

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 5213, Election to Postpone Determination as To Whether the Presumption Applies That an Activity Is Engaged in for Profit.

**DATES:** Written comments should be received on or before June 23, 1997 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Martha R. Brinson, (202) 622-3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Election to Postpone Determination as To Whether the Presumption Applies That an Activity Is Engaged in for Profit.

*OMB Number:* 1545-0195.

*Form Number:* 5213.

*Abstract:* Section 183 of the Internal Revenue Code allows taxpayers to elect to postpone a determination as to whether an activity is entered into for profit or is in the nature of a non-deductible hobby. The election is made on Form 5213 and allows taxpayers 5 years (7 years for breeding, training, showing, or racing horses) to show a profit from an activity.

*Current Actions:* There are no changes being made to the form at this time.

*Type of Review:* Extension of a currently approved collection.

*Affected Public:* Business or other for-profit organizations and individuals.

*Estimated Number of Responses:* 10,730.

*Estimated Time Per Response:* 42 min.

*Estimated Total Annual Burden Hours:* 7,511.

The following paragraph applies to all of the collections of information covered by this notice:

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.

#### **Request for Comments**

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: April 14, 1997.

**Garrick R. Shear,**

*IRS Reports Clearance Officer.*

[FR Doc. 97-10257 Filed 4-21-97; 8:45 am]

BILLING CODE 4830-01-U

#### **DEPARTMENT OF THE TREASURY**

##### **Internal Revenue Service**

##### **Proposed Collection; Comment Request for Form 1099-G**

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13 (44 U.S.C. 3506(c)(2)(A)). Currently, the IRS is soliciting comments concerning Form 1099-G, Certain Government and Qualified State Tuition Program Payments.

**DATES:** Written comments should be received on or before June 23, 1997 to be assured of consideration.

**ADDRESSES:** Direct all written comments to Garrick R. Shear, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or copies of the form and instructions should be directed to Martha R. Brinson, (202) 622-3869, Internal Revenue Service, room 5571, 1111 Constitution Avenue NW., Washington, DC 20224.

#### **SUPPLEMENTARY INFORMATION:**

*Title:* Certain Government and Qualified State Tuition Program Payments.

*OMB Number:* 1545-0120.

*Form Number:* 1099-G.

*Abstract:* Form 1099-G is used to report government payments such as unemployment compensation, state and local income tax refunds, credits, or offsets, discharges of indebtedness by the Federal Government, taxable grants, subsidy payments from the Department of Agriculture, and qualified state tuition program payments.

*Current Actions:* The title of Form 1099-G has been changed from "Certain Government Payments" to "Certain Government and Qualified State Tuition Program Payments". Also, Box 5 of the form will be used to report taxable qualified state tuition program payments.

*Type of Review:* Revision of a currently approved collection.

*Affected Public:* Federal, state, local or tribal governments.

*Estimated Number of Responses:* 58,631,638.

*Estimated Time Per Response:* 12 min.

*Estimated Total Annual Burden*

*Hours:* 11,726,328.

The following paragraph applies to all of the collections of information covered by this notice:

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.

#### **Request for Comments**

Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval. All comments will become a matter of public record. Comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the

agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology; and (e) estimates of capital or start-up costs and costs of operation, maintenance, and purchase of services to provide information.

Approved: April 16, 1997.

**Garrick R. Shear,**

*IRS Reports Clearance Officer.*

[FR Doc. 97-10258 Filed 4-21-97; 8:45 am]

BILLING CODE 4830-01-U

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

#### Renewable Electricity Production Credit, Publication of Inflation Adjustment Factor and Reference Prices for Calendar Year 1997

**AGENCY:** Internal Revenue Service (IRS), Treasury.

**ACTION:** Publication of inflation adjustment factor and reference prices for calendar year 1997 as required by section 45(d)(2)(A) (26 U.S.C. 45(d)(2)(A)).

**SUMMARY:** The 1997 inflation adjustment factor and reference prices are used in determining the availability of the renewable electricity production credit under section 45(a).

**DATES:** The 1997 inflation adjustment factor and reference prices apply to calendar year 1997 sales of kilowatt hours of electricity produced in the United States or a possession thereof from qualified energy resources.

#### Inflation Adjustment Factor

The inflation adjustment factor for calendar year 1997 is 1.0970.

#### Reference Prices

The reference prices for calendar year 1997 are 6.4¢ per kilowatt hour for facilities producing electricity from wind and 0¢ per kilowatt hour for facilities producing electricity from closed-loop biomass. The reference price for electricity produced from closed-loop biomass, as defined in section 45(c)(2), is based on a determination under section 45(d)(2)(C) that in calendar year 1996 there were no sales of electricity generated from

closed-loop biomass energy resources under contracts entered into after December 31, 1989.

Because the 1997 reference prices for electricity produced from wind and closed-loop biomass energy resources do not exceed 8¢ multiplied by the inflation adjustment factor, the phaseout of the credit provided in section 45(b)(1) does not apply to electricity sold during calendar year 1997.

#### Credit Amount

As required by section 45(b)(2), the 1.5¢ amount in section 45(a)(1) is adjusted by multiplying such amount by the inflation adjustment factor for the calendar year in which the sale occurs. If any amount as increased under the preceding sentence is not a multiple of 0.1¢, such amount is rounded to the nearest multiple of 0.1¢. Under the calculation required by section 45(b)(2), the renewable electricity production credit for calendar year 1997 under section 45(a) is 1.6¢ per kilowatt hour on the sale of electricity produced from closed-loop biomass and wind energy resources.

#### FOR FURTHER INFORMATION CONTACT:

David A. Selig, IRS, CC:DOM:P&SI:5, 1111 Constitution Ave., NW., Washington, D.C. 20224, (202) 622-3040 (not a toll-free call).

**Judith C. Dunn,**

*Associate Chief Counsel (Domestic).*

[FR Doc. 97-10412 Filed 4-21-97; 8:45 am]

BILLING CODE 4830-01-U

## DEPARTMENT OF THE TREASURY

### Internal Revenue Service

[Delegation Order No. 221 (Rev. 2)]

#### Delegation of Authority

**AGENCY:** Internal Revenue Service.

**ACTION:** Delegation of authority.

**SUMMARY:** Applications for extensions of time to file Forms W-2, W-2G, 1042-S, 1098, 1099, 5498, and 8027 on paper forms will now be sent to the Martinsburg Computing Center and approved by magnetic media specialists. Also, applications for extensions of time to furnish recipient copies of these information returns will be sent to the Martinsburg Computing Center and approved by magnetic media specialists. The text of the delegation order appears below.

**EFFECTIVE DATE:** April 4, 1997.

**FOR FURTHER INFORMATION CONTACT:** Donna Phillips, IS:N:M:P:I, P.O. Box

1208, Martinsburg, WV 25401, 304-263-8700 (not a toll free number).

#### Delegation Order No. 221 (Rev. 2)

*Effective:* April 4, 1997.

#### Authority To Grant an Extension or a Waiver of Certain Magnetic Media Reporting Requirements

**Authority:** To grant extensions of time to file Form W-2 and Tax Statement; Form W-2G, Certain Gambling Winnings; Form 1042-S, Foreign Person's U.S. Source Income Subject to Withholding; Form 1098, Mortgage Interest Statement; Form 1099 series, Information Returns; Form 5498, Individual Retirement Arrangement Information; and Form 8027, Employer's Annual Information Return of Tip Income and Allocated Tips; and to grant waivers of the magnetic media reporting requirements for these information returns. This authority can only be exercised when the taxpayer has provided prescribed written documentation containing the reason for the request and it is sufficient to warrant the approval of an extension or a waiver of the magnetic media filing requirements.

**Authority:** To grant extensions of time to furnish the statements to recipients (recipient copies of the forms described in above). This authority can only be exercised in situations when the taxpayer has provided written documentation containing the reason for the request and it is sufficient to warrant the approval of an extension.

**Delegated to:** Magnetic Media Specialists at the Martinsburg Computing Center.

**Redelegation:** These authorities may not be redelegated.

**Authority:** 26 CFR 1.6081-1, 26 CFR 301.7701-9, 26 CFR 301.6011-2, 26 CFR 1.6042-4(c)(2), 26 CFR 1.6044-5(c)(2), 26 CFR 1.6049-3(c)(2), 26 CFR 1.6050E-1(1)(2), 26 CFR 1.6050J-1T (Q/A-42), 26 CFR 31.6051-1(d)(2), 26 CFR 1.6052-2(c)(2), and Treasury Order 150-10.

To the extent that authority previously exercised consistent with this order may require ratification, it is hereby approved and ratified. This order supersedes Delegation Order No. 221 (Rev. 1), effective July 20, 1994.

Dated: April 4, 1997.

**Toni L. Zimmerman,**

*Acting Chief Information Officer IS.*

[FR Doc. 97-10411 Filed 4-21-97; 8:45 am]

BILLING CODE 4830-01-U