

August 23, 2011

Elizabeth M. Murphy  
Secretary  
Securities and Exchange Commission,  
100 F Street NE  
Washington, DC 20549-1090

Re: Release No. 34-64969; File No SR-FINRA- 2009-028 Amendment No. 1 to Proposed Rule Change to Adopt FINRA Rule 2231 (Customer Account Statements)

Dear Ms. Murphy:

Edward Jones appreciates the opportunity to submit comments on the referenced proposed rule change by the Financial Industry Regulatory Authority ("FINRA"). The proposed rule change would incorporate NASD Rule 2340 (Customer Account Statements) as FINRA Rule 2231, with a number of substantive changes. Through the filing of Amendment No. 1, FINRA proposes to exclude certain account activities from the proposed monthly account statement delivery requirement and clarify when written consent is required to send account statements and other account communications to third parties.

Edward Jones is one of the largest financial services firms in the United States, serving the needs of over seven million U.S. investors through personalized service provided by over 11,000 financial advisors. We focus on serving the needs of the serious, long-term individual investor by promoting an investment philosophy that emphasizes quality and diversification.

Edward Jones commends several of the changes FINRA made from the original rule proposal. Specifically, FINRA:

- acknowledged through proposed Rule 2231(c)(2) that certain types of routine activity which does not involve the active participation of the client ("passive activity") should not trigger a monthly account statement delivery obligation;  
and
- revised the rule text to clarify that members are not required to obtain the written consent of the client before sending duplicate statements or other account communications pursuant to NASD Rule 3050 and Incorporated NYSE Rule 407;

Edward Jones substantially agrees with the comments submitted by the Securities Industry and Financial Markets Association ("SIFMA") in response to FINRA's filing of Amendment No.1 to the proposed rule change. However, Edward Jones would like to highlight a couple of areas where we continue to have concerns:

***I. Exclusions for Certain Passive Account Activities***

Edward Jones is concerned that proposed Rule 2231(c)(3), which provides that members may rely on an exclusion in paragraph (c) only if clients are provided access to current account information via the Internet ***and*** by telephone, will substantially reduce the availability of the passive activity exclusions. We request that FINRA change Rule 2231(c)(3) to require clients be provided with access to current account information via the "Internet ***or*** telephone" for clarity.

Edward Jones' clients are currently able to obtain information concerning all of their accounts by either contacting their financial advisor or by accessing the firm's free "Account Access" internet service. We believe that providing clients with access to such information either via the Internet or by telephone enables our clients to have timely access to their account information.

We also request that FINRA clarify that the proposed rule change requires member firms make available to clients the option for online access rather than requiring that clients actually sign-up for such online access. Edward Jones currently serves more than seven million client accounts. However, of those seven million client accounts, only 2,498,000 or 29.59 % accounts have actually enrolled in the firm's Account Access service. In the absence of such clarification, Edward Jones believes that the costs associated with this provision would be significant.

***II. Transmission of Statements to Other Persons or Entities***

Edward Jones appreciates that FINRA has clarified that members are not required to obtain the written consent of the customer before sending duplicate statements or other account communications pursuant to NASD Rule 3050 and Incorporated NYSE Rule 407.

However, Edward Jones believes that a client's oral consent should be sufficient in order to send a duplicate account statement to interested parties, provided the member firm relying on such oral consent continues to send account statements to the client's address of record and provides clear disclosure on the client's account statement of the names of any persons to whom duplicate statements are being sent. Given the disclosure provided to clients and that interested parties have no authority over the account, we believe the regulatory risks associated with this arrangement are remote. Edward Jones currently utilizes such a process to send over 151,000 statements to interested parties and is aware of no past concerns resulting from sending duplicate statements to interested parties.

We respectfully submit that requiring firm's to obtain a client's written consent to send duplicate statements to current and future interested parties would be burdensome and not provide any corresponding benefit or meaningful protection to investors.

Edward Jones appreciates the opportunity to provide comments on this rule proposal. The firm recognizes the important role in investor protection provided by account statements and appreciates the critical balance FINRA must achieve in weighing investor costs and investor protection. If you have any questions regarding the comments in this letter please contact me at 314-515-9711.

Sincerely,

Jesse Hill  
Director of Regulatory Relations