

**Notice of Critical Status  
For  
International Brotherhood of Electrical Workers Local No. 129 Pension Fund**

This is to inform you that on July 29, 2010 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical status for the plan year beginning May 1, 2010. Federal law requires that you receive this notice.

**Critical Status**

The Plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the actuary determined that the plan has an accumulated funding deficiency for the current plan year.

**Rehabilitation Plan**

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. This is the 3rd year the plan has been in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On August 28, 2008, you were notified that the plan could reduce or eliminate adjustable benefits. On August 28, 2008, you were notified that as of August 28, 2008 the plan is not permitted to pay lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status.

You were previously notified of changes that were made as part of the rehabilitation plan to both the normal retirement age and increases in the reduction factors for early retirement as applied to benefits accrued on or after May 1, 2009.

You were subsequently notified of further changes that were made as part of the rehabilitation plan for additional increases in the reduction factors for early retirement, applied to benefits accrued both before and after May 1, 2009.

**Future Experience and Possible Adjustments**

A rehabilitation plan is based on a number of assumptions about future experience and may need to be adjusted in the future if such assumptions are not met. Additional contribution rate increases and/or reductions in the rate at which benefit are earned may be needed if the plan were to suffer asset returns below the expected 7.5% (in any plan year after May 1, 2008), a drop in the hours worked, or poor experience from other sources. If, at some point in time, the Trustees determine that further adjustments are necessary, you will receive a separate notice identifying and explaining the effect of those changes. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after August 28, 2008.

The plan offers the following adjustable benefits which may be reduced or eliminated (for participants not yet in pay status) as part of any rehabilitation plan the pension plan may adopt:

- 60-month payment guarantees;
- Disability benefits;
- Early retirement benefits or subsidies.

**Employer Surcharge**

The law requires that all contributing employers pay to the plan a surcharge beginning on September 28, 2008 to help correct the plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the plan is in critical status. The surcharge ends with the effective date of a contribution agreement that is consistent with the original rehabilitation plan adopted in 2008.

**Where to Get More Information**

For more information about this Notice, you may contact the fund office at 36964 Detroit Rd, Avon, Ohio 44011-1518 or by telephone at (440) 934-4447. You have a right to receive a copy of the rehabilitation plan once it has been formally approved by the bargaining parties.

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ERISA/PUBLIC DISCLOSURE

**Notice of Critical Status  
For  
International Brotherhood of Electrical Workers Local No. 129 Pension Fund**

This is to inform you that on July 29, 2009 the plan actuary certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the plan is in critical status for the plan year beginning May 1, 2009. Federal law requires that you receive this notice.

**Critical Status**

The Plan is considered to be in critical status because it has funding or liquidity problems, or both. More specifically, the plan is considered to be in critical status because it is projected to satisfy the following criterion:

Over the next three plan years, the plan is projected to have an accumulated funding deficiency – The plan's actuary projects that, if no further action is taken, the plan will have an accumulated funding deficiency for the plan year ending April 30, 2010. Note, "accumulated funding deficiency" means that contributions would be insufficient to satisfy Federal requirements; it does not mean that the Fund would become bankrupt or run out of money.

The plan was in critical status last year and over the next 9 years, the plan is projected to have an accumulated funding deficiency for the 2009-2010 plan year.

**Rehabilitation Plan**

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. This is the second year the plan has been in critical status. The law permits pension plans to reduce, or even eliminate, benefits called "adjustable benefits" as part of a rehabilitation plan. On March 31, 2010, you were notified that the plan reduced or eliminated adjustable benefits. On August 28, 2008, you were notified that as of August 28, 2008, the plan is not permitted to pay lump sum benefits (or any other payment in excess of the monthly amount paid under a single life annuity) while it is in critical status. If the trustees of the plan determine that further benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reduction of adjustable benefits (other than a repeal of a recent benefit increase, as described below) will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, the reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after August 28, 2008.

**Adjustable Benefits**

The plan offers the following adjustable benefits which may be reduced or eliminated (for participants not yet in pay status) as part of any rehabilitation plan the pension plan may adopt:

- 60-month payment guarantees;
- Disability benefits;
- Early retirement benefits or subsidies.

**Future Experience and Possible Adjustments**

A rehabilitation plan is based on a number of assumptions about future experience and may need to be adjusted in the future if such assumptions are not met. Additional contribution rate increases and/or reductions in the rate at which benefit are earned may be needed if the plan were to suffer asset returns below the expected 7.5% (in any plan year after May 1, 2009), a drop in the hours worked, or poor experience from other sources. If, at some point in time, the Trustees determine that further adjustments are necessary, you will receive a separate notice identifying and explaining the effect of those changes.

**Employer Surcharge**

The law requires that all contributing employers pay to the plan a surcharge to help correct the plan's financial situation. The amount of the surcharge is equal to a percentage of the amount an employer is otherwise required to contribute to the plan under the applicable collective bargaining agreement. With some exceptions, a 5% surcharge is applicable in the initial critical year and a 10% surcharge is applicable for each succeeding plan year thereafter in which the plan is in critical status. The surcharge no longer applies in this case because the Trustees and bargaining parties have adopted a Rehabilitation Plan.

**Where to Get More Information**

For more information about this Notice, you may contact the fund office at 36964 Detroit Rd, Avon, Ohio 44011-1518 or by telephone at (440) 934-4447. You have a right to receive a copy of the rehabilitation plan once it has been formally approved by the bargaining parties.