## **Internal Revenue Service**

Number: **INFO-2004-0038** Release Date: 3/31/04 Index Number: 1362.02-01

Person To Contact: , ID No.

Telephone Number:

Refer Reply To: CC:PSI:B01 – GENIN-168715-03 Date: Feb 6 2004

Re:

Dear

We are answering correspondence, submitted by you, requesting late S corporation election relief as well as relief to file a late entity classification election for the above named taxpayer. We spoke with the Cincinnati Service Center Entity Classification Department and were informed that Taxpayer is already classified as an S corporation, effective March 31, 1999. As such, we are closing this matter since you are no longer in need of relief to file a late election to be treated as an S corporation.

Please keep this letter with your tax records. 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)