



# Leon County

## Board of County Commissioners

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March 25, 2014

Federal Trade Commission  
Ms. Edith Ramirez, Chairwoman  
600 Pennsylvania Avenue, NW  
Washington, D.C. 20580

Re: Bi-Lo Holdings, LLC-Consent Agreement; File No. 131-0162  
In the Matter of Lone Star Fund V (U.S.), L.P., a limited partnership; Bi-Lo Holdings, LLC, a limited liability company; et al and Delhaize America, LLC

Dear Chairwoman Ramirez:

In accordance with the Federal Trade Commission's request for public comment on the proposed Consent Order involving Bi-Lo Holdings' acquisition of certain assets of Delhaize America, LLC, the undersigned wishes to submit his comments and objections to said proposed Consent Order.

This objection specifically concerns the closing by Bi-Lo Holdings of the Harvey's No. 2364 located in Tallahassee, Florida, and which is located in District 1 of the Leon County Board of County Commissioners (my District). After having received notification of the potential closing of the Harvey's No. 2364, I conducted my own investigation of the circumstances and conducted a town hall meeting on Wednesday, March 12, 2014 to receive public input on the proposed closing.

As a result of the town hall meeting it is clear that all of the residents and citizens who frequent Harvey's wish for the store to remain open as it provides one of the very few walkable grocery stores in that area. Thirty-five percent of Harvey's shoppers actually walk or utilize public transportation. The store is easily accessible to students who live near the campus of Florida A&M University.

To the extent that Bi-Lo Holdings is permitted to keep open a Winn Dixie approximately ½ mile away but close this Harvey's, it will result in only having one (1) single grocery provider and create a "food island" in the middle of my District. This will cause extreme hardship to my constituents by further depriving those persons who do not have transportation of being able to get necessary grocery and pharmaceutical items at this Harvey's.

In addition, I have grave concerns that this Harvey's has a five (5) year lease on the location where the store is to close, but intend to keep the lease intact. This will

result in creating a monopoly for Winn Dixie as no other food store could possibly utilize this already existing grocery store-configured location for their store.

For all of the above and foregoing, we would request that the Federal Trade Commission not enter into the Consent Order; or, in the alternative, enter that the current lease be vacated so that this site can remain open for another food company to provide grocer services to this southside area of Florida' capital city.

The effect of your order should deny Winn Dixie a de facto monopoly over the southside and under the Bi Lo Holdings ownership. Please let there be competition so that prices will remain competitive and diverse food choices can be maintained at the level our community currently enjoys.

We request that the Harvey's lease be vacated or terminated under Bi Lo or the current lessee so that other grocers may provide food services for our community and give competition to Winn Dixie. The urban core communities of Tallahassee deserve for there to be more than one outlet for our citizens and we deserve to have prices set for products based upon a market that is supply and demand driven.

Please consider fashioning a Consent Order which specifically orders the Harvey's No. 2364 located in Tallahassee, Florida remain open following the acquisition or let the current Harvey's site be made available for a new grocer to occupy this space.

I thank you for your consideration of this matter.

Sincerely,

Bill Proctor  
Commissioner, District 1

cc: Honorable Chairman and Members of the Board of County Commissioners  
Vincent S. Long, County Administrator  
Herbert W. A. Thiele, Esq., County Attorney  
Honorable City Commissioners  
Anita Favor Thompson, Tallahassee City Manager  
Dr. Larry Robinson, President, Florida A&M University