



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

201443034

TAX EXEMPT AND  
GOVERNMENT ENTITIES  
DIVISION

JUL 31 2014

Uniform issue list: 412.06-00

T. EP. RA. T3

Re: Request for Waiver of Minimum Funding Standard for the  
\*\*\*\*\*Pension Plan. (the "Plan")

Company = .  
EIN =

Dear Mr.,

This letter constitutes notice that your request for a waiver of the required minimum funding contribution for the Plan for plan year ending May 31, 2013 has been granted subject to the conditions listed below. This waiver is for the unpaid required minimum contribution for the above listed plan year; all waiver amortization payments representing the waiver must be paid as stated under section 412(c)(1)(C) of the Internal Revenue Code (the "Code").

1. Starting with the quarterly contribution due September 15, 2014, the Company makes the required quarterly contributions to the Plan in a timely fashion while the Plan is subject to the minimum funding standard. For this purpose, the total amount of each quarterly contribution will be determined in accordance with section 430(j)(3)(D) and section 430(j)(3)(E) of the Code and can be comprised of several installments made prior to the respective due date of the quarterly contribution.
2. The Company makes contributions to the Plan in amounts sufficient to meet the minimum funding requirements for the Plan for the plan years ending May 31, 2014 through May 31, 2018 on or before February 15<sup>th</sup> of the year following each respective plan year.
3. Under section 412 (c)(7) of the Code, the Company is restricted from amending the Plan to increase benefits and/or Plan liabilities while any

of the waived funding deficiency remains unamortized, with only certain exceptions as defined in section 412(c)(7)(B).

4. The Company provides verification of payment of all contributions described above in a timely manner to the Internal Revenue Service using the following address or fax number:

IRS-EP Classification  
Chris Huxtable  
400 North Eighth Street, Room 480  
Richmond, VA 23219  
Fax: 804-916-8222

You agreed to these conditions in a letter dated July 10, 2014. If any of these conditions are not satisfied the waiver will be retroactively null and void.

The Company is a community hospital. The temporary substantial business hardship is due to a number of factors, among them, a decrease in patient volume, outdated facilities and equipment and decrease in reimbursement rate. To address these difficulties the Company has implemented a comprehensive recovery program. The recovery program focuses primarily on expense management and cash flow, initiating new lines of services and enhancing revenue growth in existing lines of service. Through implementation of the plan the Company has reduced expenses significantly.

Your attention is called to section 412(c)(7) of the Code and section 302(c)(7) of ERISA which describe the consequences that would result in the event the Plan is amended to increase benefits, change the rate in the accrual of benefits or to change the rate of vesting, while any portion of the waived funding deficiency remains unamortized. Please note that any amendment to a profit sharing plan or any other retirement plan (covering employees covered by this Plan) maintained by the Company, to increase benefits, or any action by the Company or its authorized agents or designees (such as a Board of Directors or Board of Trustees) that has the effect of increasing the liabilities of those plans, would be considered an amendment for purposes of section 412(c)(7) of the Code and section 302(c)(7) of ERISA. Similarly, the establishment of a new profit sharing plan or any other retirement plan by the Company (covering employees covered by this Plan) would be considered an amendment for purposes of section 412(c)(7) of the Code and section 302(c)(7) of ERISA.

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 year ending May 31, 2013, the date of this letter should be entered on Schedule SB (Actuarial Information). For this reason, we suggest that you furnish a copy of this letter to the enrolled actuary who is responsible for the completion of the Schedule SB.

We have sent a copy of this letter to the Manager, EP Classification in Baltimore, Maryland and to the Manager, EP Compliance Unit in Chicago, Illinois.

If you wish to inquire about this ruling please contact \*\*\*\*\*. Please address all correspondence to SE:T:EP:RA:T2.

Sincerely,



William B. Hulteng, Manager  
Employee Plans Technical

Enclosures:

Deleted Copy of Letter Ruling  
Notice of Intention to Disclose

cc: