

STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition

of

EMPIRE UTILITY CONSTRUCTION INC.

AFFIDAVIT OF MAILING

For a Redetermination of a Deficiency or
a Revision of a Determination or a Refund
of Sales
Taxes under Article ~~(9)~~ 28 of the
Tax Law for the Year(s) ~~1973-1976~~
1973 - 1976

State of New York
County of Albany

John Huhn

, being duly sworn, deposes and says that

~~XX~~ She is an employee of the Department of Taxation and Finance, over 18 years of
age, and that on the 27th day of July, 1978, ~~XX~~ she served the within

Notice of Default Order by ~~(certified)~~ mail upon Empire Utility Construction
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 Utility Construction Inc.
P.O. Box 406
Catskill, New York 12414

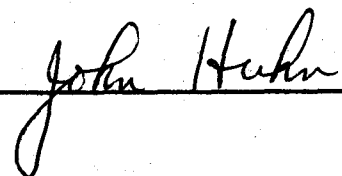
and by depositing same enclosed in a postpaid properly addressed wrapper in a
(post office or official depository) under the exclusive care and custody of
the United States Postal Service within the State of New York.

That deponent further says that the said addressee is the ~~(representative of)~~
~~XXXXXX~~ 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

27th day of July, 19 78





STATE OF NEW YORK
STATE TAX COMMISSION

In the Matter of the Petition
of
EMPIRE UTILITY CONSTRUCTION INC.
for Revision or for Refund of Sales Taxes
under Article(§) 28 of the Tax Law for the
Year(s) 1973-1976

DEFAULT ORDER

Petitioner(§) Empire Utility Construction Inc., P.O. Box 406, Catskill, NY 12414

filed a petition for revision or for refund of
Sales taxes under Article(§) 28 of the Tax Law for the
year(s) 1973-76 . File No.(§) 17184

A Pre-Hearing Conference on the petition was scheduled before

Robert C. Robertaccio, Conferee , at the offices of the State
Tax Commission, Dept. of Tax & Finance, State Office Bldg. 207 Genesee St.,
Conference Room 6, 7th Floor, Room 702, Utica, NY
on Monday, March 6, 1978 at 1:15 P.M. . Notice of said Pre-Hearing

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

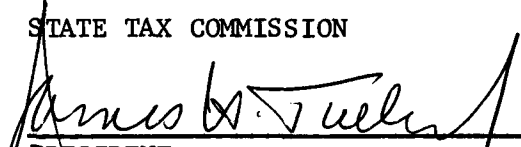
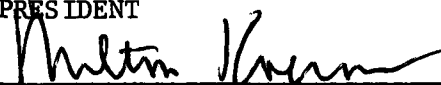
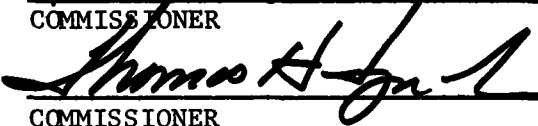
. Petitioner ~~(s) or petitioner(s) representative~~ did
not appear at the Pre-Hearing Conference . A default has been duly noted.

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

ORDERED that the petition of Empire Utility Construction Inc.

be and the same is hereby denied.

DATED: Albany, New York
July 27, 1978

STATE TAX COMMISSION

PRESIDENT

COMMISSIONER

COMMISSIONER