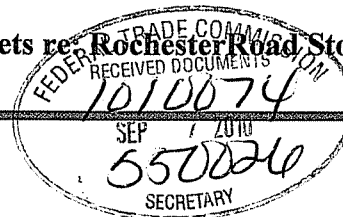


Gary Kelsey - Tops Friendly Markets acquisition of Quality Markets re: Rochester Road Store, Lockport, New York



From: Gary Kelsey  
To:  
Date: 8/26/2010 11:05 AM  
Subject: Tops Friendly Markets acquisition of Quality Markets re: Rochester Road Store, Lockport, New York

Federal Trade Commission, Office of the Secretary:

My wife and I have been a life long resident of both the City of Lockport, as well as the Town of Lockport, presently residing at 4856 Middleton Drive, Town of Lockport; I am a third generation Lockportian born in 1947.

Earlier this year Tops Markets acquired seven (7) supermarket stores from Penn Traffic as part of a Bankruptcy settlement, saving 450 employees their jobs, while preserving pension plans, health care plans and personal income & sales taxes that would have otherwise been lost due to the closure of Quality Markets and the other affiliated supermarkets.

This acquisition also maintained the commercial and residential property tax base of the related taxing jurisdictions by preserving the those property assessments which is the basis of the tax levies.

When my family and I moved from the City of Lockport to the Town of Lockport in 1987 the Commercial Plaza, located across from our sub-division, had a Bells Supermarket, Cofora's Restaurant, Love of Pete (a full service drug store), a liquor store, a video store and a HSBC Bank Branch.

The only remaining commercial enterprise occupying that Plaza today is the former Quality Markets which is now a Tops Supermarket.

Should there not be a successful sale of said supermarket by Tops and the FTC forces Tops to close that that facility, due to its location being slightly under the competitive market radius as defined under the Federal Anti-Trust statues; it would certainly cause extensive **hardships, caused by deprivation of services**, to the east side residents of the City of Lockport, Towns of Lockport, Royalton, Hartland, as well as the Villages of Gasport and Middleport.

The adversity that would also be caused to the residential and commercial property values and respective tax bases in these economically challenging times are also deserving of the FTC's consideration.

Thank you in advance for your consideration.

Gary E. Kelsey  
Town of Lockport