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OVERNIGHT MAIL

Donald S. Clark, Secretary
Federal Trade Commission
Room H-135 (Annex Q)
600 Pennsylvania Avenue, NW
Washington, DC 20580

Re: Pre-notification Negative Option Rule Review, Matter No. PO64202

Dear Secretary Clark:

The Commonwealth of Pennsylvania, Office of Attorney General, Bureau of Consumer Protection, along with several other states including without limitation, Vermont, Florida, Iowa, and Colorado ("States"), have formed a working group to provide comment on the Federal Trade Commission's rule concerning the use of pre-notification negative option plans ("Negative Option Rule"), 16 C.F.R. Part 425. This letter is to request a thirty day extension of time on the due date for comments now set for July 27, 2009. Among other things, the States are compiling data responsive to some of the specific questions set forth in the advance notice of proposed rule making found at the Federal Register Thursday May 14, 2009.

As a preliminary matter, the States are keenly interested in providing comment on the existing rule, as well as extending this rule to cover additional types of negative option offers including continuity plans as well as "free to pay" conversion or similar trial period offers. The States, through their respective Consumer Protection offices, are often at the front line of consumer complaints regarding a variety of business practices, including those relating to negative option type offers. Our collective experience to date indicates that changes in the existing rule are warranted.

On behalf of the States, we would appreciate a thirty day extension of time to respond with a revised due date of August 27, 2009.

Thank you for your consideration of this request.

Sincerely yours

John M. Abel
Senior Deputy Attorney General