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[Third Party Communication:

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From: [REDACTED]

Sent: Monday, September 08, 2014 3:14:38 PM

To: [REDACTED]

Cc: [REDACTED]

Bcc:

Subject: RE: TEFRA Issue

Section 6229(a) provides that each partner's section 6501 assessment period for tax attributable to partnership and affected items shall not expire before the date that is three years after the later of the date on which the partnership return for a partnership taxable year was filed, or the last day for filing the return for that year (determined without regard to extensions). Thus, section 6229 operates only to extend a partner's section 6501 period. Id. It does not shorten the partners' otherwise applicable period for assessment.

The filing of the partnership return in this case for the period ending 12/31 merely means that no partner's section 6501 period expired for items for the partnership's taxable year expired before 3 years after the filing of the partnership return for the partnership's taxable year. It was only the second return that started the minimum 3 year period since that was the only return that covered the actual relevant period.

Under Germantown Trust v. Commissioner (S.Ct case) only an incorrect return that covers the entire taxable period will start the period for assessment for that period.