

SUPPORTING STATEMENT
PS-4-89 (T.D.8580)

1. CIRCUMSTANCES NECESSITATING COLLECTION OF INFORMATION

Section 468A outlines rules governing the treatment of a qualified nuclear decommissioning fund and contributions to such a fund. Section 1.468A-3(h)(2) of the Income Tax Regulations requires that electing taxpayers submit certain information as part of a request for a schedule of ruling amounts. Section 1.468A-3(i)(1) of the regulations requires that certain electing taxpayers file a request for a revised schedule of ruling amounts under certain circumstances.

2. USE OF DATA

The information will be used to issue private letter rulings, e.g., schedules of ruling amounts, under section 468A.

3. USE OF IMPROVED INFORMATION TECHNOLOGY TO REDUCE BURDEN

IRS Publications, Regulations, Notices and Letters are to be electronically enabled on an as practicable basis in accordance with the IRS Reform and Restructuring Act of 1998.

4. EFFORTS TO IDENTIFY DUPLICATION

We have attempted to eliminate duplication within the agency wherever possible.

5. METHODS TO MINIMIZE BURDEN ON SMALL BUSINESSES OR OTHER SMALL ENTITIES

Not applicable.

6. CONSEQUENCES OF LESS FREQUENT COLLECTION ON FEDERAL PROGRAMS OR POLICY ACTIVITIES

Not applicable.

7. SPECIAL CIRCUMSTANCES REQUIRING DATA COLLECTION TO BE INCONSISTENT WITH GUIDELINES IN 5 CFR 1320.5(d)(2)

Not applicable.

8. CONSULTATION WITH INDIVIDUALS OUTSIDE OF THE AGENCY ON AVAILABILITY OF DATA, FREQUENCY OF COLLECTION, CLARITY OF INSTRUCTIONS AND FORMS, AND DATA ELEMENTS

The notice of proposed rulemaking was published in the Federal Register on November 20, 1992, to provide the public a period in which to review and comment on any aspect of the proposed regulation. A public hearing was held on February 1, 1993. The final regulations were published in the Federal Register on December 27, 1994 (59 FR 66471).

In response to the **Federal Register** notice dated **August 23, 2010 (75 FR 51880)**, we received no comments during the comment period regarding PS-4-89 (T.D. 8580).

9. EXPLANATION OF DECISION TO PROVIDE ANY PAYMENT OR GIFT TO RESPONDENTS

Not applicable.

10. ASSURANCE OF CONFIDENTIALITY OF RESPONSES

Generally, tax returns and tax return information are confidential as required by 26 USC 6103.

11. JUSTIFICATION OF SENSITIVE QUESTIONS

Not applicable.

12. ESTIMATED BURDEN OF INFORMATION COLLECTION

Section 1.468A-3(i)(1)(ii)(C) requires an electing taxpayer that determines its ruling amount under the formulas contained in section 1.468A-6 to file a request for a revised schedule of ruling amounts by the deemed payment date for the first taxable year after the disposition of an interest in a nuclear power plant. Section 1.468A-3(h)(2)(xi) and (xii) adds to the existing informational requirements contained in the current regulations. With respect to section 1.468A-3(i)(1)(ii)(C), it is estimated that 20 respondents will make one response each, which is estimated to take 20 to 30 hours, depending on individual circumstance, with an estimated average of 25 hours to prepare, for a total estimated reporting burden of 500 hours. With respect to section 1.468A-3(h)(2)(xi) and (xii), it is estimated that 50 respondents will make one response

each, which is estimated to take 1 to 2 hours, depending on individual circumstance, with an estimated average of 1.5 hours to prepare, for a total estimated reporting burden of 75 hours. The total burden for the above requirements is 575 hours.

Estimates of the annualized cost to respondents for the hour burdens shown are not available at this time.

13. ESTIMATED TOTAL ANNUAL COST BURDEN TO RESPONDENTS

As suggested by OMB, our **Federal Register notice dated August 23, 2010 (75 FR 51880)**, requested public comments on estimates of cost burden that are not captured in the estimates of burden hours, i.e., estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information. However, we did not receive any response from taxpayers on this subject. As a result, estimates of the cost burdens are not available at this time.

14. ESTIMATED ANNUALIZED COST TO THE FEDERAL GOVERNMENT

Not applicable.

15. REASONS FOR CHANGE IN BURDEN

There is no change in the paperwork burden previously approved by OMB. We are making this submission to renew this OMB approval.

16. PLANS FOR TABULATION, STATISTICAL ANALYSIS AND PUBLICATION

Not applicable.

17. REASONS WHY DISPLAYING THE OMB EXPIRATION DATE IS INAPPROPRIATE

We believe that displaying the OMB expiration date is inappropriate because it could cause confusion by leading taxpayers to believe that the regulation sunsets as of the expiration date. Taxpayers are not likely to be aware that the Service intends to request renewal of the OMB approval and obtain a new expiration date before the old one expires.

18. EXCEPTIONS TO THE CERTIFICATION STATEMENT ON OMB FORM 83-I

Not applicable.

Note: The following paragraph applies to all of the collections of information in this submission:

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless the collection of information displays a valid OMB control number. Books or records relating to a collection of information must be retained as long as their contents may become material in the administration of any internal revenue law. Generally, tax returns and tax return information are confidential, as required by 26 U.S.C. 6103.