



IN THE MATTER OF the *Pension Benefits Act*, R.S.O. 1990,
c. P.8, as amended (the "*PBA*")

AND IN THE MATTER OF a Proposal of the Superintendent of
Financial Services to consent under section 78(4) of the *PBA* to a
payment out of the **Employees Pension Plan of BICC Canada
Inc.** (the Plan), Registration Number **0293761**.

TO: **BICC Canada Inc.**
Balfour Beatty Management Inc.
19 Spear Road, Suite 201
Ramsey NJ 07466
USA

Attention: **Joanne Bonfiglio**
Vice President – Tax

Copy To: **Duncan B. Richardson**
Mercer (Canada) Limited

NOTICE OF PROPOSAL

I PROPOSE TO CONSENT under section 78(4) of the *PBA*, to the payment out of the
Plan to **BICC Canada Inc.**, as at **April 20, 2010** in the amount of **\$139,605.66** plus interest to
the date of payment.

REASONS:

1. **BICC Canada Inc.** is the employer as defined in the Plan.
2. As a result of **the employer funding the deficit on the wind up of the Plan, as at April 20, 2010, there are assets remaining after all the benefits have been settled.**

3. Evidence of the overpayment to the fund has been submitted to the Financial Services Commission of Ontario.
4. Such further and other reasons as may come to my attention.

YOU ARE ENTITLED TO A HEARING by the Financial Services Tribunal (the “Tribunal”) pursuant to section 89(6) of the *PBA*. **To request a hearing, you must deliver to the Tribunal a written notice that you require a hearing, within thirty (30) days after this Notice of Proposal is served on you.**¹

YOUR WRITTEN NOTICE must be delivered to:

Financial Services Tribunal
5160 Yonge Street
Suite 1600
Toronto, Ontario
M2N 6L9

Attention: The Registrar

FOR FURTHER INFORMATION on a Form for the written notice, please see the Tribunal website at www.fstontario.ca **or** contact the Registrar of the Tribunal by phone at 416-590-7294, toll free at 1-800-668-0128, ext. 7294, or by fax at 416-226-7750.

IF YOU FAIL TO REQUEST A HEARING WITHIN THIRTY (30) DAYS, I MAY CARRY OUT THE PROPOSAL AS DESCRIBED IN THIS NOTICE.

DATED at Toronto, Ontario, this **26** day of **October, 2010**

K. David Gordon
Deputy Superintendent, Pensions