

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMPIRE SILO, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Sales and Use
Taxes under Article(s) 28 and 29 of the
Tax Law for the ~~Year(s)~~ Period ~~(s)~~
11/30/72 - 5/31/74.

State of New York
County of Albany

John Huhn, being duly sworn, deposes and says that
~~he~~ is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 6th day of February, 1978, ~~he~~ served the within
Notice of Default Order by ~~(certified)~~ mail upon Empire Silo, Inc.

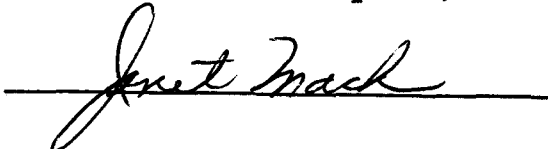
(~~representative of~~) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Empire Silo, Inc.
RD #2
Little Falls, New York 13365

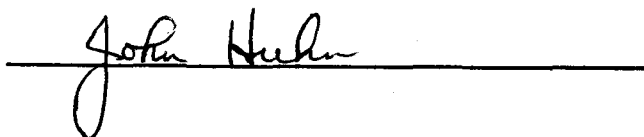
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (~~representative~~
~~of the~~) petitioner herein and that the address set forth on said wrapper is the
last known address of the (~~representative of the~~) petitioner.

Sworn to before me this

6th day of February, 1978





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMPIRE SILO, INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or :
a Revision of a Determination or a Refund :
of Sales and Use :
Taxes under Article(s) 28 and 29 of the :
Tax Law for the ~~Taxable~~ Period ~~(s)~~ :
11/30/72 - 5/31/74.

State of New York
County of Albany

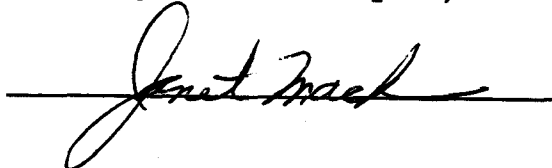
John Huhn , being duly sworn, deposes and says that
he is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 6th day of February , 1978, he served the within
Notice of Default Order by ~~(certified)~~ mail upon Howard A. Port
(representative of) the petitioner in the within proceeding,
by enclosing a true copy thereof in a securely sealed postpaid wrapper addressed
as follows: Howard A. Port, Esq.
421 University Building
Syracuse, New York 13202

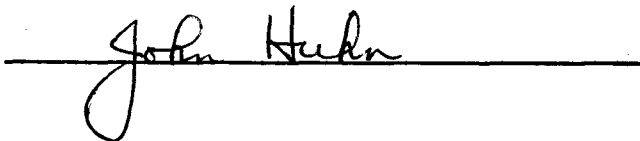
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the (representative
of the) petitioner herein and that the address set forth on said wrapper is the
last known address of the (representative of the) petitioner.

Sworn to before me this

6th day of February , 1978







STATE OF NEW YORK
STATE TAX COMMISSION
TAX APPEALS BUREAU
ALBANY, NEW YORK 12227

ADDRESS YOUR REPLY TO

JAMES H. TULLY JR., PRESIDENT
MILTON KOERNER
THOMAS H. LYNCH

February 6, 1978

TELEPHONE: (518) 457-1723

**Empire Silo, Inc.
RD #2
Little Falls, New York 13365**


Gentlemen:

Please take notice of the Default Order
of the State Tax Commission enclosed herewith.

Please take further notice that pursuant to
Section(s) **1139 & 1203** of the Tax Law, any
proceeding in court to review an adverse deci-
sion must be commenced within **4 months**
from the date of this notice.

Inquiries concerning the computation of tax
due or refund allowed in accordance with this
decision or concerning any other matter relative
hereto may be addressed to the undersigned. They
will be referred to the proper party for reply.

Very truly yours,


Aloysius J. Mendon
Assistant Director

Enc.

cc: Petitioner's Representative:

Taxing Bureau's Representative:

TA-19 (7/77)

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of
EMPIRE SILO, INC.

DEFAULT ORDER

for Revision or for Refund of Sales & Use Taxes
under Article(s) 28 & 29 of the Tax Law for the
~~YEAR(S)~~ Period 11/30/72 - 5/31/74

Petitioner(s) Empire Silo, Inc., RD #2, Little Falls, New York 13365

filed a petition for revision or for refund of

Sales & Use taxes under Article(s) 28 & 29 of the Tax Law for the
~~YEAR(S)~~ Period 11/30/72 - 5/31/74 . File No. ~~(X)~~ 10546

A formal hearing on the petition was scheduled before

Julius Braun, hearing officer , at the offices of the State

Tax Commission, Department of Taxation & Finance, Room 702, Conference Room C, 207
Genesee Street, Utica, New York
on Friday, December 9, 1977 at 10:45 A.M. . Notice of said formal hearing

was given to petitioner(s) and petitioner(s) representative,

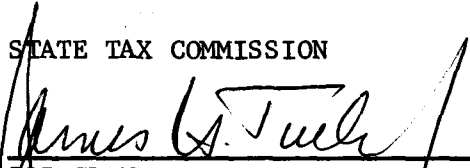
Howard A. Port, Esq. . Petitioner(s) or petitioner(s) representative did
not appear at the scheduled hearing. . A default has been duly noted.

Now on motion of the attorney for the Department of Taxation and Finance,
it is

ORDERED that the petition of Empire Silo, Inc.
be and the same is hereby denied.

DATED: Albany, New York
February 6, 1978

STATE TAX COMMISSION


PRESIDENT


COMMISSIONER


COMMISSIONER