

**From:** Sutaris, Joseph [mailto:Joseph.Sutaris@wilberbank.com]  
**Sent:** Thursday, October 01, 2009 9:41 AM  
**To:** Comments

FDIC Board of Directors:

Please find below comments and questions regarding the above referenced Notice of Proposed Rulemaking (NPR):

1. It is very logical to allow member depository institutions to classify its prepaid FDIC assessment amount as a 0% risk-weighted asset. I am in support of this provision of the NPR.
2. The FDIC should pay quarterly interest (at a market rate) on the prepaid assessment amount outstanding, even if this requires a change in current law or regulation. Although quarterly risk-based assessment could be adjusted to effectively negate interest payments from the deposit insurance fund, if no interest is paid on prepaid amounts, this unduly penalizes member institutions that improve their risk category during the period covered under the NPR, particularly if nominal market interest rates increase.
3. The NPR should include an example of how the quarterly risk-based assessments will be applied for member institutions whose risk category improves or worsens during the period covered by the prepaid assessment. Based on the NPR, as published, it appears that although the prepaid amount will be based on the member's current risk category, the amounts expensed in future periods will be based on the risk category at that time. The NPR could be more explicit on this issue.

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