

**NOTICE OF CRITICAL STATUS
FOR
ELECTRICIANS PENSION PLAN, IBEW 995**

EIN: 72-6057089

Plan No. 001

To: *Participants, Beneficiaries, Participating Unions and Contributing Employers*

Date: *January 28, 2010*

RE: *Critical Status of the Plan for the 2009 Plan Year*

As required under the Internal Revenue Code, on December 27, 2008, the Plan's actuary determined and certified that the Electricians Pension Plan, IBEW 995 ("Plan") was in "critical" status for the 2008 Plan Year, of which you were notified on January 26, 2009. This determination was made because the sum of the Plan's normal cost and interest on the unfunded benefits for the 2008 Plan Year exceeded the present value of all expected contributions for the year; the present value of vested benefits of inactive Participants was greater than the present value of vested benefits of active Participants; and the Plan was projected to have an accumulated funding deficiency for the 2008 through 2012 Plan Years. The Plan's actuary formally reviewed the status of the Plan's financial health for the 2009 Plan Year and again certified on December 29, 2009 that the Plan continues to be in critical status for the 2009 Plan Year. This determination was made because the Plan was in critical status for 2008 and is projected to have a funding deficiency within the next 10 years. This is the second Plan Year the Plan has been in critical status.

Rehabilitation Plan and Plan Changes

As previously explained, the "Rehabilitation Plan," which is designed to restore the financial health of the Plan, was adopted by the Board of Trustees on February 11, 2009 and subsequently adopted by the bargaining parties. In accordance with the Internal Revenue Code, on March 27, 2009, a Notice of Adjustment to Benefits Due to Critical Status was sent to you explaining the changes to the Plan as mandated under the Rehabilitation Plan. These changes generally apply to Participants whose benefit commencement date is on or after February 1, 2009. The changes include a change in the benefit level for future accruals, a reduction in early retirement pensions, a change in eligibility for a disability pension, modifications in the rules for how Excess Future Service Credits are used for eligibility and the determination of benefits, and elimination of subsidies in the Husband-and-Wife Pension and the Pre-Retirement Surviving Spouse Pension. For Participants who began receiving benefits after February 1, 2009 but prior to the date the Notice was distributed, their benefits were adjusted beginning May 1, 2009. The Pension Plan also eliminated lump sum payments effective January 26, 2009, which is prohibited while the Plan is in critical status. However, a lump sum death benefit is available to a Participant's Qualified Spouse if the value is not in excess of \$5,000. In addition, beneficiaries of active Participants who die prior to retirement

and are either unmarried or married for less than 1 year are eligible to receive a lump sum death benefit up to \$5,000.

Adjustable Benefits

In addition to these recent changes to the Plan's formula for future benefit accruals, the law permits pension plans in the critical status to make similar changes to future benefits and to reduce, or even eliminate, benefits called "adjustable benefits". The Plan offers the following adjustable benefits that may be reduced or eliminated as part of an amendment to the Rehabilitation Plan:

- Disability benefits (if not yet in pay status),
- Early retirement benefit or retirement-type subsidy, and
- Use of Excess Future Service Credits for active participants at retirement to offset early retirement reductions.

However, no reduction of adjustable benefits will reduce the level of your basic benefit payable at normal retirement. In the event additional benefit reductions are necessary and the Rehabilitation Plan is amended, you will be notified in a separate notice of any additional changes or reductions, and provided an explanation of the effect of those reductions. In addition, these additional reductions may only apply to Participants and beneficiaries whose benefit commencement date is no earlier than January 26, 2009.

Where to Get More Information

Since the law requires that the Plan's funding status be reviewed and certified annually, notices like this one will be sent each year if the Plan is in critical status. The Trustees will timely notify you of any other changes that may be made to the Plan to ensure the Plan's financial stability. If you have any questions about this notice or any previous notices sent about these changes, please contact:

Electricians Pension Plan, IBEW 995
Mr. Ricky Russell
8111 Tom Drive
Baton Rouge, LA 70815
Telephone: 225-927-6340
Toll-Free Telephone: 800-324-0995

We understand that legally required notices like this one can create concern about the Plan's future. The Board of Trustees is working with the Union and the Contributing Employers toward taking appropriate actions to improve the financial health of the Plan so that your retirement benefits are secure into the future.

Sincerely,

Board of Trustees

cc: Department of Labor
Pension Benefit Guaranty Corporation