

TVARS DRO MODEL

(TVARS recommends submitting a draft DRO to our office for review prior to obtaining final DRO)

IN THE _____ COURT OF _____ COUNTY, _____

Plaintiff

vs.

Defendant

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No. _____

DOMESTIC RELATIONS ORDER

It is the intent of the Court that the provisions of this Domestic Relations Order operate as an effective assignment of a portion of _____ (Plan Participant) _____'s interest in the Defined Benefit Plan (Plan) and/or TVA Savings and Deferral Retirement Plan (401(k) Plan) administered by the TVA Retirement System (TVARS) and constitute a "Domestic Relations Order" in compliance with Section 414(p)(1)(A)(i) of the Internal Revenue Code of 1986, as amended (hereinafter referred to as IRC), and the Procedures on Domestic Relations Orders of the TVARS.

A. The TVA Retirement System's address is 400 West Summit Hill Drive, WT 8A-K, Knoxville, Tennessee 37902.

B. _____ is the Plan Participant. (His/her) address is _____ (His/her) Social Security number is _____ and (his/her) date of birth is _____.

C. _____ is the Former Spouse. (His/her address is _____ (His/her Social Security number is _____ and (his/her) date of birth is _____.

D. The parties were granted a divorce in this matter on ___(date)_____.

E. Pursuant to IRC Section 414(p)(1)(A)(i), and in accordance with the domestic relations law of this State, Former Spouse is hereby assigned a portion of the Plan Participant's right, title and interest in and to the Plan, as set forth below:

1. (a) Division of a Recurring Monthly Benefit. Upon Plan Participant's eligibility for and receipt of recurring monthly benefits under the TVARS Rules and Regulations, the Former Spouse is entitled to \$ _____ per month, with applicable cost of living adjustments, to the extent the Plan Participant would have been eligible for such adjustments if payment were not being made hereunder to the Former Spouse, from Plan Participant's monthly benefits. TVARS is directed to pay Former Spouse's share directly to the Former Spouse.

(b) Division of Fixed and Variable Fund Account[s]. The Former Spouse is awarded \$ _____ from Plan Participant's TVARS Fixed and Variable fund account[s]. TVARS is directed to cause such amount to be paid directly to the Former Spouse.

Or

The Former Spouse is awarded _____% of Plan Participant's TVARS Fixed and Variable fund account[s] as of [date – any balance prior to September 1, 2006 must be as of the last day of that month]. TVARS is directed to cause such amount to be paid directly to the Former Spouse.

(c) Division of TVA Savings and Deferral Retirement Plan (401(k) Plan) Account. The Former Spouse is awarded \$ _____ from Plan Participant's TVA Savings and Deferral Retirement Plan (401(k) Plan) account. TVARS is directed to cause such amount to be paid directly to the Former Spouse.

Or

The Former Spouse is awarded _____% of Plan Participant's TVA Savings and Deferral Retirement Plan (401(k) Plan) account as of

[date - no later than 15 days after date of this Domestic Relations Order]. TVARS is directed to cause such amount to be paid directly to the Former Spouse.

2. For tax reporting purposes, benefits paid to Former Spouse pursuant to this Order shall be reported as income to the Former Spouse.

3. The single lump-sum amount to be distributed to the Former Spouse from the Plan Participant's Fixed and Variable Fund account, or the single lump sum to be distributed to the Former Spouse from the Plan Participant's 401(k) Plan account, shall in no event exceed the amount to the Plan Participant's credit in the respective account as of the date of distribution. Monthly benefits payable to Former Spouse from a recurring monthly benefit payable to the Plan Participant shall in no event exceed the recurring monthly benefit to which the Plan Participant is entitled under such Plan.

4. Any right to payment under this Domestic Relations Order will cease upon the death of the Plan Participant or the Former Spouse or upon receipt by the TVARS of a Domestic Relations Order which amends, vacates, or otherwise takes legal precedence over this Order. No survivor beneficiaries or survivor benefits are established pursuant to this Order.

5. In case of conflict between the terms of this Domestic Relations Order and the terms of the Plan, the terms of the Plan shall prevail.

ENTERED this the ____ day of _____, ____.

Judge