I.B.E.W. Local 1249 Pension Fund

6518 Fremont Road
P.O. Box 301
East Syracuse, New York 13057-0301
Phone (315) 656-8390

556983

April 29, 2009

FEDERAL EXPRESS: 4/29/2009

U.S. Secretary of Labor
Division of Technical Assistance & Inquiries
Employee Benefits Security Administration
U. S. Department of Labor
Washington, D.C. 20210

RE: NOTICE OF CRITICAL STATUS

To Whom It May Concern:

Please find enclosed the Notice of Critical Status for the I.B.E.W. Local 1249 Pension Fund that was distributed to all required individuals and entities prior to April 30,2009.

Very truly yours,

I.B.E.W. LOCAL 1249 PENSION FUND

Daniel R Dafoe

Daniel R. Dafoe
Administrator

DRD/s

Enclosure:

RECEIVED
2009 APR 30 AM 11:43

I.B.E.W. LOCAL 1249 Pension Plan
EIN: 15-6035161
PN: 001

Notice of Critical Status

On March 30, 2009, the actuary for the I.B.E.W. Local 1249 Pension Plan, O'Sullivan Associates, certified to the U.S. Department of the Treasury, and also to the plan sponsor, that the Pension Plan is in Critical Status. Critical Status is described in Section 432 of the Internal Revenue Code. The Pension Plan's assets are less than 65% of its liabilities, and it is expected to have a deficiency in its Funding Standard Account within four years.

As required by law, this serves as Notice to you that the Pension Plan is in Critical Status as of January 1, 2009.

Federal law requires pension plans in critical status to adopt a rehabilitation plan aimed at restoring the financial health of the plan. As a result, certain Plan provisions, called "Adjustable Benefits", may be reduced, or even eliminated, at some time in the future as a part of a rehabilitation plan. If the Trustees of the plan determine that benefit reductions are necessary, you will receive a separate notice in the future identifying and explaining the effect of those reductions. Any reductions of adjustable benefits will not reduce the level of a participant's basic benefit payable at normal retirement. In addition, any reductions may only apply to participants and beneficiaries whose benefit commencement date is on or after June 1, 2009.

Adjustable Benefits under the Pension Plan include lump sum death benefits, the level income option form of payment, subsidized joint and survivor forms of payment, and early retirement subsidies.

In addition, as a result of being in Critical Status, the Pension Fund is prohibited as of the date of this notice from making any payment in excess of the monthly amount paid under a single life annuity. As a result the Pension Plan cannot pay a benefit in the form of a lump sum.

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.

For more information about this notice, you may contact the following. Also, you have a right to receive a copy of the rehabilitation plan from the plan:

I.B.E.W. Local 1249 Pension Plan
6518 Fremont Road
P.O. Box 301
East Syracuse, NY 13057-0301

You may also make 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, D.C. 20210

DATE SENT: 4/30/2009