



TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

200445040

AUG 09 2004

SE:TER:RA:T:A1

In re:

Company =

Dear

This letter constitutes notice that with respect to the above-named defined benefit pension plan, your request for a waiver of the minimum funding standard for the plan year beginning January 1, , has been denied.

The information furnished indicates that the Company experienced significant income losses during and . The information furnished also indicates that the Company filed voluntary Chapter 11 bankruptcy proceedings on July and has auctioned off its assets.

The information furnished failed to demonstrate that the hardship was temporary, and a denial of the request was proposed. The Company was informed of our tentative denial and was offered a conference of right by letter dated July . You were given 21 days to have a conference concerning our proposed denial. The 21-day period stated in our letter has passed. You have not communicated with us to arrange a conference. Therefore, our tentative denial is now final.

This ruling is directed only to the taxpayer that requested it. Section 6110(k)(3) of the Code provides that it may not be used or cited by others as precedent.

A copy of this letter is being sent to the Manager, Employee Plans Classification in

200445040

2

If you have any questions on this ruling letter, please contact

Sincerely yours,

A handwritten signature in cursive script, appearing to read "Norman Greenberg".

Norman Greenberg, Manager
Employee Plans Actuarial Group 1