

# Overview of e- 4010 filing requirements

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## Introduction

For information years ending on or after December 31, 2005, the final 4010 regulations require that information be submitted using the PBGC's secure e-4010 web-based application. The web-based application:

- offers a secure website for submitting confidential information,
- reviews the filing and generates a list of omissions and inconsistencies prior to submission to ensure a filing is complete,
- enables filing coordinators to access and modify information entered one year for a future year's filing.

Several enhancements have been made to the web-based application since the first version was released in March, 2005. Key enhancements include an option to "assign an actuary" and the ability to use data from a prior filing as the starting point for a new filing. A summary of the enhancements is provided later in this document.

The web-based application walks the filer through various screens, prompting the filer to answer questions and enter required information. The application identifies whether a question needs to be answered based on the answers to previous questions and skips any unnecessary questions. Some of the useful features include:

- A "save" feature — To save a partially completed filing,
- An "edit" feature — To modify information any time prior to submission,
- A "view form" feature — To create a form (similar to the form shown in the Appendix 1) filled out with whatever information has been entered into the system,
- A "print" feature — To generate a hard copy of the above mentioned form to facilitate the review process or for documentation purposes,
- A "validate" feature — To generate a list of errors, omitted information, inconsistencies, etc. to ensure a filing is complete and consistent before submission,
- A "reassign" feature — To allow a filing coordinator to reassign a filing to someone else,
- An "assign an actuary" feature — To allow an actuary direct access to Schedule P (Plan Actuarial Information) for a particular plan or plans, and
- An "amend filing" feature — To allow filers to amend a previously submitted filing or to attach files to an already submitted filing (for example, if the valuation report is not available at the time the filing was submitted).

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## Filing content

The information that must be included with a 4010 filing is divided into five categories, each assigned to a separate schedule:

- Schedule G — General information
- Schedule FG — Filing gateway (§4010.4, § 4010.6(a)(2))
- Schedule I — Identifying information (§ 4010.7)
- Schedule F — Financial information (§ 4010.9)
- Schedule P — Plan actuarial information (§ 4010.8)

The following documents provide a detailed summary of the information requirements:

- Appendix 1 (Screen shots) — These illustrate what a filer sees when using the web-based application (i.e., which screen comes next).
- Appendix 2 (Instructions) — This is a summary of the “help text” that displays on each screen when the filer clicks a button to indicate the need for assistance. In addition to describing how to use the web-based application, this summary provides detailed guidance on the information that must be reported under the final 4010 regulations.
- Appendix 3 (Form) — This form is for illustrative purposes. It presents a summary of the questions asked and the data required to be entered on the multiple screens in one easily readable format.

## Definitions

The following terms are used throughout this document:

- Filing coordinator — § 4010.2 defines “filer” as a person required to file 4010 information (i.e., a contributing sponsor of a defined benefit pension plan and each member of the contributing sponsor’s controlled group). However, in many cases, the “filer” will assign someone else the task of using the web-based application to prepare/submit the filing. The term “Filing Coordinator” is used to describe this person. For purposes of this document, the terms are used interchangeably.
- Information year — the fiscal year of non-exempt members of the controlled group; if not all non-exempt members have the same fiscal year, the information year is the calendar year.
- Current information year — the information year for which the filing is being made. The term “current” relates to the information year, not the calendar year in which the filer is preparing the filing. For simplicity, the phrase “this year” is occasionally used in the instructions to refer to the current information year.
- Prior information year — the information year immediately preceding the current information year. For simplicity, the phrase “last year” is occasionally used in the instructions to refer to the prior information year.

**Example** — Consider a controlled group with a calendar year fiscal year. With respect to the information year ending December 31, 2005 (for which the 2005 filing is due on or before April 15, 2006), references to the current information year relate to 2005, and references to the prior information year relate to 2004, regardless of when the filing is being prepared.

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## Getting started

Before using the web-based application to report 4010 information, the filer must establish an e-4010 account and select a User ID and password. To do so, go to [www.pbgc.gov/e4010](http://www.pbgc.gov/e4010). The best available information security measures are used to ensure that a filer's ID and password are secure. See Appendix 2 (Instructions) for more information on establishing an account.

In general, the application allows for one User ID/password per filing (i.e., the filing coordinator). The filing coordinator may, however, grant someone else the right to enter information into Schedule P for a particular plan. The "assign an actuary" feature is described on page 5 of this document.

## Entering information

The application is very flexible to ensure that data may be entered in the order that best suits the needs of a particular filer. For example, one filer might enter identifying information on all non-exempt members and then move on to entering identifying information on plans. Another might enter identifying information for one member and then immediately enter financial information related to that member. Either order will work, although one way might require the filer to click a few more buttons to get to the desired part of the application. The most direct way to complete the filing is to complete Schedule I in its entirety before beginning Schedules F or P. Note – If you are using the "assign an actuary" feature, the actuary will not be able to begin work on Schedule P for a particular plan until you have entered identifying information for that plan (in Schedule I) .

After logging on, the filer is directed to a "Filing Summary" screen (see screen shot #11 in Appendix 1). This screen provides a list of all of the schedules. By clicking on a particular schedule, the filer controls which schedule appears on the screen. To move from one schedule to another, a filer must return to the Filing Summary screen and select another schedule.

## Schedule overview

The screens are labeled in a manner consistent with the schedules noted previously. More details about the schedules follow:

### *Schedule G — General information*

Schedule G must be completed if a filing is required for the current information year or was required for the prior information year. After entering basic information (contact person, information year, etc.), the application prompts the filer to indicate if he or she believes a filing is required for the current information year. If the filer answers:

- "Yes", the application skips to the Filing Summary (described above) so the filer can select a schedule and begin entering information.
- "No" or "Help me determine", the application skips to Schedule FG.

### *Schedule FG — Filing gateway*

In general, the purpose of Schedule FG is to demonstrate that a filing is not required (per § 4010.6(a)(2)) by asking a series of questions related to the § 4010.4 gateway test. Schedule FG can also be used to help a potential filer determine if a filing is required. After completing Schedule FG, the application determines whether a filing is required for the current year.

- If a filing is required, the application prompts the filer to begin entering required information.
- If a filing is not required, the filer is notified that a filing is not required and prompted to submit only Schedules G and FG.

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### *Schedule I — Identifying information*

Schedule I must be completed if a 4010 filing is required. This schedule is used to report identifying information for all non-exempt controlled group members and all defined benefit plans (including exempt plans).

### *Schedule F — Financial information*

Schedule F must be completed if a 4010 filing is required. This schedule is used to report financial information for all non-exempt controlled group members. The application automatically generates a list of these members based on the information provided in Schedule I, making it impossible to inadvertently omit financial information for a reported non-exempt member. In lieu of manually entering all required financial information into the application, a reference to a publicly available source or an attachment is often sufficient.

The questions asked in this schedule will help PBGC know what to look for and where to look for it. For example, if the filer indicates that most of the required information is contained in consolidated financial statements, the application will prompt the filer to indicate whether the statements will be attached using the web-based application or whether they are publicly available. If the filer answers “publicly available,” the application will then prompt the filer to indicate where the financial statements can be obtained (SEC, company website, etc.).

### *Schedule P — Plan actuarial information*

Plan actuarial information must be reported for all non-exempt plans. The application will automatically generate a list of such plans based on the information provided in Schedule I, making it impossible to inadvertently omit plan actuarial information for a reported non-exempt plan. A separate Schedule P will be generated, and must be completed, for each non-exempt plan shown on the list.

An enrolled actuary must certify the actuarial information reported on Schedule P. To do so, the application’s print feature is used to print a hard copy of Schedule P for the enrolled actuary to sign. It is the responsibility of the filer (as defined in § 4010.2) to keep a signed Schedule P for each non-exempt plan. This certification does not need to be included as an attachment.

## **Adding comments to a filing**

In some instances, filers may wish to comment on information entered into the system. For example, an actuary may wish to document the methodology used to project prior census data. Comments are not required, but are welcome, especially to the extent they provide additional information that may assist PBGC with its review.

Comments for schedules other than Schedule P are entered from the Filing Summary screen. Comments should identify the member or plan to which a comment relates. For example, if the filer wants to include a Schedule I comment reporting that the one controlled group member’s address will be changing in a few months, the name of that member should be noted in the comment.

Because each Schedule P relates to a different plan, Schedule P comments are entered from the Plan Actuarial Information Summary screen (screen shot #34 in Appendix 1) rather than the Filing Summary screen. The printed version of a Schedule P for a particular plan will show only comments applicable to that plan.

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## Attaching files

Filers may attach electronic files to their submission. Examples of files that may be attached include, but are not limited to, actuarial valuation reports, financial statements, and organizational charts.

Attachments for Schedule P (Plan Actuarial Information) are attached directly from the Schedule P Summary Page. Attachments for other schedules are attached from the Filing Summary screen (screen shot #11 in Appendix 1). When attaching an electronic file, the application will prompt the filer to enter a description (for example, “org chart” or “actuarial valuation report for Hourly Plan”). For more information on attaching files, see the instructions for screen shot # 40 in Appendix 2.

## Enhancements

### *Create a new filing using data from a previously submitted filing*

When a new filing is created, a question will appear asking the filing coordinator whether the new filing will be created from scratch or if the new filing should be pre-populated with data from a previously submitted filing (for which he/she is also the filing coordinator of record). In situations where the person responsible for preparing the 4010 filing changes from year to year, the “reassign filing” feature may be needed to reassign a previously submitted filing so that the new filing coordinator can access data entered by a prior filing coordinator..

Note – this feature is only available if the web-based application was used to submit 4010 information last year. For more information, see the instructions for screen shots #9 and #10 in Appendix 2.

### *Reassign filing*

The filing coordinator may transfer that responsibility to anyone else who has an e-4010 account. The reassignment can apply to a previously submitted filing or a filing that is still in draft form. This feature is available from the e-4010 home page. For more information, see the instructions to screen shots # 8 and # 42 in Appendix 2.

### *Assign an actuary*

This feature enables someone other than the filing coordinator to access a filing. Access for an assigned actuary is limited to the Schedule P for which the actuary has been assigned. Such access includes the ability to enter or modify data, print Schedule P, and perform validation checks. There is also an optional feature that the assigned actuary can use to notify the filing coordinator when he/she is done entering Schedule P information.

Only one actuary may be assigned to any particular Schedule P and that actuary must sign up for an e-4010 account before access can be granted. The assigned actuary does not need to be the same actuary who will be certifying the Schedule P information.

Filing Coordinators retain their ability to enter or modify information on a Schedule P that has been assigned to an actuary. For more information, including information on the certification procedures, see the instructions to screen shots # 34 and # 4 in Appendix 2.

### *Amend filings*

To amend a previously submitted filing, go to the e-4010 home page and click the “amend filing” button next to the applicable filing. Use the comments feature to explain why the filing is being amended. In general it is a good idea to contact the PBGC before amending a filing.

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### *Attach files after submission*

To attach an electronic file to a previously submitted filing, go to the e-4010 home page and click the “amend filing” button next to the applicable filing.

### *Manage account*

This feature allows the filing coordinator to update personal information (name, address, title, etc.). It can also be used to change the secret question and answer needed for forgotten user IDs or passwords.

## **Modifications**

*Printed form* — The print feature has been enhanced to include a list of attached files as well as the information entered directly into the system. This will enable the filing coordinator to double check that the appropriate files have been attached. The form has also been updated to reflect the changes noted below. See footnote on page 1 before printing a filing that was submitted using the original version of the e-4010 application.

### *Schedule G*

- Filing contact information (if different from filing coordinator) — The purpose of this item is to provide contact information for someone who can answer questions the PBGC may have about the information reported in the filing.
- § 4010.6(c) exemption — § 4010.6(c) provides that “if any required information has been previously submitted to the PBGC, a filer may incorporate this information into the required submission by referring to the previous submission”. The application has been modified to reflect this rule. For more information, see the instructions to screen shot # 12b in Appendix 2.

### *Schedule I*

- International addresses — The application has been modified to permit international addresses.
- Relationship — The application now accepts answers up to 500 characters in length.
- Plan freeze question — The application has been modified to better reflect the 4010 regulation. Instead of asking about whether a plan freeze occurred during the year, the question was modified to ask if any type of plan freeze is in effect regardless of when the freeze was implemented.

### *Schedule P*

- Benefit Liabilities — Instead of requiring that benefit liabilities, including the expense load, be allocated into categories (active, retired, etc.), the application has been modified to require entering unloaded liabilities by category and the expense load in total.
- Format — The format has been changed so that unloaded benefit liabilities and the expense load appear on the same screen.

## **Filing assistance**

Filers needing assistance may contact the PBGC by calling 1-800-736-2444, extension 4070 or by sending an e-mail to [ERISA.4010@pbgc.gov](mailto:ERISA.4010@pbgc.gov). TTY/TDD users may call the Federal relay service at 1-800-877-8339 and ask to be connected. Local callers may directly dial 202-326-4070.