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

TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

APR 2 9 2003

T:EP:RA:T:AZ

In re:

Dear

This letter constitutes notice that our ruling letter dated March 13, 2003, which granted a conditional waiver of the minimum funding standard for the above-named pension plan for the plan year beginning July 23, 2001, is hereby modified to replace conditions (1) and (2) of that letter with the new conditions stated below.

Pursuant to our ruling letter of March 13, 2003, the waiver for the plan year beginning July 23, 2001, was granted subject to the following conditions:

1. The Company will make contributions necessary to satisfy the minimum funding requirement (including the waiver amortization payments for the plan years beginning July 23, 2000 and 2001) of the Plan for the plan year beginning July 23, 2002, by April 7, 2004.

2. In addition to the waiver amortization payment for the plan year beginning July 23, 2000, the company will make a $15,000 contribution to the Plan by April 7, 2003, to be credited to the plan year beginning July 23, 2001.

In your letter dated April 17, 2003, you requested that the April 7, 2003, deadline in condition (2) above be extended. You indicated that the waiver amortization payment for the plan year beginning July 23, 2000, along with the contribution was processed and sent 3 days late in an effort to meet condition (2) above. Because these amounts were not paid to the Plan until April 10, 2003, they must be credited to the plan year beginning July 23, 2002, rather than the plan year beginning July 23, 2001. Thus, there is an accumulated funding deficiency for the plan year beginning July 23, 2001, since the waiver amortization payment for the plan year beginning July 23, 2000, was not made in a timely manner. Pursuant to your request, the above conditions are hereby replaced by the following conditions (condition (1) is unchanged) which you have agreed to:

1. The Company will make contributions necessary to satisfy the minimum funding requirement (including the waiver amortization payments for the plan years beginning July 23, 2000 and 2001) of the Plan for the plan year beginning July 23, 2002, by April 7, 2004.

2. In addition to the waiver amortization payment for the plan year beginning July 23, 2000, the Company will make a $15,000 contribution to the Plan by April 10, 2003, to be credited to the plan year beginning July 23, 2002.

3. By June 1, 2003, the Company will pay the excise tax due (approximately $1,590) under section 4971(a) resulting from the accumulated funding deficiency in the funding standard account for the plan year beginning July 23, 2002.

Copies of Form 5330 (Return of Excise Taxes Related to Employee Benefit Plans) have been enclosed for your convenience. We have sent a copy of this letter to the

If you have any questions concerning this matter, please contact

Sincerely,

Martin L. Pippins

Martin L. Pippins, Manager
Employee Plans Actuarial Group 2