



Jonathan G. Katz, Secretary  
Securities and Exchange Commission  
450 Fifth Street, NW  
Washington, DC 20549-0609

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**File Number: S7-09-04**

Dear Mr. Katz:

As a mutual fund investor, I support disclosure that clarifies the costs of owning mutual fund shares, variable insurance products and section 529 plans and the potential conflicts associated with the sale and distribution of those products. While the proposed new confirmation and point of sale disclosure requirements are intended to offer meaningful disclosure in these areas, I am deeply concerned that their net effect will be ultimately detrimental to me as an investor.

Mutual funds now offer the greatest level of disclosure of any investment class. Recent SEC proposals will greatly expand that disclosure concerning policies on market timing, fair value pricing, portfolio confidentiality, breakpoints, transaction costs and advisers' codes of ethics. The new confirmation and point of sale disclosure requirements may arguably provide me with some additional useful information. But, as the SEC acknowledges, it would do so at astronomical costs for the broker-dealers that sell mutual funds. The steep costs of this proposal will undoubtedly discourage broker-dealers from offering mutual funds, and require those that do to charge increased account and services fees to small investors. In the end, the greatest lasting effect of this proposal may well be to reduce the availability and affordability of mutual funds to investors like me.

For me, the most important cost disclosure item is the amount of the sales charge I am paying. As you know, the sales charge is fully disclosed in the prospectus. I have always viewed the prospectus as the single most important and complete source of information for my investment decisions. By singling out a narrow subset of information (namely, compensation-related information) in the context of point of sale and confirmation

documents, I believe this proposal may serve to deflect investors' attention away from the more robust disclosure contained in a fund's prospectus.

For these reasons, I believe that this proposal would do more harm than good and should not be adopted as proposed.

Sincerely,

A handwritten signature in black ink, appearing to read 'Hawley H. MacLean', with a stylized flourish at the end.

Hawley H. MacLean  
20 Day Lily Court  
Reno, NV 89511  
April 6, 2004