Justification for No Material or Nonsubstantive Change to Currently-Approved Collection

AGENCY: Pension Benefit Guaranty Corporation (PBGC)

TITLE: Payment of Premiums (29 CFR Part 4007)

STATUS: OMB control number 1212-0009; expires December 31, 2026

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The Pension Benefit Guaranty Corporation (PBGC) is making non-material changes to the approved filing instructions for 2024 plan years for the collection of information relating to the computation and payment of premiums to PBGC under title IV of the Employee Retirement Income Security Act of 1974 (ERISA), for plan years beginning in 2025. The changes are as follows.

- Revised the "What's New" section to highlight minor changes in premium rates, caps, indexing, and clarifications, and modifications to item 13 concerning whether (and why) this is a final premium filing. (p. 2)

- Replaced references to the 2024 premium rates and cap with the rates applicable for 2025 (Note: Premium rates are set by statute.) (throughout the instructions)

- Updated due dates and other dates to those relevant for 2025 (Note: The due dates for 2025 are generally a month earlier than usual as required by section 502 of the Bipartisan Budget Act of 2015.) (throughout the instructions)

- Modified the instructions and the illustrative form for final premium filings about whether (and why) this is the final premium filing by providing two options for responses for PBGC-coverage ceasing, instead of one. (pp. 31, 43 (changes are shown in strikeout and red below))

The changes made to the filing requirements will not increase the hour or cost burden for this information collection.

The changes to pages 31 and 43 merely replace the current "cessation of coverage" box with two boxes and are intended to make the information reported more usable. The changes to pages 31 and 43 are as follows:

13 Final filing – If this is the last filing for this plan, enter the date of event _ _ /_ _ / _ _ _ _ and check box that best describes why filing obligation is ceasing:
☐ Merger/Consolidation ☐ Trusteeship ☐ Distribution pursuant to termination ☐ ~~Cessation of covered status (enter explanation)~~ ☐ Coverage ceased because only remaining participants are substantial owners ☐ Coverage ceased for some other reason. Enter explanation:

_____
_____
_____

13 Final premium filing

If this is the last premium filing for this plan, check the box to indicate the reason:

- the plan merged or consolidated with another plan,

- the plan was trusteed under ERISA section 4042,
- the plan completed a distribution pursuant to termination, or
- the plan ceased to be covered by Title IV of ERISA.

~~If the reason is a cessation of coverage,~~ Note that there are two options (i.e., checkboxes) related to coverage ceasing. The first is for a situation where the plan is no longer covered because the only remaining participants are substantial owners. The second is for any other cessation of coverage situation. If the second option applies, you must include an explanation as to why you believe the plan is no longer covered ~~(e.g., the only remaining Participant is a substantial owner)~~. In either situation, ~~and~~ if you have not already done so, request a determination by submitting a coverage determination form available on PBGC's "Pension Insurance Coverage" web page.