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September 12, 2006

Top Hat Plan Exemption
Pension and Welfare Benefits Administration
Room N-5644
U.S. Department of Labor
200 Constitution Avenue, N.W.
Washington, D.C. 20210

Re: WXXI Public Broadcasting Council
280 State Street
Rochester, New York 14614

EIN: 16-0838086

Dear Sir or Madam:

WXXI Public Broadcasting Council hereby declares that the purpose of its 457(b) Deferred Compensation Plan is to provide deferred compensation primarily for a select group of management and highly compensated employees. The number of employees covered under the Plan is two. The Employer maintains one unfounded top-hat plan described in Department of Labor Regulations Section 2520.104-23(b).

WXXI Public Broadcasting Council

By: Frances Lipani
Frances Lipani
Director of Human Resources

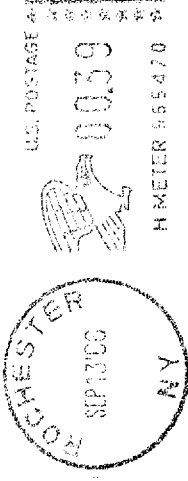
Date: 9-12-06

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