

INTERNAL REVENUE SERVICE

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CC:PSI:1-COR-104431-01

Feb 08, 2001

Number: **2001-0057**  
Release Date: 3/30/2001  
UILC 1362.00-00

[REDACTED]:

We are responding to your correspondence requesting relief in order to revoke S corporation status effective for the 1998 taxable year. The information submitted explains that neither the Cincinnati nor Atlanta Service Center has a record of receiving a revocation statement for your corporation.

According to section 1.1362-2 of the Income Tax Regulations, a revocation made during the taxable year and before the 16<sup>th</sup> day of the 3<sup>rd</sup> month of the taxable year is effective on the 1<sup>st</sup> day of the taxable year and a revocation made after the 15<sup>th</sup> day of the 3<sup>rd</sup> month is effective for the following taxable year. Further, if a corporation specifies a date for revocation and the date is expressed in terms of a stated day, month, and year that is on or after the date the revocation is filed, the revocation is effective on and after the date so specified.

Taxpayers are generally notified of acceptance or nonacceptance of their revocation statement within three months of date of filing (date mailed). If the IRS questions whether a revocation statement was filed, acceptable proof of filing is (a) certified or registered mail receipt; (b) revocation statement with stamped IRS received date; or (c) an IRS letter stating the revocation has been accepted. We are unable to intervene on your behalf unless you have proof of timely mailing the revocation statement for 1998.

Please keep this letter with your tax records and feel free to provide a copy of it to your authorized representative. We hope that the above information proves helpful.

Sincerely yours,

**/s/ Dianna K. Miosi**

DIANNA K. MIOSI  
Chief, Branch 1  
Associate Chief Counsel  
(Passthroughs and Special Industries)