I.B.E.W. Local 363 Pension Plan
EIN: 51-6041178
PN: 001

09 MAY -5 PM 2:11

Exhibit II
Notice of Non-Endangered Status
as of
January 1, 2009

The Trustees have elected, as permitted under the Worker, Retiree and Employer Recovery Act of 2008 (WRERA), to freeze the current funding certification based on the previous plan year's status, so that the Plan will remain in the same status in 2009 as it was during 2008. The Plan was certified as Non Endangered as of January 1, 2008. As a result, the actuary for the I.B.E.W. Local 363 Pension Plan has certified that the Pension Plan is in Non-Endangered Status. Non-Endangered Status is described in Section 432 of the Internal Revenue Code.

As required by law, this notifies you that this election was made.

For more information about this notice, you may contact:

Mr. John Maraia
I.B.E.W. Local 363 Pension Plan
67 Commerce Drive South
Harriman, NY 10926

You may also make an inquiry with the United States Department of Labor at:

Division of Technical Assistance and Inquiries
Employee Benefits Security Administration
U.S. Department of Labor
Washington, DC 20210

DATE SENT: April 30, 2009