

**Internal Revenue Service**

Department of the Treasury  
Washington, DC 20224

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Third Party Communication: None  
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Person To Contact:  
, ID No.

Telephone Number:

In Re:

Refer Reply To:  
CC:EEE:EB:QP1  
PLR-114140-18

Date:  
April 10, 2019

Plan =  
Plan Year A =  
Company =

Dear :

This letter constitutes notice that, pursuant to the March 8, 2019 request by Company, a waiver of the 100 percent tax under section 4971(b) of the Internal Revenue Code (“Code”) has been granted for Plan Year A.

In accordance with section 3.04 of Rev. Proc. 81-44, 1981-2 C.B. 618, Company furnished evidence that imposition of the 100 percent excise tax would be a substantial business hardship and would be adverse to the interest of plan participants in the aggregate. Company submitted a request for a waiver of the minimum funding standard under section 412(c) with respect to Plan Year A, and it has been withdrawn.

The waiver of the 100 percent tax has been granted in accordance with section 3002(b) of the Employee Retirement Income Security Act of 1974 (“ERISA”). The amount for which the waiver has been granted is equal to 100 percent of the Plan's unpaid minimum required contribution as of December 31 of Plan Year A, the end of the plan year for which the excise tax waiver has been granted, to the extent such unpaid minimum required contribution has not been corrected.

Except as expressly provided herein, no opinion is expressed or implied concerning the tax consequences of any aspect of any transaction or item discussed or referenced in this letter.

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.

The ruling contained in this letter is based upon information and representations submitted by Company and accompanied by a penalty of perjury statement executed by an appropriate party. While this office has not verified any of the material submitted in support of the request for ruling, it is subject to verification on examination.

Sincerely,

Janet A. Laufer  
Senior Technician Reviewer  
Employee Benefits, Exempt Organizations, and  
Employment Taxes  
Office of Associate Chief Counsel