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Return of Private Foundation
or Section 4947(a)(1) Nonexempt Charitable Trust
Treated as a Private Foundation

2009

Note. The foundation may be able to use a copy of this return to satisfy state reporting requirements.

For calendar year 2009, or tax year beginning

, and ending

G Check all that apply: Initial return Initial return of a former public charity Final return
 Amended return Address change Name change

Use the IRS label. Otherwise, print or type. See Specific Instructions.	Name of foundation THE FRANK E. RATH * SPANG & COMPANY CHARITABLE TRUST		A Employer identification number 25-6020192			
	Number and street (or P O box number if mail is not delivered to street address) C/O SPANG & COMPANY, P.O. BOX 11422		B Telephone number 412-963-9363			
City or town, state, and ZIP code PITTSBURGH, PA 15238-0422		C If exemption application is pending, check here ► <input type="checkbox"/> D 1. Foreign organizations, check here ► <input type="checkbox"/> 2. Foreign organizations meeting the 85% test, check here and attach computation ► <input type="checkbox"/>				
H Check type of organization: <input checked="" type="checkbox"/> Section 501(c)(3) exempt private foundation <input type="checkbox"/> Section 4947(a)(1) nonexempt charitable trust <input type="checkbox"/> Other taxable private foundation		E If private foundation status was terminated under section 507(b)(1)(A), check here ► <input type="checkbox"/>				
I Fair market value of all assets at end of year (from Part II, col. (c), line 16) ► \$ 7,586,215. (Part I, column (d) must be on cash basis.)		F If the foundation is in a 60-month termination under section 507(b)(1)(B), check here ► <input type="checkbox"/>				
Part I Analysis of Revenue and Expenses (The total of amounts in columns (b), (c), and (d) may not necessarily equal the amounts in column (a).)		(a) Revenue and expenses per books	(b) Net investment income	(c) Adjusted net income	(d) Disbursements for charitable purposes (cash basis only)	
Revenue	1 Contributions, gifts, grants, etc., received			N/A		
	2 Check ► <input checked="" type="checkbox"/> if the foundation is not required to attach Sch B					
	3 Interest on savings and temporary cash investments	160.	160.		STATEMENT 1	
	4 Dividends and interest from securities	177,956.	177,956.		STATEMENT 2	
	5a Gross rents					
	b Net rental income or (loss)					
	6a Net gain or (loss) from sale of assets not on line 10	<714,792.00				
	b Gross sales price for all assets on line 6a	10,211,495.				
	7 Capital gain net income (from Part IV, line 2)		0.			
	8 Net short-term capital gain					
	9 Income modifications					
	10a Gross sales less returns and allowances					
b Less Cost of goods sold	NCV 09 2010					
c Gross profit or (loss)						
11 Other income	21,141.	20,543.		STATEMENT 3		
12 Total. Add lines 1 through 11	<515,535.00	198,659.				
Operating and Administrative Expenses	13 Compensation of officers, directors, trustees etc	0.	0.		0.	
	14 Other employee salaries and wages					
	15 Pension plans, employee benefits					
	16a Legal fees					
	b Accounting fees					
	c Other professional fees					
	17 Interest					
	18 Taxes	STMT 4	4,439.	4,439.		0.
	19 Depreciation and depletion					
	20 Occupancy					
	21 Travel, conferences, and meetings					
	22 Printing and publications					
	23 Other expenses					
	24 Total operating and administrative expenses. Add lines 13 through 23		4,439.	4,439.		0.
25 Contributions, gifts, grants paid		224,350.			224,350.	
26 Total expenses and disbursements. Add lines 24 and 25		228,789.	4,439.		224,350.	
27 Subtract line 26 from line 12:		<744,324.00				
a Excess of revenue over expenses and disbursements						
b Net investment income (if negative, enter 0-)		194,220.				
c Adjusted net income (if negative, enter 0-)			N/A			

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	Part II Balance Sheets	Attached schedules and amounts in the description column should be for end-of-year amounts only	Beginning of year	End of year	
			(a) Book Value	(b) Book Value	(c) Fair Market Value
	1 Cash - non-interest-bearing		41,156.	12,947.	12,947.
	2 Savings and temporary cash investments		3,833,961.		
	3 Accounts receivable ►				
	Less: allowance for doubtful accounts ►				
	4 Pledges receivable ►				
	Less: allowance for doubtful accounts ►				
	5 Grants receivable				
	6 Receivables due from officers, directors, trustees, and other disqualified persons				
	7 Other notes and loans receivable ►				
	Less: allowance for doubtful accounts ►				
	8 Inventories for sale or use				
	9 Prepaid expenses and deferred charges				
	10a Investments - U.S. and state government obligations				
	b Investments - corporate stock				
	c Investments - corporate bonds				
	11 Investments - land, buildings, and equipment basis ►				
	Less accumulated depreciation ►				
	12 Investments - mortgage loans				
	13 Investments - other	STMT 5	4,402,680.	7,520,526.	7,573,268.
	14 Land, buildings, and equipment basis ►				
	Less accumulated depreciation ►				
	15 Other assets (describe ►)				
	16 Total assets (to be completed by all filers)		8,277,797.	7,533,473.	7,586,215.
	17 Accounts payable and accrued expenses				
	18 Grants payable				
	19 Deferred revenue				
	20 Loans from officers, directors, trustees, and other disqualified persons				
	21 Mortgages and other notes payable				
	22 Other liabilities (describe ►)				
	23 Total liabilities (add lines 17 through 22)		0.	0.	
	Foundations that follow SFAS 117, check here ► <input type="checkbox"/>				
	and complete lines 24 through 26 and lines 30 and 31.				
	24 Unrestricted				
	25 Temporarily restricted				
	26 Permanently restricted				
	Foundations that do not follow SFAS 117, check here ► <input checked="" type="checkbox"/>				
	and complete lines 27 through 31.				
	27 Capital stock, trust principal, or current funds		8,277,797.	8,277,797.	
	28 Paid-in or capital surplus, or land, bldg., and equipment fund		0.	0.	
	29 Retained earnings, accumulated income, endowment, or other funds		0.	<744,324.	
	30 Total net assets or fund balances		8,277,797.	7,533,473.	
	31 Total liabilities and net assets/fund balances		8,277,797.	7,533,473.	

Part III Analysis of Changes in Net Assets or Fund Balances

1 Total net assets or fund balances at beginning of year - Part II, column (a), line 30 (must agree with end-of-year figure reported on prior year's return)	1	8,277,797.
2 Enter amount from Part I, line 27a	2	<744,324. >
3 Other increases not included in line 2 (itemize) ►	3	0.
4 Add lines 1, 2, and 3	4	7,533,473.
5 Decreases not included in line 2 (itemize) ►	5	0.
6 Total net assets or fund balances at end of year (line 4 minus line 5) - Part II, column (b), line 30	6	7,533,473.

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Part IV Capital Gains and Losses for Tax on Investment Income

(a) List and describe the kind(s) of property sold (e.g., real estate, 2-story brick warehouse; or common stock, 200 shs. MLC Co.)			(b) How acquired P - Purchase D - Donation	(c) Date acquired (mo., day, yr.)	(d) Date sold (mo., day, yr.)
1a FIDELITY			P	06/22/09	11/05/09
b FIDELITY			P	VARIOUS	VARIOUS
c					
d					
e					
(e) Gross sales price	(f) Depreciation allowed (or allowable)	(g) Cost or other basis plus expense of sale	(h) Gain or (loss) (e) plus (f) minus (g)		
a 6,795,122.		6,718,813.	76,309.		
b 3,416,373.		4,207,474.	<791,101. >		
c					
d					
e					
Complete only for assets showing gain in column (h) and owned by the foundation on 12/31/69			(i) Gains (Col. (h) gain minus col. (k), but not less than -0-) or Losses (from col. (h))		
(i) F M.V. as of 12/31/69	(j) Adjusted basis as of 12/31/69	(k) Excess of col. (i) over col. (j), if any			
a			76,309.		
b			<791,101. >		
c					
d					
e					
2 Capital gain net income or (net capital loss)	{ If gain, also enter in Part I, line 7 If (loss), enter -0- in Part I, line 7 }		2	<714,792. >	
3 Net short-term capital gain or (loss) as defined in sections 1222(5) and (6): If gain, also enter in Part I, line 8, column (c). If (loss), enter -0- in Part I, line 8			3	N/A	

Part V Qualification Under Section 4940(e) for Reduced Tax on Net Investment Income

(For optional use by domestic private foundations subject to the section 4940(a) tax on net investment income.)

If section 4940(d)(2) applies, leave this part blank.

Was the foundation liable for the section 4942 tax on the distributable amount of any year in the base period?

 Yes No

If "Yes," the foundation does not qualify under section 4940(e). Do not complete this part.

1 Enter the appropriate amount in each column for each year; see instructions before making any entries.

(a) Base period years Calendar year (or tax year beginning in)	(b) Adjusted qualifying distributions	(c) Net value of noncharitable-use assets	(d) Distribution ratio (col. (b) divided by col. (c))
2008	277,530.	7,520,672.	.036902
2007	458,177.	8,772,291.	.052230
2006	490,890.	8,546,812.	.057435
2005	533,964.	8,894,666.	.060032
2004	366,402.	8,883,698.	.041244

2 Total of line 1, column (d)

2 .247843

3 Average distribution ratio for the 5-year base period - divide the total on line 2 by 5, or by the number of years the foundation has been in existence if less than 5 years

3 .049569

4 Enter the net value of noncharitable-use assets for 2009 from Part X, line 5

4 6,744,611.

5 Multiply line 4 by line 3

5 334,324.

6 Enter 1% of net investment income (1% of Part I, line 27b)

6 1,942.

7 Add lines 5 and 6

7 336,266.

8 Enter qualifying distributions from Part XII, line 4

8 224,350.

If line 8 is equal to or greater than line 7, check the box in Part VI, line 1b, and complete that part using a 1% tax rate.
See the Part VI instructions.

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Part VI Excise Tax Based on Investment Income (Section 4940(a), 4940(b), 4940(e), or 4948 - see instructions)

1a Exempt operating foundations described in section 4940(d)(2), check here ► and enter "N/A" on line 1.

Date of ruling or determination letter: _____ (attach copy of letter if necessary-see instructions)

b Domestic foundations that meet the section 4940(e) requirements in Part V, check here ► and enter 1% of Part I, line 27b

c All other domestic foundations enter 2% of line 27b. Exempt foreign organizations enter 4% of Part I, line 12, col. (b)

2 Tax under section 511 (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)

3 Add lines 1 and 2

4 Subtitle A (income) tax (domestic section 4947(a)(1) trusts and taxable foundations only. Others enter -0-)

5 Tax based on investment income. Subtract line 4 from line 3. If zero or less, enter -0-

6 Credits/Payments:

a 2009 estimated tax payments and 2008 overpayment credited to 2009

b Exempt foreign organizations - tax withheld at source

c Tax paid with application for extension of time to file (Form 8868)

d Backup withholding erroneously withheld

7 Total credits and payments. Add lines 6a through 6d

8 Enter any penalty for underpayment of estimated tax. Check here if Form 2220 is attached

9 Tax due. If the total of lines 5 and 8 is more than line 7, enter amount owed

10 Overpayment. If line 7 is more than the total of lines 5 and 8, enter the amount overpaid

11 Enter the amount of line 10 to be: Credited to 2010 estimated tax ► 160. | Refunded ► 0.

6a	4,044.
6b	
6c	
6d	
7	4,044.
8	
9	
10	160.
11	0.

Part VII-A Statements Regarding Activities

1a During the tax year, did the foundation attempt to influence any national, state, or local legislation or did it participate or intervene in any political campaign?

1b Did it spend more than \$100 during the year (either directly or indirectly) for political purposes (see instructions for definition)?

If the answer is "Yes" to 1a or 1b, attach a detailed description of the activities and copies of any materials published or distributed by the foundation in connection with the activities

1c Did the foundation file Form 1120-POL for this year?

d Enter the amount (if any) of tax on political expenditures (section 4955) imposed during the year:

(1) On the foundation. ► \$ 0. (2) On foundation managers. ► \$ 0.

e Enter the reimbursement (if any) paid by the foundation during the year for political expenditure tax imposed on foundation managers. ► \$ 0.

2 Has the foundation engaged in any activities that have not previously been reported to the IRS?

If "Yes," attach a detailed description of the activities.

3 Has the foundation made any changes, not previously reported to the IRS, in its governing instrument, articles of incorporation, or bylaws, or other similar instruments? If "Yes," attach a conformed copy of the changes

4a Did the foundation have unrelated business gross income of \$1,000 or more during the year?

b If "Yes," has it filed a tax return on Form 990-T for this year?

5 Was there a liquidation, termination, dissolution, or substantial contraction during the year?

If "Yes," attach the statement required by General Instruction T

6 Are the requirements of section 508(e) (relating to sections 4941 through 4945) satisfied either:

- By language in the governing instrument, or
- By state legislation that effectively amends the governing instrument so that no mandatory directions that conflict with the state law remain in the governing instrument?

7 Did the foundation have at least \$5,000 in assets at any time during the year?

If "Yes," complete Part II, col. (c), and Part XV.

8a Enter the states to which the foundation reports or with which it is registered (see instructions) ► PA

b If the answer is "Yes" to line 7, has the foundation furnished a copy of Form 990-PF to the Attorney General (or designate) of each state as required by General Instruction G? If "No," attach explanation

9 Is the foundation claiming status as a private operating foundation within the meaning of section 4942(j)(3) or 4942(j)(5) for calendar year 2009 or the taxable year beginning in 2009 (see instructions for Part XIV)? If "Yes," complete Part XIV

10 Did any persons become substantial contributors during the tax year? If "Yes," attach a schedule listing their names and addresses

1a	X
1b	X
1c	X
2	X
3	X
4a	X
4b	
5	X
6	X
7	X
8b	X
9	X
10	X

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Part VII-A Statements Regarding Activities (continued)

11 At any time during the year, did the foundation, directly or indirectly, own a controlled entity within the meaning of section 512(b)(13)? If "Yes," attach schedule (see instructions) 11 X

12 Did the foundation acquire a direct or indirect interest in any applicable insurance contract before August 17, 2008? 12 X

13 Did the foundation comply with the public inspection requirements for its annual returns and exemption application? Website address ► **N/A** 13 X

14 The books are in care of ► **ROBERT C. HARBAGE** Telephone no. ► **412-963-9363**
Located at ► **110 DELTA DRIVE, PO BOX 11422, PITTSBURGH, PA** ZIP+4 ► **15238-0422**

15 Section 4947(a)(1) nonexempt charitable trusts filing Form 990-PF in lieu of Form 1041 - Check here and enter the amount of tax-exempt interest received or accrued during the year ► **15** ► **N/A**

Part VII-B Statements Regarding Activities for Which Form 4720 May Be Required

File Form 4720 if any item is checked in the "Yes" column, unless an exception applies.

1a During the year did the foundation (either directly or indirectly):

(1) Engage in the sale or exchange, or leasing of property with a disqualified person? Yes X No

(2) Borrow money from, lend money to, or otherwise extend credit to (or accept it from) a disqualified person? Yes X No

(3) Furnish goods, services, or facilities to (or accept them from) a disqualified person? Yes X No

(4) Pay compensation to, or pay or reimburse the expenses of, a disqualified person? Yes X No

(5) Transfer any income or assets to a disqualified person (or make any of either available for the benefit or use of a disqualified person)? Yes X No

(6) Agree to pay money or property to a government official? (Exception. Check "No" if the foundation agreed to make a grant to or to employ the official for a period after termination of government service, if terminating within 90 days.) Yes X No

b If any answer is "Yes" to 1a(1)-(6), did any of the acts fail to qualify under the exceptions described in Regulations section 53.4941(d)-3 or in a current notice regarding disaster assistance (see page 20 of the instructions)?

Organizations relying on a current notice regarding disaster assistance check here ► **N/A**

c Did the foundation engage in a prior year in any of the acts described in 1a, other than excepted acts, that were not corrected before the first day of the tax year beginning in 2009? 1c X

2 Taxes on failure to distribute income (section 4942) (does not apply for years the foundation was a private operating foundation defined in section 4942(j)(3) or 4942(j)(5)): 1b N/A

a At the end of tax year 2009, did the foundation have any undistributed income (lines 6d and 6e, Part XIII) for tax year(s) beginning before 2009? Yes X No

If "Yes," list the years ► _____, _____, _____, _____

b Are there any years listed in 2a for which the foundation is not applying the provisions of section 4942(a)(2) (relating to incorrect valuation of assets) to the year's undistributed income? (If applying section 4942(a)(2) to all years listed, answer "No" and attach statement - see instructions.) 2b N/A

c If the provisions of section 4942(a)(2) are being applied to any of the years listed in 2a, list the years here.

► _____, _____, _____, _____

3a Did the foundation hold more than a 2% direct or indirect interest in any business enterprise at any time during the year? Yes X No

b If "Yes," did it have excess business holdings in 2009 as a result of (1) any purchase by the foundation or disqualified persons after May 26, 1969; (2) the lapse of the 5-year period (or longer period approved by the Commissioner under section 4943(c)(7)) to dispose of holdings acquired by gift or bequest; or (3) the lapse of the 10-, 15-, or 20-year first phase holding period? (Use Schedule C, Form 4720, to determine if the foundation had excess business holdings in 2009) 3b N/A

4a Did the foundation invest during the year any amount in a manner that would jeopardize its charitable purposes? 4a X

b Did the foundation make any investment in a prior year (but after December 31, 1969) that could jeopardize its charitable purpose that had not been removed from jeopardy before the first day of the tax year beginning in 2009? 4b X

Part VII-B | Statements Regarding Activities for Which Form 4720 May Be Required (continued)

5a During the year did the foundation pay or incur any amount to:

- (1) Carry on propaganda, or otherwise attempt to influence legislation (section 4945(e))? Yes No
- (2) Influence the outcome of any specific public election (see section 4955); or to carry on, directly or indirectly, any voter registration drive? Yes No
- (3) Provide a grant to an individual for travel, study, or other similar purposes? Yes No
- (4) Provide a grant to an organization other than a charitable, etc., organization described in section 509(a)(1), (2), or (3), or section 4940(d)(2)? Yes No
- (5) Provide for any purpose other than religious, charitable, scientific, literary, or educational purposes, or for the prevention of cruelty to children or animals? Yes No

b If any answer is "Yes" to 5a(1)-(5), did any of the transactions fail to qualify under the exceptions described in Regulations section 53.4945 or in a current notice regarding disaster assistance (see instructions)?

N/A

Organizations relying on a current notice regarding disaster assistance check here

c If the answer is "Yes" to question 5a(4), does the foundation claim exemption from the tax because it maintained expenditure responsibility for the grant? Yes No

N/A

If "Yes," attach the statement required by Regulations section 53.4945-5(d).

6a Did the foundation, during the year, receive any funds, directly or indirectly, to pay premiums on a personal benefit contract?

Yes No

b Did the foundation, during the year, pay premiums, directly or indirectly, on a personal benefit contract?

If "Yes" to 6b, file Form 8870.

7a At any time during the tax year, was the foundation a party to a prohibited tax shelter transaction?

Yes No

b If yes, did the foundation receive any proceeds or have any net income attributable to the transaction?

N/A

Part.VIII | Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors

1 List all officers, directors, trustees, foundation managers and their compensation.

(a) Name and address	(b) Title, and average hours per week devoted to position	(c) Compensation (If not paid, enter -0-)	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
FRANK E. RATH JR 110 DELTA DRIVE PITTSBURGH, PA 15238	TRUSTEE 1.00	0.	0.	0.
DAVID F. RATH 110 DELTA DRIVE PITTSBURGH, PA 15238	TRUSTEE 1.00	0.	0.	0.

2 Compensation of five highest-paid employees (other than those included on line 1). If none, enter "NONE."

(a) Name and address of each employee paid more than \$50,000	(b) Title, and average hours per week devoted to position	(c) Compensation	(d) Contributions to employee benefit plans and deferred compensation	(e) Expense account, other allowances
NONE				

Total number of other employees paid over \$50,000

► 0

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Part VIII Information About Officers, Directors, Trustees, Foundation Managers, Highly Paid Employees, and Contractors (continued)

3 Five highest-paid independent contractors for professional services. If none, enter "NONE."

(a) Name and address of each person paid more than \$50,000	(b) Type of service	(c) Compensation
NONE		

Total number of others receiving over \$50,000 for professional services ► 0

Part IX-A Summary of Direct Charitable Activities

List the foundation's four largest direct charitable activities during the tax year. Include relevant statistical information such as the number of organizations and other beneficiaries served, conferences convened, research papers produced, etc.

	Expenses
1 N/A	
2	
3	
4	

Part IX-B Summary of Program-Related Investments

Describe the two largest program-related investments made by the foundation during the tax year on lines 1 and 2.

	Amount
1 N/A	
2	
All other program-related investments. See instructions.	
3	
Total. Add lines 1 through 3	► 0.

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Part X Minimum Investment Return (All domestic foundations must complete this part Foreign foundations, see instructions)

1	Fair market value of assets not used (or held for use) directly in carrying out charitable, etc., purposes:	
a	Average monthly fair market value of securities	1a 6,810,821.
b	Average of monthly cash balances	1b 36,500.
c	Fair market value of all other assets	1c
d	Total (add lines 1a, b, and c)	1d 6,847,321.
e	Reduction claimed for blockage or other factors reported on lines 1a and 1c (attach detailed explanation)	1e 0.
2	Acquisition indebtedness applicable to line 1 assets	2 0.
3	Subtract line 2 from line 1d	3 6,847,321.
4	Cash deemed held for charitable activities. Enter 1 1/2% of line 3 (for greater amount, see instructions)	4 102,710.
5	Net value of noncharitable-use assets. Subtract line 4 from line 3. Enter here and on Part V, line 4	5 6,744,611.
6	Minimum investment return. Enter 5% of line 5	6 337,231.

Part XI Distributable Amount (see instructions) (Section 4942(j)(3) and (j)(5) private operating foundations and certain

foreign organizations check here ► and do not complete this part.)

1	Minimum investment return from Part X, line 6	1 337,231.
2a	Tax on investment income for 2009 from Part VI, line 5	2a 3,884.
b	Income tax for 2009. (This does not include the tax from Part VI.)	2b
c	Add lines 2a and 2b	2c 3,884.
3	Distributable amount before adjustments. Subtract line 2c from line 1	3 333,347.
4	Recoveries of amounts treated as qualifying distributions	4 0.
5	Add lines 3 and 4	5 333,347.
6	Deduction from distributable amount (see instructions)	6 0.
7	Distributable amount as adjusted. Subtract line 6 from line 5. Enter here and on Part XIII, line 1	7 333,347.

Part XII Qualifying Distributions (see instructions)

1	Amounts paid (including administrative expenses) to accomplish charitable, etc., purposes:	
a	Expenses, contributions, gifts, etc. - total from Part I, column (d), line 26	1a 224,350.
b	Program-related investments - total from Part IX-B	1b 0.
2	Amounts paid to acquire assets used (or held for use) directly in carrying out charitable, etc., purposes	2
3	Amounts set aside for specific charitable projects that satisfy the:	
a	Suitability test (prior IRS approval required)	3a
b	Cash distribution test (attach the required schedule)	3b
4	Qualifying distributions. Add lines 1a through 3b. Enter here and on Part V, line 8, and Part XIII, line 4	4 224,350.
5	Foundations that qualify under section 4940(e) for the reduced rate of tax on net investment income. Enter 1% of Part I, line 27b	5 0.
6	Adjusted qualifying distributions. Subtract line 5 from line 4	6 224,350.

Note. The amount on line 6 will be used in Part V, column (b), in subsequent years when calculating whether the foundation qualifies for the section 4940(e) reduction of tax in those years.

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Part XIII Undistributed Income (see instructions)

	(a) Corpus	(b) Years prior to 2008	(c) 2008	(d) 2009
1 Distributable amount for 2009 from Part XI, line 7				333,347.
2 Undistributed income, if any, as of the end of 2009			0.	
a Enter amount for 2008 only				
b Total for prior years:		0.		
3 Excess distributions carryover, if any, to 2009:				
a From 2004				
b From 2005	8,691.			
c From 2006	73,309.			
d From 2007	36,928.			
e From 2008				
f Total of lines 3a through e	118,928.			
4 Qualifying distributions for 2009 from Part XII, line 4: ► \$ 224,350.			0.	
a Applied to 2008, but not more than line 2a				
b Applied to undistributed income of prior years (Election required - see instructions)		0.		
c Treated as distributions out of corpus (Election required - see instructions)	0.			
d Applied to 2009 distributable amount				224,350.
e Remaining amount distributed out of corpus	0.			
5 Excess distributions carryover applied to 2009 (If an amount appears in column (d), the same amount must be shown in column (a))	108,997.			108,997.
6 Enter the net total of each column as indicated below:	9,931.			
a Corpus Add lines 3f, 4c, and 4e Subtract line 5		0.		
b Prior years' undistributed income. Subtract line 4b from line 2b		0.		
c Enter the amount of prior years' undistributed income for which a notice of deficiency has been issued, or on which the section 4942(a) tax has been previously assessed		0.		
d Subtract line 6c from line 6b. Taxable amount - see instructions		0.		
e Undistributed income for 2008. Subtract line 4a from line 2a. Taxable amount - see instr.			0.	
f Undistributed income for 2009. Subtract lines 4d and 5 from line 1. This amount must be distributed in 2010				0.
7 Amounts treated as distributions out of corpus to satisfy requirements imposed by section 170(b)(1)(F) or 4942(g)(3)	0.			
8 Excess distributions carryover from 2004 not applied on line 5 or line 7	0.			
9 Excess distributions carryover to 2010. Subtract lines 7 and 8 from line 6a	9,931.			
10 Analysis of line 9:				
a Excess from 2005				
b Excess from 2006				
c Excess from 2007	9,931.			
d Excess from 2008				
e Excess from 2009				

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Part XIV | Private Operating Foundations (see instructions and Part VII-A, question 9)

N/A

1 a If the foundation has received a ruling or determination letter that it is a private operating foundation, and the ruling is effective for 2009, enter the date of the ruling ►

b Check box to indicate whether the foundation is a private operating foundation described in section 4942(j)(3) or 4942(j)(5)

	Tax year	Prior 3 years			(e) Total
		(a) 2009	(b) 2008	(c) 2007	
2 a Enter the lesser of the adjusted net income from Part I or the minimum investment return from Part X for each year listed					
b 85% of line 2a					
c Qualifying distributions from Part XII, line 4 for each year listed					
d Amounts included in line 2c not used directly for active conduct of exempt activities					
e Qualifying distributions made directly for active conduct of exempt activities.					
Subtract line 2d from line 2c					
3 Complete 3a, b, or c for the alternative test relied upon:					
a "Assets" alternative test - enter:					
(1) Value of all assets					
(2) Value of assets qualifying under section 4942(j)(3)(B)(i)					
b "Endowment" alternative test - enter 2/3 of minimum investment return shown in Part X, line 6 for each year listed					
c "Support" alternative test - enter:					
(1) Total support other than gross investment income (interest, dividends, rents, payments on securities loans (section 512(a)(5)), or royalties)					
(2) Support from general public and 5 or more exempt organizations as provided in section 4942(j)(3)(B)(ii)					
(3) Largest amount of support from an exempt organization					
(4) Gross investment income					

Part XV **Supplementary Information** (Complete this part only if the foundation had \$5,000 or more in assets at any time during the year—see the instructions.)

1 Information Regarding Foundation Managers:

a List any managers of the foundation who have contributed more than 2% of the total contributions received by the foundation before the close of any tax year (but only if they have contributed more than \$5,000). (See section 507(d)(2).)

NONE

b List any managers of the foundation who own 10% or more of the stock of a corporation (or an equally large portion of the ownership of a partnership or other entity) of which the foundation has a 10% or greater interest.

NONE

2 Information Regarding Contribution, Grant, Gift, Loan, Scholarship, etc., Programs:

Check here ► if the foundation only makes contributions to preselected charitable organizations and does not accept unsolicited requests for funds. If the foundation makes gifts, grants, etc. (see instructions) to individuals or organizations under other conditions, complete items 2a, b, c, and d

a The name, address, and telephone number of the person to whom applications should be addressed:

SEE STATEMENT 6

b The form in which applications should be submitted and information and materials they should include:

c Any submission deadlines:

d Any restrictions or limitations on awards, such as by geographical areas, charitable fields, kinds of institutions, or other factors:

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Part XV **Supplementary Information** (continued)

3 Grants and Contributions Paid During the Year or Approved for Future Payment

Recipient	If recipient is an individual, show any relationship to any foundation manager or substantial contributor	Foundation status of recipient	Purpose of grant or contribution	Amount
Name and address (home or business)				
<i>a Paid during the year</i>				
SEE STATEMENT 7				
Total			► 3a	224,350.
<i>b Approved for future payment</i>				
NONE				
Total			► 3b	0.

Part XVI-A Analysis of Income-Producing Activities

Enter gross amounts unless otherwise indicated.

Enter gross amounts unless otherwise indicated.	Unrelated business income		Excluded by section 512, 513 or 514		(e) Related or exempt function income
	(a) Business code	(b) Amount	(c) Exclu- sion code	(d) Amount	
1 Program service revenue:					
a					
b					
c					
d					
e					
f					
g Fees and contracts from government agencies					
2 Membership dues and assessments					
3 Interest on savings and temporary cash investments			14	160.	
4 Dividends and interest from securities			14	177,956.	
5 Net rental income or (loss) from real estate:					
a Debt-financed property					
b Not debt-financed property					
6 Net rental income or (loss) from personal property					
7 Other investment income			01	20,543.	
8 Gain or (loss) from sales of assets other than inventory			14	<714,792.>	
9 Net income or (loss) from special events					
10 Gross profit or (loss) from sales of inventory					
11 Other revenue:					
a EXCISE TAX REFUND			01	598.	
b					
c					
d					
e					
12 Subtotal. Add columns (b), (d), and (e)	0.				0.
13 Total. Add line 12, columns (b), (d), and (e)					
(See worksheet in line 13 instructions to verify calculations.)					

Relationship of Activities to the Accomplishment of Exempt Purposes

FORM 990-PF INTEREST ON SAVINGS AND TEMPORARY CASH INVESTMENTS STATEMENT 1

SOURCE	AMOUNT
FIDELITY	160.
TOTAL TO FORM 990-PF, PART I, LINE 3, COLUMN A	160.

FORM 990-PF DIVIDENDS AND INTEREST FROM SECURITIES STATEMENT 2

SOURCE	GROSS AMOUNT	CAPITAL GAINS DIVIDENDS	COLUMN (A) AMOUNT
FIDELITY	177,956.	0.	177,956.
TOTAL TO FM 990-PF, PART I, LN 4	177,956.	0.	177,956.

FORM 990-PF OTHER INCOME STATEMENT 3

DESCRIPTION	(A) REVENUE PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME
MISC INCOME	20,543.	20,543.	
EXCISE TAX REFUND	598.	0.	
TOTAL TO FORM 990-PF, PART I, LINE 11	21,141.	20,543.	

FORM 990-PF TAXES STATEMENT 4

DESCRIPTION	(A) EXPENSES PER BOOKS	(B) NET INVEST- MENT INCOME	(C) ADJUSTED NET INCOME	(D) CHARITABLE PURPOSES
FOREIGN TAXES	4,439.	4,439.		0.
TO FORM 990-PF, PG 1, LN 18	4,439.	4,439.		0.

FORM 990-PF	OTHER INVESTMENTS	STATEMENT	5
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DESCRIPTION	VALUATION METHOD	BOOK VALUE	FAIR MARKET VALUE
FIDELITY EQUITY INVESTMENTS	COST	7,520,526.	7,573,268.
TOTAL TO FORM 990-PF, PART II, LINE 13		7,520,526.	7,573,268.

FORM 990-PF

GRANT APPLICATION SUBMISSION INFORMATION
PART XV, LINES 2A THROUGH 2D

STATEMENT 6

NAME AND ADDRESS OF PERSON TO WHOM APPLICATIONS SHOULD BE SUBMITTED

SANDRA L. MICHAEL
P.O. BOX 11422
PITTSBURGH, PA 15238-0422

TELEPHONE NUMBER

412-963-9363

FORM AND CONTENT OF APPLICATIONS

NAME, ADDRESS, PURPOSE OF ORGANIZATION, COPY OF DETERMINATION LETTER AND
AMOUNT REQUESTED

ANY SUBMISSION DEADLINES

90 DAYS BEFORE THE END OF EACH CALENDAR QUARTER

RESTRICTIONS AND LIMITATIONS ON AWARDS

NONE

FORM 990-PF

GRANTS AND CONTRIBUTIONS
PAID DURING THE YEAR

STATEMENT 7

RECIPIENT NAME AND ADDRESS	RECIPIENT RELATIONSHIP AND PURPOSE OF GRANT	RECIPIENT STATUS	AMOUNT
JOHNS HOPKINS - FUND FOR RESEARCH & PROGRESS IN UROLOGY 100 N. STREET, SUITE 400 BALTIMORE, MD 21201	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	25,000.
PENN STATE MILTON S. HERSHEY MEDICAL CENTER PO BOX 850 HERSHEY, PA 17033	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
THE PITTSBURGH SYMPHONY SOCIETY 600 PENN AVENUE PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	10,000.
THE CARNEGIE 4400 FORBES AVENUE PITTSBURGH, PA 15213	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	10,000.
PITTSBURGH ZOO ONE WILD PLACE PITTSBURGH, PA 15206	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	10,000.
PHIPPS CONSERVATORY ONE SCHENLEY PARK PITTSBURGH, PA 15213	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
PITTSBURGH BALLET THEATER 2900 LIBERTY AVENUE PITTSBURGH, PA 15201	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
PITTSBURGH CHILDREN'S MUSEUM 10 CHILDREN'S SWAY PITTSBURGH, PA 15212	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.

PITTSBURGH CIVIC LIGHT OPERA 719 LIBERTY AVENUE PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
PITTSBURGH OPERA 801 PENN AVENUE PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
PITTSBURGH PUBLIC THEATER 621 PENN AVENUE PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	2,500.
WQED BUSINESS PARTNERS 4802 FIFTH AVENUE PITTSBURGH, PA 15213	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
THE PITTSBURGH CULTURAL TRUST 803 LIBERTY AVENUE PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	10,000.
GUYASUTA FIRE DEPARTMENT 1341 OLD FREEPORT ROAD PITTSBURGH, PA 15238	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
FOXWALL EMERGENCY MEDICAL SERVICE 403 FOX CHAPEL ROAD PITTSBURGH, PA 15238	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	200.
CARNEGIE MELLON UNIVERSITY 5000 FORBES AVENUE PITTSBURGH, PA 15213	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	25,000.
CHILDREN'S HOSPITAL-PITTSBURGH 1251 WATERFRONT PL. PITTSBURGH, PA 15222	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
PARKVIEW EMERGENCY MEDICAL SERVICES 200 MARGERY DRIVE PITTSBURGH, PA 15238	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.

SHADYSIDE HOSPITAL FOUNDATION 532 SOUTH AIKEN AVENUE PITTSBURGH, PA 15232	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	25,000.
THE WEST PENN HOSPITAL FOUNDATION 4818 LIBERTY AVENUE PITTSBURGH, PA 15224	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
BUTLER AREA PUBLIC LIBRARY 218 N. MCKEAN STREET BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	5,000.
BUTLER COUNTY SPORTSMEN FOR YOUTH 2131 MILLVILLE AVENUE HAMILTON, OH 45013	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	100.
BUTLER FRATERNAL ORDER OF POLICE LODGE NUMBER 32 PO BOX 1534 BUTLER, PA 16003	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
BUTLER CAMP CADET ASSOCIATION PO BOX 1514 BUTLER, PA 16003	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
EAST BUTLER VOLUNTEER FIRE DEPARTMENT PO BOX 162 EAST BUTLER, PA 16029	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
lick hill VOLUNTEER FIRE DEPARTMENT 102 MCCLENNAN DRIVE BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
LYNDORA VOLUNTEER FIRE DEPARTMENT 114 WHITESTOWN ROAD LYNDORA, PA 16045	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
PENN TOWNSHIP VOLUNTEER FIRE DEPARTMENT PO BOX 1911 BUTLER, PA 16003	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.

SOUTH BUTLER VOLUNTEER FIRE DEPARTMENT PO BOX 103 BUTLER, PA 16003	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
BUTLER COUNTY ASSOCIATION FOR THE BLIND PO BOX 468 BUTLER, PA 16003	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
BUTLER FIREMEN'S WIDOWS' FUND 110 N. WASHINGTON STREET BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
SANDY LAKE FIRE AND RESCUE DEPARTMENT 3297 NORTH MAIN STREET SANDY LAKE, PA 16145	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
COMMUNITY CARE CONNECTIONS, INC. 114 SKYLINE LANE BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
THE SALVATION ARMY 424 THIRD AVENUE PITTSBURGH, PA 15219	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	50,000.
NORTH SIDE CEMETERY ASSOCIATION 1002 N. MAIN STREET BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
SHADY SIDE ACADEMY 423 FOX CHAPEL ROAD PITTSBURGH, PA 15238	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	3,000.
VILLA ST. JOSEPH 1030 STATE STREET BADEN, PA 15005	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
TRUSTEES OF HAMILTON COLLEGE 198 COLLEGE HILL ROAD CLINTON, NY 13323	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	550.

GEORGETOWN UNIVERSITY UNIVERSITY BOX 571253 WASHINGTON, DC 20057	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	500.
BHS FOUNDATION - CARING ANGELS 911 E. BRADY STREET BUTLER, PA 16001	NONE UNRESTRICTED CONTRIBUTION TO PUBLIC CHARITY	PUBLIC CHARITY	1,000.
TOTAL TO FORM 990-PF, PART XV, LINE 3A			224,350.

- If you are filing for an **Additional (Not Automatic) 3-Month Extension**, complete only Part II and check this box ► **X**
- Note. Only complete Part II if you have already been granted an automatic 3-month extension on a previously filed Form 8868.
- If you are filing for an **Automatic 3-Month Extension**, complete only Part I (on page 1).

Part II: Additional (Not Automatic) 3-Month Extension of Time. Only file the original (no copies needed).

Type or print	Name of Exempt Organization THE FRANK E. RATH * SPANG & COMPANY CHARITABLE TRUST	Employer identification number 25-6020192
File by the extended due date for filing the return. See instructions.	Number, street, and room or suite no. If a P.O. box, see instructions. C/O SPANG & COMPANY, P.O. BOX 11422	For IRS use only
	City, town or post office, state, and ZIP code. For a foreign address, see instructions. PITTSBURGH, PA 15238-0422	

Check type of return to be filed (File a separate application for each return):

Form 990 Form 990-EZ Form 990-T (sec. 401(a) or 408(a) trust) Form 1041-A Form 5227 Form 8870
 Form 990-BL Form 990-PF Form 990-T (trust other than above) Form 4720 Form 6069

STOP! Do not complete Part II if you were not already granted an automatic 3-month extension on a previously filed Form 8868.

ROBERT C. HARBAGE - 110 DELTA DRIVE, PO BOX 11422 -

- The books are in the care of ► PITTSBURGH, PA 15238-0422
Telephone No. ► 412-963-9363 FAX No. ► 412-696-0333 ►
- If the organization does not have an office or place of business in the United States, check this box ►
- If this is for a Group Return, enter the organization's four digit Group Exemption Number (GEN) . If this is for the whole group, check this box ► . If it is for part of the group, check this box ► and attach a list with the names and EINs of all members the extension is for.

4 I request an additional 3-month extension of time until NOVEMBER 15, 2010.
5 For calendar year 2009, or other tax year beginning _____, and ending _____.
6 If this tax year is for less than 12 months, check reason: Initial return Final return Change in accounting period
7 State in detail why you need the extension _____

ADDITIONAL TIME IS NEEDED TO GATHER THE INFORMATION NECESSARY TO FILE A COMPLETE AND ACCURATE TAX RETURN.

8a If this application is for Form 990-BL, 990-PF, 990-T, 4720, or 6069, enter the tentative tax, less any nonrefundable credits. See instructions.	8a	\$	3,474
b If this application is for Form 990-PF, 990-T, 4720, or 6069, enter any refundable credits and estimated tax payments made. Include any prior year overpayment allowed as a credit and any amount paid previously with Form 8868.	8b	\$	4,044
c Balance Due. Subtract line 8b from line 8a. Include your payment with this form, or, if required, deposit with FTD coupon or, if required, by using EFTPS (Electronic Federal Tax Payment System). See instructions.	8c	\$	0

Signature and Verification

Under penalties of perjury, I declare that I have examined this form, including accompanying schedules and statements, and to the best of my knowledge and belief, it is true, correct, and complete, and that I am authorized to prepare this form.

Signature ► Title ► CPA

Date ► 7/29/0

Form 8888 (Rev. 4-2009)