



Office of the Secretary

UNITED STATES OF AMERICA
FEDERAL TRADE COMMISSION
WASHINGTON, D.C. 20580

May 23, 2012

Kathleen Harrison
State of Maryland

Re: *In the Matter of Fresenius Medical Care AG & Co. KGaA,*
File No. 111-0170, Docket No. C-4348

Thank you for your comments regarding the proposed consent order accepted by the Federal Trade Commission for public comment in the above-captioned matter. As we understand your comment, you have concerns about the number of dialysis treatments offered to patients each week. The Commission has reviewed your comments in connection with its decision concerning whether to accord final approval to the proposed consent order.

As explained in the Analysis to Aid Public Comment, the proposed consent order remedies competitive concerns in the 43 markets in which Fresenius's acquisition of Liberty was likely to lead to anticompetitive effects. The market you refer to in your letter is unaffected by the proposed acquisition. The Commission has placed your comment on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. § 4.9(b)(6)(ii), and it has been given careful consideration. The Commission has determined that the public interest would best be served by issuing the Decision and Order in final form. A copy of the final Decision and Order is enclosed for your information. Relevant materials also are available from the Commission's website at <http://www.ftc.gov>.

It helps the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues, and we appreciate your interest in this matter.

By direction of the Commission, Commissioner Ohlhausen not participating.

Donald S. Clark
Secretary