

To whom it may concern,

I am and have been a financial advisor for 32 years. My clients range in age 10 years old to 90 years of age. Monies that I manage range anywhere from as little as \$1000.00 to in excess of \$1 million dollars. My average account size is around \$100,000. My clients rely on my trusted advise especially during these very volatile times in the market. They understand I receive a relatively small stipend from the funds they have with me and they realize this is part of doing business. I have taken on clients from other brokers who charge a fee ranging anywhere from .75-2% based on the size of the account value.

The 12b-1 fee that is paid to me after the upfront sales charge is usually .25% far less then what the average consumer would have to pay to use a 'fee based' planner.

If this fee is removed I will have to start charging my own fee and it will have to be greater than the current 12b-1 is because I will have to hire additional staff to track the values of all my clients and charge them accordingly.

The rule change you are considering has unintended consequences that maybe you haven't thought all the way through. I hope that you will reconsider the move that you are trying to implement.

Thank you for your time and understanding.

Sincerely,

Bob Avery

Robert L. Avery II, CLU, CFP®
Chartered Financial Consultant
General Agent