



BOARD OF COUNTY COMMISSIONERS

WARREN COUNTY, OHIO

406 Justice Drive, Lebanon, Ohio 45036

www.co.warren.oh.us

commissioners@co.warren.oh.us

Telephone (513) 695-1250

(513) 261-1250

(513) 925-1250

(937) 783-4993

(937) 425-1250

Facsimile (513) 695-2054

C. MICHAEL KILBURN

PAT ARNOLD SOUTH

DAVID G. YOUNG

December 9, 2010

Federal Trade Commission, Northwest Region

Attention: Joe Lipinsky

915 Second Avenue

Seattle, Washington 98174

Dear Mr. Lipinsky:

This letter is submitted to the Federal Trade Commission (FTC) in response to the FTC's ruling requiring Simon Properties to potentially divest themselves of the Cincinnati Premium Outlets (CPO) located in Monroe, Warren County, Ohio. The Warren County Board of Commissioners (Board) respectively disagrees with the decision rendered by the FTC.

Following its opening in late 2009, CPO has afforded Warren County the ability to maintain its commitments to County residents and corporate citizens by supplementing/adding much needed financial resources to Warren County's budget. As defined by the State of Ohio, much of a county's budget is funded through sales tax revenue. Under the current economic conditions facing Ohio and the nation, the financial resources generated by CPO, through Simon Properties expertise and leadership, has proven to be quite valuable. The Board does not view favorably any action that would jeopardize the success brought forth by CPO and the service they bring to the marketplace.

Furthermore, CPO's demographic draw is different than those seen from Prime Outlets Jeffersonville. Along two different interstate corridors, each outlet center focuses on two separate metro centers (Cincinnati and Columbus respectively) and provides those living between, i.e. Dayton, with different and unique shopping options. As illustrated by the attached sales tax receipts collected from the Ohio Department of Taxation's website, each represented County (Warren and Fayette) has seen continuous increased revenues because of their respective outlet centers. Additionally, there has been no decline to Warren or Fayette County's budget as a result of these two centers. In fact, each County has seen increases for 2010, specifically assisting Warren County generate additional sales tax revenue from a more challenging 2009 prior to CPO's opening.

MR. JOE LIPINSKY
DECEMBER 9, 2010
PAGE 2

The Warren County Board of Commissioners requests that the Federal Trade Commission reconsider and rescind their ruling possibly resulting in Simon Properties divesting themselves of the Cincinnati Premium Outlets. As stated, CPO's presence in the Warren County market has provided increased sales tax revenue to the County while not depleting any additional resources generated throughout Southwest/Central Ohio. If you have any additional questions or comments, please contact our County Administrator, Dave Gully, at 513-695-1250 or via email at David.Gully@co.warren.oh.us. Thank you for your consideration.

Sincerely,

WARREN COUNTY BOARD OF COMMISSIONERS

David G. Young, President

Pat Arnold-South

C. Michael Kilburn

Warren & Fayette Counties Sales Tax Comparison (2007-2010)

<u>Year</u>	Fayette LOC	Fayette ACT	Fayette (Total)	Warren LOC	Warren ACT	Warren Total
2007	\$4,649,641.76	\$0.00	\$4,649,641.76	\$13,297,981.17	\$13,300,013.70	\$26,597,994.87
2008	\$4,625,802.62	\$1,660,168.83	\$6,285,971.45	\$13,385,495.69	\$13,384,255.57	\$26,769,751.26
2009	\$4,283,535.59	\$2,126,408.21	\$6,409,943.80	\$12,881,737.11	\$12,811,617.69	\$25,693,354.80
Jan-10*	\$350,826.33	\$175,393.38	\$526,219.71	\$1,088,101.64	\$1,088,101.58	\$2,176,203.22
Feb-10	\$596,505.33	\$289,450.64	\$885,955.97	\$1,191,186.65	\$1,191,186.48	\$2,382,373.13
Mar-10	\$480,585.88	\$240,185.39	\$720,771.27	\$1,336,298.33	\$1,336,296.46	\$2,672,594.79
Apr-10	\$278,850.44	\$139,367.90	\$418,218.34	\$892,385.40	\$892,385.27	\$1,784,770.67
May-10	\$291,682.39	\$145,635.88	\$437,318.27	\$913,429.34	\$913,429.17	\$1,826,858.51
Jun-10	\$404,438.93	\$200,036.68	\$604,475.61	\$1,268,058.05	\$1,268,057.97	\$2,536,116.02
Jul-10	\$360,240.87	\$179,678.35	\$539,919.22	\$1,115,906.02	\$1,115,905.82	\$2,231,811.84
Aug-10	\$358,719.30	\$179,007.04	\$537,726.34	\$1,097,469.55	\$1,097,416.75	\$2,194,886.30
Sep-10	\$395,858.03	\$197,413.84	\$593,271.87	\$1,391,415.00	\$1,391,357.36	\$2,782,772.36
Oct-10	\$363,890.75	\$182,326.48	\$546,217.23	\$1,214,381.24	\$1,214,378.13	\$2,428,759.37
Nov-10	\$393,337.17	\$195,677.97	\$589,015.14	\$1,236,093.76	\$1,236,092.64	\$2,472,186.40
Dec-10**			\$581,737.18			\$2,317,211.15
			\$6,980,846.15			\$27,806,543.76

* Initial sales tax revenue received by Warren County subsequent the opening of the Cincinnati Premium Outlet Mall

** Estimated sales tax receipts for December 2010 using the average of the previous eleven months