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DEPARTMENT OF THE TREASURY
INTERNAL REVENUE SERVICE
WASHINGTON, D.C. 20224

TAX EXEMPT AND
GOVERNMENT ENTITIES
DIVISION

AUG 21 2009

SE: T: EP: RA: A2

Re:

Dear

This letter is to inform you that your request to use substitute mortality tables for making computations under section 430 of the Internal Revenue Code (the "Code") for the Plan has been granted with respect to the populations specified in this letter, effective for a period of up to 10 years beginning with the plan year commencing October 1, 2010. Your request has been granted in accordance with section 430(h)(3) of the Code and section 303(h)(3) of the Employee Retirement Income Security Act of 1974 ("ERISA").

In granting this approval, we have considered only the development of the substitute mortality rates and whether they sufficiently reflect the mortality experience of the applicable plan populations. Accordingly, we are not expressing any opinion as to the accuracy or acceptability of any calculations or other material submitted with your request.

Permission is hereby granted to use the healthy and disabled male and female substitute mortality rates shown in the tables below:

<u>Age</u>	<u>Healthy Lives</u>	<u>Disabled Lives</u>
1		
2		
3		
4		
5		
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<u>Age</u>	Healthy Lives	Disabled Lives
8		
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<u>Age</u>	<u>Healthy Lives</u>		<u>Disabled Lives</u>	
	<u>Males</u>	<u>Females</u>	<u>Males</u>	<u>Females</u>
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<u>Age</u>	Healthy Lives		Disabled Lives	
	Males	Females	Males	<u>Females</u>
90				
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95				
96				
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The above tables will be used for all healthy and disabled male and female participants, respectively, in the Plan. The above rates were developed based on an experience study period from October 1, 2002, through September 30, 2007, and were calculated using the Karup-King method. The base year for the resulting tables is 2005. The Internal Revenue Service has reviewed the substitute mortality rates and supporting information, and has determined that based on the information submitted, the rates sufficiently reflect the mortality experience of the applicable populations within the Plan.

Your attention is called to section 430(h)(3)(C)(ii) of the Code, section 303(h)(3)(C)(ii) of ERISA, and section 1.430(h)(3)-2(d)(4) of the regulations, which describe the

circumstances in which the use of the substitute mortality table will terminate before the end of the 10-year period described above. In general, the substitute mortality tables can no longer be used as of the earliest of:

- (1) The plan year in which the plan fails to satisfy the requirements of paragraph 1.430(h)(3)-2(c)(1) of the regulations, requiring that the groups for which substitute mortality tables is used must have credible mortality experience,
- (2) The plan year in which the plan fails to satisfy the requirements of paragraph 1.430(h)(3)-2(d)(1) of the regulations, regarding the requirement that other plans and populations in the controlled group must use substitute mortality tables unless it can be demonstrated that they do not have credible mortality experience,
- (3) The second plan year following the plan year in which there is a significant change in individuals covered by the plan as described in paragraph 1.430(h)(3)-2(d)(4)(ii) of the regulations (generally applicable when there is a change of 20% or more in the number of individuals in the population for which the substitute mortality table is used),
- (4) The plan year following the plan year in which a substitute mortality table used for a plan population is no longer accurately predictive of future mortality of that population, as determined by the Commissioner or as certified by the Plan's actuary to the satisfaction of the Commissioner, and
- (5) The date specified in guidance published in the Internal Revenue Bulletin pursuant to a replacement of mortality tables specified under section 430(h)(3)(A) and 1.430(h)(3)-1, other than annual updates to the static mortality tables issued pursuant to 1.430(h)(3)-1(a)(3) of the regulations.

This ruling is directed only to the taxpayer that requested it. Section 6110(k)(3) of the Code provides that it may not be used or cited by others as precedent.

When filing Form 5500 for the plan years for which the substitute mortality tables are used, please note the information that is required to be attached to Schedule SB (Actuarial Information) in accordance with the instructions to that form.

We have sent a copy of this letter to your Authorized Representative pursuant to a power of attorney on file in this office and to the

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If you require further assistance in this matter, please contact

Sincerely,

A handwritten signature in black ink, appearing to read "D. M. Ziegler". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

David M. Ziegler, Manager
Employee Plans Actuarial Group 2