

CITY OF TOPEKA, KANSAS

UTILITY FRANCHISE FEE REFUND PROGRAM/ WATER AND WASTEWATER UTILITY RATE REFUND PROGRAM INSTRUCTIONS



For assistance with either of these two programs, please contact Jayhawk Area Agency on Aging @ 785-235-1367 or the City's Public Works Response Center @ 785-368-3111 (option 6)

To qualify for either one of the City of Topeka programs, you must apply for **and receive** a Kansas Homestead Claim Refund for the prior year.

Additional requirements:

- For **Electric and Gas refunds (franchise fee)**, your personal residence must be within the City limits.

- For **Water/Wastewater (Sewer) (rate increase)** account holders, City and County residents are eligible **IF** you are a customer of the City of Topeka who receives water and/or wastewater utility services provided by the City of Topeka and the customer account is in the same name as the Kansas Homestead Claim applicant's name.

If your application does not include required documentation, your application will be returned **"incomplete"**.

If you meet all the requirements listed above, follow these steps to apply for your refund/credit:

- Obtain a combined *City of Topeka, Utility Franchise Fee Refund Program/Water and Wastewater Utility Rate Refund Program Application* form. This form is available at the following locations:
 - Jayhawk Area Agency on Aging, 2910 SW Topeka Boulevard
telephone: 785-235-1367
 - Shawnee County Clerk's Office, 200 SE 7th Street, Room 107
 - Kansas Department of Revenue, Taxpayer Assistance,
915 SW Harrison, Room 150
 - Volunteer Income Tax Assistance, 915 SW Harrison, Room 158
(Available January - April Only)
 - Topeka & Shawnee County Public Library, 1515 SW 10th Avenue
City of Topeka, City Hall Lobby
 - Download from the City of Topeka website at <http://www.topeka.org>
- Complete and sign the required forms.



**CITY OF TOPEKA, KANSAS
UTILITY FRANCHISE FEE REFUND PROGRAM/
WATER AND WASTEWATER UTILITY RATE
REFUND PROGRAM APPLICATION
CLAIM YEAR: 2010**

Deadline to file for these Programs is September 5, 2011 (If deadline falls on a weekend and/or holiday, the deadline is the following work day of the subsequent year - for example, applications for either program for 2010 must be received prior to 5:00 p.m. on September 6, 2011).

This form is furnished for the Utility Franchise Fee Refund Program, and Water and Wastewater Utility Rate Refund Program pursuant to Topeka City Code 146-17 & 146-18 for ratepayers who are eligible for and actually receive a refund from the State of Kansas Homestead Claim, Form K40-H Tax Refund program.

Applicant's name _____

** (Same name as Homestead & W-9) **

Applicant's residence _____

** (for claim year) **

Applicant's telephone: _____

Did you move during claim year? YES (If yes see next line) NO

Previous address: _____

** (If you lived at more than one address during the claim year) **

By my signature below, I hereby affirm that I have paid the fees for which I am requesting a refund on electric and/or gas for my personal residence and a credit on water/wastewater (sewer) utilities for my residential property. I also understand that by signing this application, I agree to specifically hold the City of Topeka and its employees, officers and agents harmless from any and all claims and liability relating to these programs.

Applicant's signature _____

For Office Use ONLY	For Office Use ONLY
Amount of Water/Wastewater Credit Claimed: \$ _____	Amount of Electric/Gas Refund Claimed: \$ _____

The following documentation must accompany this claim form:

1. A completed and signed copy of the applicant's Kansas Homestead Claim, Form K40-H for the Claim Year.

2. **Proof of receipt of a Kansas Homestead Claim payment.** A copy of the refund check will be accepted. If you are in the Advancement Program (ELG) or your refund has been taken due to the debtor offset program and have questions, please contact the City of Topeka, City at at 785-368-3896.

3. **Signed release of information authorizations for electric and/or gas accounts.** This will allow the City to obtain your franchise fee payment information directly from the electric and gas companies. Obtaining this information from the electric and gas companies can take several weeks.

4. **Signed Authorization for Release of Customer Information** must be completed and signed to be eligible to apply for the City of Topeka Water & Wastewater Utility Rate Refund Program.

5. **Completed and signed W-9.** In order to receive payment. (IRS requirement)

Note: If you moved during the claim year, additional information will be required; see instructions

This claim form and all supporting documentation should be delivered by hand or mailed to:
Utility Franchise Fee Refund Program/
Water and Wastewater Utility Rate Refund Program
c/o Jayhawk Area Agency on Aging
2910 SW Topeka Blvd, Topeka, KS 66611-2121

*Please see Instructions and/or FAQ's for further assistance.
Questions should be directed to Jayhawk Area Agency on Aging @ 785-235-1367
or City's Public Works Response Center @ 785-368-3111 (option 6)*

Authorization for Release of Westar Energy Utility Account Franchise Fee Information

CITY OF TOPEKA, KANSAS
UTILITY FRANCHISE FEE REFUND PROGRAM

The personal information collected on this form will be used to process your release of information request, and is collected pursuant to the City of Topeka, Kansas "Utility Franchise Fee Refund Program" under City of Topeka Municipal Code Sec. 146.17 (Ord. No. 18584, § 1, 3-7-06; Ord. No. 19129 § 1, eff. 7-15-08 and Ord. No. 19153, § 1, 8-26-08). If you have any questions about the collection and use of this information, contact the Director of Budget and Financial Services, the City of Topeka, Kansas, 215 SE 7th, Room 358, Topeka, KS 66603.

My Westar Energy Electric Utility Account Number: _____

Name: _____
Last First Middle
Former Name: _____

Address: _____

Is Utility service all electric? YES NO

Home Phone: (____) _____ - _____
Work Phone: (____) _____ - _____

Email: _____

I hereby authorize the City of Topeka, Kansas to release my Utility Franchise Fee Refund Program application information to my energy vendor, Westar Energy, Inc., and I further authorize my utility provider, Westar Energy, Inc. to release my utility account franchise fee payment history to the City of Topeka, Kansas, all for purposes of determining my eligibility for a utility franchise fee refund.

Note: This release is in effect until December 31, 2011, or until the utility customer named above notifies Westar Energy, Inc. and the City of Topeka, Kansas, in writing, to withdraw this authorization, whichever occurs first.

Utility Customer Signature: _____
Date: _____

Mail or deliver the completed form to:
Jayhawk Area Agency on Aging
2910 SW Topeka Blvd
Topeka, KS 66611-2121

Print or type See Specific Instructions on page 2.

Name (as shown on your income tax return)	
Business name, if different from above	
Check appropriate box: <input type="checkbox"/> Individual/Sole proprietor <input type="checkbox"/> Corporation <input type="checkbox"/> Partnership <input type="checkbox"/> Limited liability company. Enter the tax classification (D=disregarded entity, C=corporation, P=partnership) <input type="checkbox"/> Other (see instructions)	
<input type="checkbox"/> Exempt payee	Requester's name and address (optional)
Address (number, street, and apt. or suite no.)	City, state, and ZIP code
List account number(s) here (optional)	

Part I Taxpayer Identification Number (TIN)

Enter your TIN in the appropriate box. The TIN provided must match the name given on Line 1 to avoid backup withholding. For individuals, this is your social security number (SSN). However, for a resident alien, sole proprietor, or disregarded entity, see the Part I instructions on page 3. For other entities, it is your employer identification number (EIN). If you do not have a number, see *How to get a TIN* on page 3. **Note:** If the account is in more than one name, see the chart on page 4 for guidelines on whose number to enter.

Social security number	OR	Employer identification number
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Part II Certification

Under penalties of perjury, I certify that:

- The number shown on this form is my correct taxpayer identification number (or I am waiting for a number to be issued to me), and I am not subject to backup withholding because: (a) I am exempt from backup withholding, or (b) I have not been notified by the Internal Revenue Service (IRS) that I am subject to backup withholding as a result of a failure to report all interest or dividends, or (c) the IRS has notified me that I am no longer subject to backup withholding, and
- I am a U.S. citizen or other U.S. person (defined below).

Certification instructions. You must cross out item 2 above if you have been notified by the IRS that you are currently subject to backup withholding because you have failed to report all interest and dividends on your tax return. For real estate transactions, item 2 does not apply. For mortgage interest paid, acquisition or abandonment of secured property, cancellation of debt, contributions to an individual retirement arrangement (IRA), and generally, payments other than interest and dividends, you are not required to sign the Certification, but you must provide your correct TIN. See the instructions on page 4.

Signature of U.S. person	Date
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General Instructions

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

Purpose of Form

A person who is required to file an information return with the IRS must obtain your correct taxpayer identification number (TIN) to report, for example, income paid to you, real estate transactions, mortgage interest you paid, acquisition or abandonment of secured property, cancellation of debt, or contributions you made to an IRA.

Use Form W-9 only if you are a U.S. person (including a resident alien), to provide your correct TIN to the person requesting it (the requester) and, when applicable, to:

- Certify that the TIN you are giving is correct (or you are waiting for a number to be issued),
- Certify that you are not subject to backup withholding, or
- Claim exemption from backup withholding if you are a U.S. person, your allocable share of any partnership income from a U.S. trade or business is not subject to the withholding tax on foreign partners' share of effectively connected income.

Note. If a requester gives you a form other than Form W-9 to request your TIN, you must use the requester's form if it is substantially similar to this Form W-9.

Definition of a U.S. person. For federal tax purposes, you are considered a U.S. person if you are:

- An individual who is a U.S. citizen or U.S. resident alien,
- A partnership, corporation, company, or association created or organized in the United States or under the laws of the United States,
- An estate (other than a foreign estate), or
- A domestic trust (as defined in Regulations section 301.7701-7).

Special rules for partnerships. Partnerships that conduct a trade or business in the United States are generally required to pay a withholding tax on any foreign partners' share of income from such business. Further, in certain cases where a Form W-9 has not been received, a partnership is required to presume that a partner is a foreign person, and pay the withholding tax. Therefore, if you are a U.S. person that is a partner in a partnership conducting a trade or business in the United States, provide Form W-9 to the partnership to establish your U.S. status and avoid withholding on your share of partnership income.

The person who gives Form W-9 to the partnership for purposes of establishing its U.S. status and avoiding withholding on its allocable share of net income from the partnership conducting a trade or business in the United States is in the following cases:

- The U.S. owner of a disregarded entity and not the entity,



Frequently Asked Questions (FAQs)



1. Who can apply for the Utility Franchise Fee Refund Program or the Water and Wastewater Utility Rate Refund Program?

- You must file and receive a refund on your Kansas Homestead Claim Form, K40-H or receive the SAFE SENIOR ("Kansas Property Tax Relief for Low Income Seniors" refund.

- For Electric and Gas account holders, **you must live within the city limits of Topeka.**

- For Water/Wastewater (Sewer) account holders, City and County residents are eligible **IF** you are a customer of the City of Topeka who receives water and/or wastewater utility services provided by the City of Topeka.

2. What is the difference between the Utility Franchise Fee Refund Program and the Water and Wastewater Utility Rate Refund Program?

- For qualifying individuals, the Utility Franchise Fee Refund Program offers refunds of electric and gas franchise fees paid by the ratepayer for property located within the City. For qualifying individuals, the Water and Wastewater Utility Rate Refund Program offers a credit to your account of the increase in the minimum monthly rate for water and wastewater rates paid by the residential utility customer for property located within the City. Both programs are based on the same criteria for the State of Kansas Homestead Refund Program, which provides for rebates of property taxes for certain eligible low income residents of Kansas.

3. Where do I get an application form?

- Application forms are available on the City's Web site at www.topeka.org. Click on "Utility Franchise Fee Refund/Water and Wastewater Utility Rate Program". Forms are also available at:
 - Jayhawk Area Agency on Aging
 - Kansas Department of Revenue (KDOR),
 - Taxpayer Assistance
 - Volunteer Income Tax Assistance (Jan - April ONLY)
 - Topeka & SNCO Public Library
 - Shawnee County Clerks Office
 - City of Topeka (Lobby)

4. (Continued) What do we mean by a "complete" application?

- If the second page does not show the amount of your refund and the date your refund check was sent, **THIS WILL NOT BE ACCEPTED AS PROOF OF REFUND.** You will need to contact the Kansas Department of Revenue (KDOR) to obtain a letter directly from them stating that you did apply for and receive a refund for the Kansas Homestead Claim program. Then BOTH pages must be submitted with your application to show Proof of Refund.
- Don't miss the signature line on the W9. It is located in the center part of the form.

5. What do you mean by "claim year"?

- The claim year is the prior year. If you are applying for a refund/credit in 2011, the Utility Franchise Fee Refund Program claim year will be for those who claimed and received a Kansas Homestead refund in 2010.

6. How long does it take to process my application?

- Upon receipt of a complete application the applicant's information is sent to the utility companies for account information. This process could take a few weeks to obtain applicant's information for electric and gas. **After account information is received for Westar and Kansas Gas,** it will take approximately 30 days to process your application. Total estimated time from submission of application is 6 weeks.

7. What is the application deadline for these programs?

- The deadline for the Utility Franchise Fee Refund Program, and the Water and Wastewater Utility Rate Refund Program is September 5th of each year. If deadline falls on a weekend and/or holiday, the deadline is the following work day. The Water and Wastewater Utility Rate Refund Program does not go into effect until January 1, 2011. Since the qualifications for both programs are based on the State of Kansas Homestead Program, you will need to file your taxes and receive a Homestead refund before you can apply for either of the City's refund/credit programs.

8. Why do you need the W-9?

- We are required by the IRS (Internal Revenue Service) to have on record a W-9 for each person or business before we are able to process payments.

can apply for this Refund; the customer's name on the City utility account must match the individual who received the Kansas Homestead Refund.

15. The refund states it is for water and wastewater. I only have wastewater service provided by the City so can I apply for a refund for just wastewater?

- Yes, just simply select the Wastewater option on the application form.

16. I am a Sherwood Sewer customer and am billed by the City for my County Wastewater. Can I apply for the Water and Wastewater Utility Rate Refund Program?

- Yes, but only for the water service portion of the bill. The program is only applicable to customers who receive water and/or wastewater utility services provided by the City of Topeka. The City does administer the billing for Shawnee County wastewater and refuse but does not provide the actual wastewater or refuse service. Shawnee County sets their own rates for Sherwood Sewer District and for refuse.

17. My relative has an **Electric/Gas utility account**, but I pay the bills on their behalf. Will I receive the Franchise Fee Refund since I pay the bills on that account?

- If the utility account holders name is listed on the Kansas Homestead Claim Form as living in the household, the utility holder would be eligible for the Electric and/or Gas refund.

18. Why is the amount of my refund different than my friend/neighbor?

- The amount of Franchise Fees (electric and gas only) are based on a % of the utility usage of each applicant and will vary from applicant to applicant.

19. Where can I learn more about these programs?

- The programs were established and more information is available on the City's Web site at www.topeka.org. Click the Municipal Codebook link on the bottom left side of the Web page. Refer to Code Section 146-17 and 146-18.

20. I don't have a computer so I prefer to talk with someone about these programs. Who do I contact?