

BEFORE THE STATE TAX COMMISSION OF THE STATE OF IDAHO

In the Matter of the Protest of )  
 ) DOCKET NO. 19435  
[REDACTED], )  
 ) DECISION  
 )  
Petitioner. )  
\_\_\_\_\_ )

The petitioner protests the Notice of Deficiency Determination dated February 10, 2006, asserting additional income tax, penalty, and interest totaling \$4,453, \$1,997, and \$5,949 for 1997, 2001, and 2002, respectively. A timely protest was filed. The petitioner requested an informal conference which was held August 9, 2006.

The petitioner was issued a Notice of Deficiency Determination by the Idaho State Tax Commission pursuant to a redetermination of the petitioner's income [Redacted]. The Commission finds that the auditor correctly recomputed the petitioner's liability pursuant to the redetermination.

Idaho Code § 63-3002 stated:

Declaration of intent. It is the intent of the legislature by the adoption of this act, insofar as possible to make the provisions of the Idaho act identical to the provisions of the Federal Internal Revenue Code relating to the measurement of taxable income, to the end that the taxable income reported each taxable year by a taxpayer to the internal revenue service shall be the identical sum reported to this state, subject only to modifications contained in the Idaho law; to achieve this result by the application of the various provisions of the Federal Internal Revenue Code relating to the definition of income, exceptions therefrom, deductions (personal and otherwise), accounting methods, taxation of trusts, estates, partnerships and corporations, basis and other pertinent provisions to gross income as defined therein, resulting in an amount called "taxable income" in the Internal Revenue Code, and then to impose the provisions of this act thereon to derive a sum called "Idaho taxable income"; to impose a tax on residents of this state measured by Idaho taxable income wherever derived and on the Idaho taxable income of nonresidents which is the result of activity within or derived from sources within this state. All of the foregoing is subject to modifications in Idaho law including, without limitation, modifications applicable to unitary groups of corporations, which include corporations incorporated outside the United States.

The petitioner has not provided the Commission with a contrary result to the redetermination [Redacted]. Therefore, the Commission upholds the deficiency as asserted.

WHEREFORE, the Notice of Deficiency Determination dated February 10, 2006, is hereby APPROVED, AFFIRMED, and MADE FINAL.

IT IS ORDERED and THIS DOES ORDER that the petitioner pay the following tax, penalty, and interest (calculated to November 30, 2006):

<u>YEAR</u>	<u>TAX</u>	<u>PENALTY</u>	<u>INTEREST</u>	<u>TOTAL</u>
1997	\$2,792	\$140	\$1,625	\$ 4,557
2001	1,550	78	426	2,054
2002	4,862	243	1,024	<u>6,129</u>
			TOTAL DUE	\$12,740

DEMAND for immediate payment of the foregoing amount is hereby made and given.

An explanation of the petitioner's right to appeal this decision is enclosed with this decision.

DATED this \_\_\_\_ day of \_\_\_\_\_, 2006.

IDAHO STATE TAX COMMISSION

\_\_\_\_\_  
COMMISSIONER

#### CERTIFICATE OF SERVICE BY MAIL

I hereby certify I have on this \_\_\_\_ day of \_\_\_\_\_, 2006, served a copy of the within and foregoing DECISION by sending the same by United States mail, postage prepaid, in an envelope addressed to:

[REDACTED]

Receipt No.  
\_\_\_\_\_