Internal Revenue Service

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Department of the Treasury
Washington, DC 20224

Third Party Communication: None
Date of Communication: Not Applicable

Person To Contact:
, ID No.
Telephone Number:

Refer Reply To:
CC:PSI:B01
GENIN-119787-05
Date:
June 22, 2005

Taxpayer = [redacted]

Dear [redacted]:

This responds to your letter dated March 11, 2005, written on behalf of Taxpayer, requesting a retroactive revocation of the S election of Taxpayer, effective January 15, 2003.

Section 1362(d)(1) of the Internal Revenue Code provides that a revocation made during the taxable year and on or before the 15th day of the 3rd month shall be effective on the 1st day of such taxable year. All other revocations are effective the 1st day of the following taxable year, unless a later date is specified. There is no provision which allows a retroactive revocation such as the one requested on behalf of Taxpayer.

I hope this information is helpful to you.

Sincerely,

/s/ Dianna K. Miosi

Dianna K. Miosi
Chief, Branch 1
Office of the Associate Chief Counsel
(Passthroughs and Special Industries)