

**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  
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Date:  
June 24, 2005

Taxpayer = 

Dear :

This responds to the letter dated March 29, 2005, written on behalf of Taxpayer, in which a retroactive revocation of the S election of Taxpayer, effective for taxable year , is requested.

Section 1362(d)(1) of the Internal Revenue Code provides that a revocation made during the taxable year and on or before the 15<sup>th</sup> day of the 3<sup>rd</sup> month shall be effective on the 1<sup>st</sup> day of such taxable year. All other revocations are effective the 1<sup>st</sup> 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)