First Data.

July 23, 2010

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Re: Matter of Pilot Corporation ("Pilot"),
Docket No. C-4293

Enclosed is a letter being submitted to the Commission on behalf of EFS Transportation Services, Inc. ("EFS"). If you require further information, you can contact EFS as follows:

Christopher Courts
Sr. Vice President and General Manager
EFS Transportation Services, Inc.
(901) 371-8135
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Respectfully submitted,

Christopher Courts
Sr. Vice President and General Manager
EFS Transportation Services

First Data.



July 23, 2010

**VIA Federal Express – Tracking #456336702440**

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Re: Matter of Pilot Corporation ("Pilot"),
Docket No. C-4293

Dear Mr. Secretary:

EFS Transportation Services, Inc., a subsidiary of First Data Corporation ("EFS") submits this comment on the proposed settlement order in Docket No. C-4293 to object to the omission of a provision prohibiting Pilot from discriminating against other fuel card systems at its travel centers in favor of the TCH fuel card system.

One of EFS' major products is a fuel card system provided to over-the-road long haul trucking companies for use by their fleets. Over 15 different products can be purchased with our fuel card, including diesel, oil, additives, parts, and minor repairs. EFS understands that, as a result of a related transaction with Flying J, Inc. ("Flying J"), Pilot will (directly or indirectly) have an interest in Flying J's TCH fuel card. Because of that interest, EFS is concerned that the FTC's proposed approval of Pilot's purchase of Flying J's travel centers (subject to the divestiture of 26 centers) in conjunction with Pilot's newly acquired interest in Flying J's fuel card system (TCH) will encourage Pilot to discriminate in favor of the TCH fuel card system at the more than 590 travel centers currently owned or operated by Pilot.[1] Such discrimination would substantially lessen competition in the fuel card business for over-the-road long haul trucking fleets.

EFS' concern is not merely hypothetical. Just last week, Pilot offered a trucking company an extraordinary discount at Pilot locations if the company would switch its fuel card system from EFS to TCH. These discounts were only available on the TCH card so the trucking

[1] Pilot is rapidly expanding its truck stop network through their "fuel island lease" program. In twenty months, Pilot has added approximately 50 leased locations (with 25 of those coming in the last 90 days), which allows Pilot to control the fuel price at those locations as well. Pilot is currently twice as large as the second largest chain and three times as large as the third largest chain in ownership of truck stops. At this pace, Pilot will soon own or control many more locations in the near future, and this (accelerated) growth will only exacerbate the fuel card pricing discrimination.

company, of course, agreed to the switch. Nor is Pilot's recent offer likely to be an isolated incident. Indeed, Pilot employees have admitted that Pilot intends to put as many diesel purchase transactions on TCH as possible (as opposed to competing fuel cards) now that it apparently has a stake in TCH. Facing the prospect of Pilot using its massive size in the long haul travel center arena to obtain similar power ultimately in fuel card systems for the long haul trucking industry, EFS and the few other remaining fuel card suppliers will find it increasingly difficult to compete with TCH.

EFS is not requesting that the FTC withdraw its approval of Pilot's acquisition of Flying J's travel centers. It asks only that the FTC's proposed Order be amended to require that any discounts Pilot offers trucking fleets for purchases of diesel at its travel centers be made "fuel card neutral" at Pilot's over 590 travel centers.[2] In other words, EFS requests that the FTC step in now to prevent Pilot from leveraging its power in the "market for over-the-road sale of diesel to long haul fleets by national travel center operators in the contiguous United States" into the business of providing fuel cards to facilitate those purchases. Pilot's intent to engage in this discriminatory and anticompetitive activity is clear. The FTC should use its authority now to restrain this activity before it becomes a "full blown" violation of the Sherman Act.

EFS would be happy to answer any questions the FTC may have.

Respectfully submitted,

Christopher Courts
Sr. Vice President and General Manager
EFS Transportation Services

[2] Discounts to trucking fleets should be based on the volume of fuel purchased, not the fuel card used to make the purchase.