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Superintendent of
Financial
Services



Surintendant des
services
financiers

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 Notice of Intended Decision of the Superintendent of Financial Services to refuse to make an order under section 87 of the *PBA* relating to the Pension Plan for Hourly-Paid Employees of Diesel Equipment Limited, Registration Number 0565895 (the “*Plan*”)

TO:

E.B.

Applicant

AND TO:

Diesel Equipment Limited (DEL)

Attention: T.J. Quinn
Controller

Employer and Administrator of the Plan

ORDER

ON OR ABOUT August 28, 2013, the Superintendent of Financial Services issued a Notice of Intended Decision (the “*NOID*”) in respect of the Pension Plan for Hourly-Paid Employees of Diesel Equipment Limited, Registration Number 0565895 (the “*Plan*”), proposing to refuse to make an order under section 87 of the *PBA* that the Administrator permit the Applicant to transfer the commuted value of his pension benefit from the Plan.

NO REQUEST FOR HEARING was delivered to the Financial Services Tribunal by the Applicant or any other person within the time prescribed by section 89(6) of the *PBA*.

For the reasons set out in the *NOID*, **I REFUSE TO ORDER** that the Administrator not be required to permit the Applicant to transfer the commuted value of his pension benefit from the Plan.

DATED at Toronto, Ontario, this **8th** day of **May, 2014**.

Original Signed By

Brian Mills
Deputy Superintendent, Pensions

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