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Internal Revenue Service
Attention: EP Letter Rulings
P.O. Box 27063
McPherson Station
Washington, DC 20038

Re: Request for church plan ruling by Saint Peter's Healthcare System
for the Saint Peter's Retirement Plan

To the Internal Revenue Service:

I have been a participant in the Saint Peter's Retirement Plan (Plan) for thirty-four (34) years. I recently received a notice from my former employer informing me that it intends to ask the Internal Revenue Service (IRS) for a ruling that the Saint Peter's Retirement Plan is a "church plan." The notice says that if this ruling is granted I will lose all protections provided by the federal private pension law and that I may contact the IRS.

As the former Chief Financial Officer, Chief Operating Officer and Chief Executive Officer and member of the Retirement Plan Committee for twenty-four (24) years (1977 through 2001), the Plan has never been nor was ever considered to be a church plan. I cannot recall any discussions at Retirement Plan Committee meetings or Board of Trustee meetings about the Plan being a church plan. The Plan was always funded in accordance with ERISA, met ERISA reporting requirements and paid PBGC premiums.

The Saint Peter's Retirement Plan was not established, maintained or funded by the Roman Catholic Diocese of Trenton or the Roman Catholic Diocese of Metuchen.

The Saint Peter's Retirement Plan was established, maintained and funded by the Saint Peter's Healthcare System, a nonprofit organization providing an array of health care services to the community. Funding for the Plan was generated by revenues from the provision of healthcare services.

The Saint Peter's Healthcare System is also not an organization whose principal purpose is the funding or administration of retirement plans.

The 2006 Summary Plan Description and all prior summary plan descriptions stated that the Plan was covered under ERISA and the PBGC. The footnotes to the quarterly and annual financial statements prior to 2006 also have similar language. A copy of selected pages from the 2006 Summary Plan Description is attached.

For all the above reasons, the Plan should not be considered a church plan. The Plan is only sixty-three (63) percent funded and without the ERISA and PBGC protections, Plan participants would be put at great risk. Many of the Plan participants will only have Social Security benefits and their pensions from this Plan to see them through their retirement years. To lose their Plan benefits or have them reduced would be a severe hardship for those who have dedicated their careers to the Saint Peter's Healthcare System.

I would also like the opportunity to make an oral presentation to the IRS about this important matter.

Sincerely,

John Matuska