

# NECA-IBEW Pension Trust Fund

2120 Hubbard Avenue • Decatur, IL 62526-2871  
217-875-0254 • 800-765-4239 • Fax 217-875-9563



EBSA/PUBLIC DISCLOSURE  
2009 OCT -6 AM 6:48

September 28, 2009

Internal Revenue Service, Employee  
Plans Compliance Unit, Group 7602  
(SE:TEGE:EP), Room 1700—17th Floor,  
230 S. Dearborn Street, Chicago, IL 60604

**Re: Special Election under Section 204 of the  
Worker, Retiree, and Employer Recovery Act of 2008 (WRERA)**

Dear Sir or Madam:

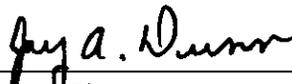
On August 29, 2009, our actuary certified that our plan's PPA status is Endangered for the plan year beginning June 1, 2009 and certified that our plan's PPA status was neither Endangered nor Critical for the plan year beginning June 1, 2008.

The purpose of this letter is to formally notify you that we are electing under section 204 of WRERA to use the 2008 status of neither Endangered nor Critical again for the plan year beginning June 1, 2009.

## **Identifying Information**

Plan Name: NECA-IBEW Pension Trust Fund  
EIN/Plan #: 51-6029903/001  
Plan year of Certification: year beginning June 1, 2009  
Plan Sponsor: Board of Trustees of NECA-IBEW Pension Trust Fund  
Sponsor Address: 2120 Hubbard Avenue, Decatur, IL 62526-2871  
Sponsor Telephone: (217) 875-0254

Sincerely,

  
\_\_\_\_\_  
Trustee Signature

Jay A. Dunn  
\_\_\_\_\_  
Name of Trustee Signing

September 28, 2009

**Notice of Election to Freeze Pension Protection Act Status  
For  
NECA-IBEW Pension Trust Fund**

This notice, which federal law requires, includes important information about the funding level of the NECA-IBEW Pension Trust Fund ("Fund"), Plan Number 001, Employer Identification Number 51-6029903 (Plan and Plan Sponsor). In 2006 the Pension Protection Act ("PPA") was enacted. Beginning with the 2008 Plan Year, that law requires the annual certification of the Plan's funding status as critical, endangered or neither, generally referred to as red, yellow or green, respectively.

For the 2008 Plan Year, the Fund's actuary certified that the Plan was in the green zone – the best of the three zones. The Plan was considered to be in the green zone because the funded percentage was 97% on January 1, 2008 and there were no projected funding deficiencies in any of the six subsequent Plan Years. The funded percentage is the percentage of earned benefits that could be funded with existing Plan Assets. A projected funding deficiency is a sign that the anticipated liabilities of the Fund are outpacing its assets.

On August 29, 2009, the Fund's actuary certified the Plan's funding status as yellow for the 2009 Plan Year. The Plan is considered to be in the yellow zone because the Fund's actuary determined that the funded percentage is 68.5%, even though there are no projected funding deficiencies until the end of the 2017-2018 Plan Year. The decline in these results is largely a result of the current crisis in the financial markets. Federal law requires pension plans in the yellow zone to adopt a funding improvement plan aimed at restoring the financial health of the Plan.

Section 204 of the Worker, Retiree, and Employer Recovery Act of 2008 (WRERA) allows the Board of Trustees to freeze the PPA funding status from the prior year, so that Fund will be treated as though it were certified green for the 2009 Plan Year. An election to freeze the PPA funding status does not restrict the Board of Trustees' ability to improve the Plan's funding status.

The Board of Trustees elected, effective September 28, 2009, to freeze the 2008 certification of green for the Plan Year beginning on June 1, 2009. It is the intent of the Trustees to develop and begin implementing such a plan informally right now. You will receive future notices regarding this effort. The Board of Trustees remains committed to the proper funding of your pension benefits and assures you that they will take appropriate actions to meet this goal.

The decision to freeze the PPA funding status applies only for the 2009-2010 Plan Year. If the Plan is certified to be in yellow or red zone for the 2010-2011 Plan Year, the Board of Trustees will provide notice of the Plan's status on or before September 28, 2010 and additional steps will be taken to improve the Plan's funding, which may include additional increases in contributions and/or reductions in benefits.

**Where to Get More Information**

For more information about this Notice, you may contact the Board of Trustees of NECA-IBEW Pension Trust Fund at (217) 875-0254 or 2120 Hubbard Avenue, Decatur, IL, 62526-2871.