

## Report of Organizational Actions Affecting Basis of Securities

▶ See separate instructions.

**Part I Reporting Issuer**

<b>1</b> Issuer's name  Mainstay Cushing MLP Premier Fund		<b>2</b> Issuer's employer identification number (EIN)  27-3164429	
<b>3</b> Name of contact for additional information  Hasani Edwards/Mitchell Edelstein	<b>4</b> Telephone No. of contact  (201) 685-6393/(201) 685-6347	<b>5</b> Email address of contact  Hasani_Edwards@nylim.com/Mitchell_Edelstein@nylim.com	
<b>6</b> Number and street (or P.O. box if mail is not delivered to street address) of contact  51 Madison Avenue		<b>7</b> City, town, or post office, state, and ZIP code of contact  New York, NY 10010	
<b>8</b> Date of action  See Attachment		<b>9</b> Classification and description  Nontaxable Return of Capital Distribution	
<b>10</b> CUSIP number  See Attachment	<b>11</b> Serial number(s)	<b>12</b> Ticker symbol  See Attachment	<b>13</b> Account number(s)

**Part II Organizational Action** Attach additional statements if needed. See back of form for additional questions.

**14** Describe the organizational action and, if applicable, the date of the action or the date against which shareholders' ownership is measured for the action ▶ Mainstay Cushing MLP Premier Fund distributed monthly dividends to shareholders during its fiscal year ended November 30, 2022. A portion of these distributions was in excess of its current and accumulated earnings and profits (E&P). The affected distributions were paid to shareholders from 1/1/2022 - 11/30/2022 as shown in the attachment.

**15** Describe the quantitative effect of the organizational action on the basis of the security in the hands of a U.S. taxpayer as an adjustment per share or as a percentage of old basis ▶ The portion of the distribution which is a nontaxable return of capital should reduce the basis of shares in the hands of a US taxpayer to the extent of the shareholders adjusted basis. To the extent the return of capital exceeds the shareholders adjusted basis the distribution will be taxed as a capital gain to the shareholder. See the attachment for applicable share amounts.

**16** Describe the calculation of the change in basis and the data that supports the calculation, such as the market values of securities and the valuation dates ▶ At the close of the fund's fiscal year on 11/30/2022, the fund's current & accumulated E&P was calculated under IRC Section 312 as modified by section 852(c) for a Regulated Investment Company (RIC) and the regulations thereunder. The amount of E&P was compared to the amount of the fund's fiscal year distributions. Distributions in excess of E&P were characterized as return of capital and should be applied as a reduction in each shareholder's tax basis in the applicable shares. See the attachment for applicable share amounts.

**Part II Organizational Action** *(continued)*

**17** List the applicable Internal Revenue Code section(s) and subsection(s) upon which the tax treatment is based ▶ \_\_\_\_\_

IRC Section 301(c)(2) - Basis reduction for distributions in excess of Earnings & Profits.

IRC Section 316(b)(4) - Special rule for allocation of distributions in excess of E&P for a fiscal year RIC.

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**18** Can any resulting loss be recognized? ▶ No.

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**19** Provide any other information necessary to implement the adjustment, such as the reportable tax year ▶ \_\_\_\_\_

This action is effective on the distribution date listed in the attachment.

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Under penalties of perjury, I declare that I have examined this return, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete. Declaration of preparer (other than officer) is based on all information of which preparer has any knowledge.

**Sign Here** Signature ▶  Date ▶ 1/12/2023

Print your name ▶ Hasani Edwards Title ▶ Assistant Treasurer

<b>Paid Preparer Use Only</b>	Print/Type preparer's name	Preparer's signature	Date	Check <input type="checkbox"/> if self-employed	PTIN
	Firm's name ▶				Firm's EIN ▶
	Firm's address ▶				Phone no.

