

Pension Benefit Guaranty Corporation

76-5

January 9, 1976

REFERENCE:

[*1] 4007 Payment of Premiums

OPINION:

This is in response to your letter of December 30, 1975, and subsequent telephone conversation with * * * of my staff, concerning the pension plan (the "Plan") maintained by

According to your letter, premiums were paid to this Corporation in November, 1974 but have not been paid since that date. Inasmuch as the Plan's plan year began on March 1, premiums for the plan year beginning on March 1, 1975 also should have been paid * * * by * * * March 31, 1975. Our records indicate that the appropriate forms were sent to your firm on a timely basis for the payment of premiums for that plan year. Accordingly, interest and late payment charges are due for that plan year's premium obligation. I am enclosing a Form PBGC-1 Package for your use. Please indicate prominently on the form that your firm's name has been changed. At the end of this month, or shortly thereafter, you should receive an additional Form PBGC-1 Package for your use in declaring and paying premiums for the plan year beginning March 1, 1976, and for reconciling both your estimated premiums paid in November, 1974 and the estimated premiums you should have paid for the plan year beginning on March [*2] 1, 1975.

In addition, as * * * indicated, the discontinuance of some of your firm's operations may have constituted a "reportable event" under Section 4043(b) (3) of the Employee Retirement Income Security Act of 1974 (the "Act") and may have been a cessation of operations at a facility which should have been reported under Section 4062(e) of the Act. If you will provide this Office with more information, including specific data on those of your firm's operations which have been discontinued and on the number of participants who no longer worked for your firm as a result, we will be able to advise you of any additional reporting requirements under the Act.

Henry Rose
General Counsel