

Overview of e-4010 filing requirements

Introduction

4010 information must be submitted electronically using PBGC's secure e-filing portal. The portal:

- Offers a secure website for submitting confidential information,
- Reviews the filing and generates a list of omissions and inconsistencies prior to submission to ensure that a filing is complete,
- Enables filers to create a new filing using data from a filing submitted for a prior year.

The e-4010 module of the portal walks the filer through various screens, prompting the filer to answer questions and enter required information. It 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 "view attachments" feature — To enable filers to confirm that the appropriate documents were attached.
- 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 filing" 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,
- 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), and
- A "manage account" feature — To allow filers to update personal information (name, address, title, etc.) or to change the secret question and answer needed for forgotten user IDs or passwords.

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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 (Form) — This form is for illustrative purposes only. It presents a summary of the questions asked and the data required to be entered on the multiple screens in one easily readable, printable format.
- 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 (Screen shots) — These illustrate what a filer sees when using the web-based application.

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, 2016 (for which the 2016 filing is due on or before April 15, 2017), references to the current information year relate to 2016, and references to the prior information year relate to 2015, regardless of when the filing is being prepared.

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Getting started

Before using the e-filing portal to report 4010 information, the filer must establish an e-4010 account and select a User ID and password. To do so, go to <https://efilingportal.pbgc.gov/e4010/>. The best available information security measures are used to ensure that a filer's ID and password are secure.

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.

Note to MyPAA users – If you use MyPAA for premium filings, you will also need a user ID and password for that system. Your password can be the same for both systems, but your e-4010 user ID cannot be the same as your MyPAA user ID.

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 #12 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.

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Schedule FG — Filing gateway

This schedule must be completed by any filer who was required to submit 4010 information for the prior year, but not the current year. The purpose of Schedule FG is to demonstrate that a filing is not required (per § 1.4010.6(a)(2)) by asking a series of questions related to the § 4010.4 gateway test. If, after answering all of the questions, the application confirms that a filing is not required for the current year, the filer is prompted to submit only Schedules G and FG. If, however, the application determines that a filing is, in fact, required, the filer is prompted to begin entering the required information.

Schedule FG is also completed if the filer answers “help me determine” to indicate whether a filing is required on Schedule G.

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.

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Special features

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 #39 in Appendix 3) 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.

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 #12 in Appendix 3). 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 # 47 in Appendix 2.

Once you've attached a file, you may "view" it to ensure you attached the file you meant to attach. To access the new "view attachment" option:

- For an attachment to Schedule P, click the "attachment" option on the "Schedule P Summary" page (screen shot 39 in Appendix 3).
- For an attachment to any other Schedule, click the "attachment" option next to the applicable schedule on the "Filing Summary" page (screen shot #12 in Appendix 3).

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.

Reassigning 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 #9 and #49 in Appendix 2.

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Creating 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.

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Assigning 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 # 39 in Appendix 2.

Amending 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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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. 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, extension 3075.