

**MEMO# 25419**

August 17, 2011

## **Draft Submission to IRS on Suspension of Rulings to RICS with Commodities Exposure; Please Comment by August 18**

[25419]

August 17, 2011

TO: TAX COMMITTEE No. 49-11 RE: DRAFT SUBMISSION TO IRS ON SUSPENSION OF RULINGS TO RICS WITH COMMODITIES EXPOSURE; PLEASE COMMENT BY AUGUST 18

The attached submission follows up on a meeting that the ICI and a few practitioners had last Thursday with IRS attorneys from the Financial Institutions & Products group regarding the IRS' suspension of private letter rulings to funds with commodities exposure. The IRS' suspension, which began a few weeks ago, applies to both the controlled foreign corporation ("CFC") approach and the commodity-linked note ("CLN") approach for gaining commodities exposure.

The attached letter urges the IRS to restart the rulings process immediately and issue published guidance promptly to eliminate the need for private letter rulings. The draft submission also includes the attached draft revenue procedure addressing the CFC approach. Shortly after filing this letter, we will submit a draft revenue procedure on the CLN approach.

We will discuss the submission during today's monthly Tax Committee call that is scheduled for 2:30 p.m. (Eastern). [\[1\]](#) Please provide any comments on the submission to me at 202-326-5832 or [lawson@ici.org](mailto:lawson@ici.org) by 4:00 p.m. (Eastern) on Thursday, August 18.

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[Attachment](#)

**endnotes**

[\[1\]](#) See ICI Memo [25412](#), dated August 15, 2011.

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