expected modified gross income for the tax year. Then multiply the fund's expected modified gross income by 20% (0.20).
- If, after the fund figures and deposits estimated tax, it finds that its tax liability for the year will be more or less than originally estimated, it may have to refigure its required installments. If earlier installments were

underpaid, the fund may owe a penalty. See the instructions for [line 15](#), later.

- If the fund overpaid estimated tax, it may be able to get a quick refund by filing Form 4466, Corporation Application for Quick Refund of Overpayment of Estimated Tax.

See section 6655 for more information on how to figure estimated taxes.

## Interest and Penalties

**Interest.** Interest is charged on taxes paid late even if an extension of time to file is granted. Interest is also charged on penalties imposed for failure to file, negligence, fraud, substantial valuation misstatements, substantial understatements of tax, and reportable transaction understatements from the due date (including extensions) to the date of payment. The interest charge is figured at a rate determined under section 6621.

**Late filing of return.** A fund that doesn't file its tax return by the due date, including extensions, may be penalized 5% of the unpaid tax for each month or part of a month the return is late, up to a maximum of 25% of the unpaid tax. The minimum penalty for a tax return that is more than 60 days late is the lesser of the tax due or \$525 (adjusted for inflation). Go to [IRS.gov/Newsroom/Inflation-Adjusted-Tax-Items-by-Tax-Year](https://www.irs.gov/Newsroom/Inflation-Adjusted-Tax-Items-by-Tax-Year) for adjusted failure-to-file penalty amounts for the applicable tax year. The penalty won't be imposed if the fund can show that the failure to file on time was due to reasonable cause. See [Reasonable-cause determinations](#), later.

**Late payment of tax.** A fund that doesn't pay the tax when due may generally be penalized 1/2 of 1% of the unpaid tax for each month or part of a month the tax is not paid, up to a maximum of 25% of the unpaid tax. See [Reasonable-cause determinations](#), later.

**Other penalties.** Other penalties can be imposed for negligence, substantial understatements of tax, reportable transaction understatements, and fraud. See sections 6662, 6662A, and 6663.

**Reasonable-cause determinations.** If the fund receives a notice about penalties after it files its return, send the IRS an explanation and we will determine if the fund meets reasonable-cause criteria. **Do not** attach an explanation when the fund files its return.

## Accounting Method

The fund must use the same method of accounting as the electing taxpayer.

## Rounding Off to Whole Dollars

The fund may enter decimal points and cents when completing its return. However, the fund should round off cents to whole dollars on its return and schedules to make completing its return easier. The fund must either round off all amounts on its return to whole dollars, or use cents for all amounts. To round, drop amounts under 50 cents and increase amounts from 50 to 99 cents to the next dollar. For example, \$1.39 rounds to \$1 and \$2.50 rounds to \$3.

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If two or more amounts must be added to figure the amount to enter on a line, include cents when adding the amounts and round off only the total.

## Recordkeeping

Keep the fund’s records for as long as they may be needed for the administration of any provision of the Internal Revenue Code. Usually, records that support an item of income, deduction, or credit on the return must be kept for 3 years from the date the return is due or filed, whichever is later. Keep records that verify the fund’s basis in property for as long as they are needed to figure the basis of the original or replacement property.

The fund should keep copies of all filed returns. They help in preparing future and amended returns.

## Additional Information

See the Instructions for Form 1120 and Pub. 542, Corporations, for more information about corporations, including additional forms the fund may need to file and how to get forms and publications.

## Definitions

**Self-dealing.** When determining if an act is an act of self-dealing, treat the transfer of personal property by a disqualified person to the fund as a sale or exchange if the property is subject to a mortgage or similar lien. Otherwise, the term “self-dealing” means any direct or indirect:

- Sale, exchange, or leasing of real or personal property between the fund and a disqualified person;
- Lending of money or other extensions of credit between the fund and a disqualified person;
- Furnishing of goods, services, or facilities between the fund and a disqualified person;
- Payment of compensation (or payment or reimbursement of expenses) by the fund to a disqualified person; and
- Transfers to, or use by or for the benefit of, a disqualified person of the income or assets of the fund.

**Exceptions.** Acts of self-dealing don’t include the following.

1. The payment by the fund for the purposes of satisfying, in whole or in part, the liability of the electing taxpayer for decommissioning costs of the nuclear power plant.
2. The withdrawal of excess contributions by the electing taxpayer in accordance with Regulations section 1.468A-5(c)(2).
3. The withdrawal of amounts that have been treated as distributions to the electing taxpayer under Regulations section 1.468A-5(c)(3).
4. The payment of amounts remaining in the fund to the electing taxpayer after the termination of the fund upon the substantial completion of decommissioning as determined under 1.468A-5(d).
5. The furnishing of goods, services, or facilities by a disqualified person to the fund if the furnishing is without charge and if the goods, services, or facilities so furnished are exclusively used for the purposes specified in section

501(c)(21)(A). For more information, see Regulations section 1.468A-5(b)(2)(v) and section 4951(d)(2)(B).

6. The payment of compensation (and the payment or reimbursement of expenses) by the fund to a disqualified person for personal services that are reasonable and necessary to carry out the purposes of the fund and the compensation (or payment or reimbursement of expenses) isn’t excessive. The fact that the amount of such payments that are not excessive are also more than the disqualified person’s actual expenses for such personal services doesn’t cause the payments to constitute acts of self-dealing, even if the difference is properly characterized as profit, or direct or indirect overhead. For more information, see Regulations section 1.468A-5(b)(2)(v) and section 4951(d)(2)(C).

7. Any time or demand deposit made with a bank or credit union that is a disqualified person, if undertaken to facilitate the temporary investment of assets or the payment of reasonable administrative expenses of the fund. For more information, see Regulations sections 1.468A-5(b)(2)(vi) and 53.4951-1(c).

8. A payment by the fund for the performance of trust functions and certain general banking services by a bank or trust company that is a disqualified person, if the banking services are reasonable and necessary to carry out the purposes of the fund and the compensation paid to the bank or trust company isn’t excessive (considering the fair market interest rate for the use of the funds by the bank or trust company).

The allowable general banking services are:

- Checking accounts, as long as the bank doesn’t charge interest on any overwithdrawals;
- Savings accounts, as long as the fund may withdraw its money after giving no more than 30 days notice, without losing interest for the period the money was on deposit; and
- Safekeeping activities (for example, rental of a safe deposit box).

**Tax period.** For an act of self-dealing, the term “tax period” means the period beginning on the date of the act of self-dealing and ending on the date of the earliest of:

- The date of mailing of a notice of deficiency under section 6212 for the section 4951 tax,
- The date on which the tax imposed by section 4951 is assessed, or
- The date correction of the act of self-dealing is completed.

**Amount involved.** The term “amount involved” means the greater of the amount of money given (or received) and the FMV of the other property given (or received). When services described in section 4951(d)(2)(C) are involved, the amount involved is only the excess compensation.

**Note:** FMV is determined as of the date on which the act of self-dealing occurs and at the highest market value during the tax period.

**Correction and correct.** The terms “correction” and “correct” mean the undoing of an act of self-dealing, to the extent possible, but in any case returning the fund to a financial position no worse than it would have been if the

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disqualified person acted under the highest fiduciary relationship.

**Disqualified person.** The term “disqualified person” means a person who is any of the following.

1. A contributor to the fund.
2. A trustee of the fund.
3. An owner of more than 10% of (a) the total combined voting power of a corporation, (b) the profits interest of a partnership, or (c) the beneficial interest of a trust or unincorporated business that is a contributor to the fund.
4. An officer, a director, or an employee of a person who is a contributor to the fund.
5. The spouse, an ancestor, or a lineal descendant, or a spouse of a lineal descendant of an individual described in (1) through (4) above.
6. A corporation of which persons described in (1) through (5) above own more than 35% of the total combined voting power.
7. A partnership of which persons described in (1) through (5) above own more than 35% of the profits interests.
8. A trust or estate of which persons described in (1) through (5) above own more than 35% of the beneficial interest.

For purposes of (3(a)) and (6) above, indirect stockholders would be taken into account under section 267(c), except that, for purposes of this paragraph, section 267(c)(4) will be treated as providing that the members of the family of an individual are only those individuals described in (5) above. For purposes of (3(b)), (3(c)), (7), and (8) above, the ownership of profits or beneficial interests will be determined by the rules of constructive ownership of stock provided in section 267(c) (other than paragraph (3) thereof), except that section 267(c)(4) will be treated as providing that the members of the family of an individual are only those individuals described in (5) above.

**Dispositions of an Interest in a Nuclear Power Plant**

There are federal income tax consequences when there is a transfer of assets of a nuclear decommissioning fund in connection with the sale, exchange, or other disposition of a transferor of all or a portion of its qualifying interest in a nuclear power plant to another taxpayer (transferee). If the requirements of Regulations section 1.468A-6(b) are met, the federal income tax consequences are the following.

1. **No gain or loss.** If there is a disposition of an interest (wholly or partially) in a nuclear power plant, neither the transferor nor the transferee (or either’s fund) will recognize gain, loss, or otherwise take any income or deduction into account because of the transfer of all or some of the assets of the transferor’s fund. Also, the transfer isn’t considered a payment or contribution of assets by the transferor’s fund (or by the transferee to its fund).
2. **Basis.** Transfers of assets of a fund to which Regulations section 1.468A-6 applies don’t affect basis.

The transferee’s fund will have a basis in the assets received from the transferor equal to the transferor’s basis in those assets immediately prior to the transfer.

**3. Tax year of disposition.**

**A. Transferee.** If a transferee doesn’t file a request for a schedule of ruling amounts by the deemed payment deadline (2½ months after the end of the tax year of the disposition), the transferee’s ruling amount for the interest acquired is determined by taking the amount contained in the transferor’s current schedule of ruling amounts for that tax year and that plant multiplied by the product of:

- (1) The portion of the transferor’s qualifying interest that is transferred; and
- (2) A fraction, the numerator of which is the number of days in the tax year of the transferor including and following the date of the disposition, and the denominator of which is the number of days in that tax year.

**B. Transferor.** If a transferor doesn’t file a request for a revised schedule of ruling amounts on or before the deemed payment deadline for the tax year of the transferor in which the disposition of its interest in the nuclear power plant occurred (that is, the date that is 2½ months after the close of that tax year), the transferor’s ruling amount with respect to that plant for that year will equal the sum of:

- (1) The ruling amount contained in the transferor’s current schedule of ruling amounts with respect to that plant for that tax year multiplied by the portion of qualifying interest that is retained, if any; and
- (2) The ruling amount contained in the transferor’s current schedule of ruling amounts with respect to that plant for that tax year multiplied by the product of:
  - (a) The portion of the transferor’s qualifying interest that is disposed of; and
  - (b) A fraction, the numerator of which is the number of days in the tax year that precede the date of the disposition, and the denominator of which is the number of days in that tax year.

**4. Tax year after the year of disposition.** A transferee of, or a transferor who retains, a qualifying interest in a nuclear power plant must file a request for a revised schedule of ruling amounts for the interest by the deemed payment deadline (defined above). If the transferee (or the transferor) doesn’t timely file such a request, the transferee’s (or the transferor’s) ruling amounts for the interest for that tax year will be zero unless the IRS is shown a good cause for the delay.

For more information, see Regulations section 1.468A-6.

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**Specific Instructions**

**Period Covered**

Enter the tax year in the space provided at the top of the form. For a calendar year, enter the last two digits of the calendar year in the first entry space. For a fiscal tax year return, fill in the tax year space at the top of the form.

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## Name and Address

Enter the fund's true name (as set forth in the charter or other legal document creating it), address, and EIN on the appropriate lines. Enter the address of the fund's principal office or place of business. Include the suite, room, or other unit number on the "Room or suite no." line. If the post office doesn't deliver mail to the street address and the fund has a P.O. box, enter the box number instead.

Don't use the address of the registered agent for the state in which the fund is incorporated. For example, if a fund is incorporated in Delaware or Nevada and the fund's principal office is located in Little Rock, Arkansas, the fund should enter the Little Rock address.

If the return is filed by a trustee or disqualified person to report section 4951 taxes, enter that person's name and address in the address section.

If the fund receives its mail in care of a third party (such as an accountant or an attorney), enter on the street address line "C/O" followed by the third party's name and street address or P.O. box.

If the fund has a foreign address, enter the city or town, state or province, country, and foreign postal code in the spaces provided. Don't abbreviate the country name. Follow the country's practice for entering the name of the state or province and postal code.

## Item A. Employer Identification Number (EIN)

Enter the fund's EIN. If the fund doesn't have an EIN, it must apply for one. An EIN can be applied for in the following ways.

- Online—Go to [IRS.gov/EIN](https://www.irs.gov/EIN). The EIN is issued immediately once the application information is validated.
- By faxing or mailing Form SS-4, Application for Employer Identification Number.

If the fund hasn't received its EIN by the time the return is due, enter "Applied for" and the date the fund applied in the space for the EIN. For more information, see the Instructions for Form SS-4.

## Item B. Identifying Number of Trustee or Disqualified Person

If the return is filed by a trustee or disqualified person to report section 4951 taxes, enter the identifying number of the trustee or disqualified person. For an individual trustee or disqualified person, enter the individual's social security number. If the trustee or disqualified person isn't an individual, enter the EIN.

**Note:** Don't complete item B if Form 1120-ND is filed to report the income, deductions, and income tax liability of the fund.

## Item C. Fund, Trustee, or Disqualified Person

Check only the box that applies.

1. When filed to report the income, deductions, and income tax liability of the fund, check the "Fund" box.

2. When filed by a trustee who is liable for taxes under section 4951, check the "Trustee" box.

3. When filed by a disqualified person who is liable for section 4951 tax, check the "Disqualified person" box.

## Item D. Final Return, Name Change, Address Change, or Amended Return

Indicate a final return, name change, address change, or amended return by checking the appropriate box. If you are a trustee or disqualified person reporting section 4951 taxes, omit item D.

**Note:** If a change in address occurs after the return is filed, use Form 8822-B, Change of Address or Responsible Party—Business, to notify the IRS. See the instructions for Form 8822-B for details.

## Part I. Computation of Fund Income Tax

### Income

**Line 1. Taxable interest.** Enter the total taxable interest income received or accrued for the year, including any original issue discount. Don't include tax-exempt interest on line 1, but report it as an item of information on Schedule M, line 2d.

**Line 2. Capital gain net income.** Every sale, exchange, or actual or deemed distribution of assets held by the fund must be reported in detail on Schedule D (Form 1120), Capital Gains and Losses (and Form 8949, Sales and Other Dispositions of Capital Assets, if applicable), even if there is no gain or loss. The amount realized on an actual or deemed distribution is the fair market value (FMV) of the assets as of the date of distribution.

**Line 3. Other income.** Enter any other taxable income not reported on line 1 or line 2 and explain its nature on an attached schedule. If the fund had only one item of other income, describe it in parentheses on line 3.

### Deductions

**Note:** A deduction isn't allowed for certain expenses allocable to tax-exempt income. See section 265. In addition, a deduction isn't allowed for distributions made to electing taxpayers. Report such payments as an item of information on Schedule M, line 2c. Liabilities aren't treated as incurred prior to the time economic performance takes place. See section 461(h).

**Line 5. Trustee fees.** Enter the total deductible fees paid or incurred to the trustee(s) for administering the fund during the tax year.

**Line 6. Taxes.** Enter deductible taxes paid or incurred during the tax year, including state and local income taxes. Don't deduct federal income taxes or taxes not imposed on the fund.

**Line 8. Other deductions.** Attach a schedule listing by type and amount all allowable deductions that aren't deducted elsewhere on Form 1120-ND. Include investment advisory fees, actuarial expenses, and other

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administrative expenses paid or incurred during the tax year, but don't include decommissioning costs.

**Line 11. Net operating loss (NOL) deduction.** Enter the amount of any NOL deduction allowed by Regulations section 1.468A-4(b)(4), and explain its computation on an attached schedule.

**Note:** The 2-year carryback rule doesn't apply to NOLs arising in tax years ending after 2017. An exception applies to farmers and non-life insurance companies. See section 172(b), as amended by P.L. 115-97, section 13302.

**Line 13b. First installment of section 1062 applicable net tax liability.** Complete and attach Form 1062, Schedule(s) A (Form 1062), and a copy of the covenant if electing to defer the payment of the net income tax attributable to the gain from the sale or exchange of qualified farmland property during this tax year under section 1062. Enter the amount from Form 1062, Part III, line 15. See the Instructions for Form 1062 for more information. Also, see section 1062.

**Line 14. Payments.** Generally, no payments are allowed other than those on lines 14a through 14d and the credit for backup withholding.

**Backup withholding.** If the fund had federal income tax withheld from any payments it received because, for example, it failed to give the payer its correct EIN, include the amount withheld in the total for line 14z. Enter the amount withheld and "Backup Withholding" in the blank space above line 14z.

**Line 14f. Section 1062 applicable net tax liability.** If the fund is electing to defer the payment of the net income tax attributable to the gain from the sale or exchange of qualified farmland property, complete and attach Form 1062 and Schedule(s) A (Form 1062). Enter the amount from Form 1062, Part III, line 14. See the Instructions for Form 1062 for more information. Also, see section 1062.

**Line 15. Estimated tax penalty.** A fund that doesn't make estimated tax payments when due may be subject to an underpayment penalty for the period of underpayment. Use Form 2220, Underpayment of Estimated Tax by Corporations, to see if the fund owes a penalty and to figure the amount of the penalty. If Form 2220 is attached, check the box on line 15 and enter the amount of the penalty on that line.

**Line 16. Tax due.** Generally, the fund must pay any tax due in full no later than the due date for filing its tax return (excluding extensions). Payment of the tax due must be made electronically. See [Electronic Deposit Requirement](#), earlier, for the payment options for the fund. Also, go to [IRS.gov/Payments](https://www.irs.gov/Payments) for more detailed information.

If the fund cannot pay the full amount of tax owed, it can apply for an installment agreement online. The fund can apply for an installment agreement online if:

- It cannot pay the full amount shown on line 16,
- The total amount owed is \$25,000 or less, and
- The fund can pay the liability in full in 24 months.

To apply using the Online Payment Agreement Application, go to [IRS.gov/OPA](https://www.irs.gov/OPA).

Under an installment agreement, the fund can pay what it owes in monthly installments. There are certain conditions that must be met to enter into and maintain an installment agreement, such as paying the liability within 24 months and making all required deposits and timely filing tax returns during the length of the agreement.

If the installment agreement is accepted, the fund will be charged a fee and it will be subject to penalties and interest on the amount of tax not paid by the due date of the return.

**Line 17. Overpayment.** If there is an overpayment on line 17, enter the amount the fund wants refunded on line 18b. See the instructions for line 18b, later. The fund can also choose to have all or part of the overpayment credited to next year's estimated tax by completing line 18a. See the instructions for line 18a next.

**Line 18a. Credited to next year's estimated tax.** The fund can elect to apply all or part of the fund's overpayment to next year's estimated tax. Enter the amount from line 17 that the fund wants applied to next year's estimated tax.

**Line 18b. Refunded.** Enter the amount to be refunded to the fund on line 18b. If the fund has access to U.S. banking services, it should use direct deposit for any refunds, whenever possible.

The benefits of a direct deposit include a faster refund, the added security of a paperless payment, and the savings of tax dollars associated with the reduced processing costs.

**Direct deposit of refund.** If the fund wants its refund directly deposited into its checking or savings account at any U.S. bank or other financial institution, complete lines 18c through 18e. See the instructions for lines 18c, 18d, and 18e, later.

The fund is not eligible to request a direct deposit if:

- The receiving financial institution is a foreign bank or a foreign branch of a U.S. bank, or
- The fund has applied for an EIN but is filing its tax return before receiving one.

**Line 18c. Routing number.** The routing number must be nine digits. The first two digits must be 01 through 12 or 21 through 32. Enter the financial institution's routing number and verify that the institution will accept a direct deposit.

Ask the fund's financial institution for the correct routing number to enter on line 18c if:

- The routing number on a deposit slip is different from the routing number on the fund's checks,
- The deposit is to a savings account that doesn't allow the fund to write checks, or
- The fund's checks state they are payable through a financial institution different from the one at which the account is located.

**Line 18d. Type of account.** Check the appropriate box for the type of account. Don't check more than one box. The fund must check the correct box to ensure the fund's deposit is accepted.

**Line 18e. Account number.** The account number can be up to 17 characters (both numbers and letters). Include hyphens but omit spaces and special symbols. Enter the

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number from left to right and leave any unused boxes blank. Don't include the check number.

If the direct deposit to the fund's account is different from the amount it expected, the fund will receive an explanation in the mail about 2 weeks after the refund is deposited.

**Conditions resulting in a refund by check.** If the IRS is unable to process the request for a direct deposit, a refund by check will be generated instead. Reasons for not processing a request include the following.

- The name of the fund on the tax return does not match the name on the account.
- The financial institution rejects the direct deposit because of an incorrect routing or account number.
- The fund fails to indicate the type of account the deposit is to be made to (that is, checking or savings).

**Note:** The IRS isn't responsible for a lost refund if the fund enters the wrong account information. Check with the fund's financial institution to get the correct routing and account numbers and to make sure the direct deposit will be accepted.

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## Schedule L. Balance Sheets

The balance sheets should agree with the fund's books and records.

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## Schedule M. Other Information

**Line 1.** The term "electing taxpayer" means an eligible taxpayer that elects the application of section 468A to deduct payments made to a nuclear decommissioning fund. See Regulations section 1.468A-7 for the rules concerning the election.

**Line 5.** If you are a trustee or disqualified person (defined earlier), complete the items included in line 5 to determine if you have engaged in an act of self-dealing.

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## Part II. Initial Taxes on Self-Dealing (Section 4951)

### Initial Taxes on Self-Dealers

An initial tax of 10% of the amount involved (defined earlier) is imposed on each act of self-dealing between a disqualified person and a nuclear decommissioning fund for each tax year (or part of a tax year) in the tax period. The tax is required to be paid by any disqualified person (other than a trustee acting only as a trustee of the trust) who participates in the act of self-dealing.

### Initial Taxes on Trustee

A tax of 2<sup>1</sup>/<sub>2</sub>% of the amount involved is imposed on a trustee who participates in the act of self-dealing. The tax isn't imposed if the trustee unwillingly or due to reasonable cause participated in the act. The tax is computed on all acts of self-dealing that occur within the tax period. The tax is required to be paid by the trustee who participates in the act.

**Exceptions.** The initial tax on the act of self-dealing of a disqualified person or a trustee isn't imposed if the acts of self-dealing are corrected within the tax period.

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**Privacy Act and Paperwork Reduction Act Notice.** We ask for the information on this form to carry out the Internal Revenue laws of the United States. You are required to give us the information. We need it to ensure that you are complying with these laws and to allow us to figure and collect the right amount of tax.

Section 4951 of the Internal Revenue Code requires disqualified taxpayers engaged in self-dealing with a trust to pay over to the IRS an initial tax. This form is used to report the initial amount of tax that you owe. Sections 6001 and 6011 require you to provide the requested information if the tax applies to you. Section 6109 and its regulations require you to provide your identifying number. Routine uses of this information include disclosing it to the Department of Justice for civil and criminal litigation and to other federal agencies, as provided by law. We may disclose the information to cities, states, the District of Columbia, and U.S. commonwealths or territories to administer their tax laws. We may disclose the information to foreign governments pursuant to tax treaties. We may disclose the information to contractors for tax administration purposes. We may also disclose this information to federal and state agencies to enforce federal nontax criminal laws and to combat terrorism. If you don't provide this information, or you provide false or fraudulent information, you may be subject to penalties.

You aren't required to provide the information requested on a form that is subject to the Paperwork Reduction Act unless the form displays a valid OMB control number. Books or records relating to a form or its instructions must be retained as long as their contents may become material in the administration of any Internal Revenue law. Generally, tax returns and return information are confidential, as required by section 6103.

The time needed to complete and file this form will vary depending on individual circumstances. The estimated burden for business taxpayers filing this form is approved under OMB control number 1545-0123 and is included in the estimates shown in the instructions for their business income tax return.

If you have comments concerning the accuracy of the time estimates or suggestions for making this form simpler, we would be happy to hear from you. You can send us comments through [IRS.gov/FormComments](https://www.irs.gov/FormComments). Or you can write to the Internal Revenue Service, Tax Forms and Publications, 1111 Constitution Ave. NW, IR-6526, Washington, DC 20224.

Don't send the tax form to this address. Instead, see [Where To File](#), earlier.

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