

Elizabeth M. Murphy:

I have been a licensed insurance professional and registered representative for over 23 years. I support the new SEC rule 12b-2, which would continue the 25 basis points fee that is used to ensure investors receive ongoing service and advice, and the SEC's proposed use of the terms "marketing and service fees" and "ongoing sales charge" in place of "12b-1 fees" to improve transparency in disclosure documents.

However, I strongly object to the SEC permitting mutual funds to issue a new class of shares at net asset value that would allow broker-dealers to set their own sales charge and commission amount. The introduction of Class A, B, C etc shares ("I call this the alphabet soup") in the 1980's was a disservice to the buying public. This evidenced by the confusion my clients had trying to understand the various classes and the expenses involved. Also after time, some fund companies abandoned the use of the classes. Adding more share classes will only compound the problem.

More importantly, my clients are Middle America earning from \$40,000 to \$100,000 annually. They do not have much money to invest at one time and can not afford the fees charged by many of the other advisors. Locally it is common practice to decline service to clients who have less than \$250,000 to invest. I learned this first hand when I sold my business in 2006. Due to the lack of service by the representative who purchased the business, I am now back in business. I do enough FREE work and do not need the competition from broker-dealers who set their own prices. In my opinion, the middle income earner will be further declined the investment advice that they desperately need in today's environment.

Therefore, I strongly urge the committee to NOT ALLOW BROKER-DEALERS TO SET FEES/COMMISSIONS OR FUND COMPANIES TO INTRODUCE MORE "ALPHABET SOUP" TO THE MIX.

Sincerely,

Darrell E. Westby, CFP