

**From:** Joan Stephenson [JStephenson@febokc.com]  
**Sent:** Thursday, September 09, 2010 10:32 AM  
**To:** Overdraft Comments  
**Subject:** FDIC FIL 47-2010

The proposed mandates being considered by the FDIC are, in effect, imposing massive additional burdens on community banks. Our bank does offer an overdraft privilege program. Our customers are well aware of how the program works and the charges involved. When the Reg E changes went into effect customers immediately began contacting the bank as they realized they had not "opted-in" to the payment of POS and ATM transactions. Our ODP customers are monitored as I believe is a standard banking practice. If a customer abuses the program the privilege is discontinued. The ODP program is just that, a privilege. It is intended for those customers who may need access to funds in an emergency. However, just as is the case with any service industry, the customer pays for the service.

The costs associated with processing items, whether paying or returning, is not decreasing. If limited to 6 overdraft fees per customer in a year or severely limiting the fees that may be assessed, I think it is safe to say more checks will be returned than paid. What bank will want to incur the risk of overdrawing an account with no compensation? This most likely will mean more mortgage payments, as well as other significant payments, will be returned.

Our bank has changed the order of payment to check number order after priority items (POS items and cashed checks that cannot be returned). We had paid largest to smallest based on the reality the larger items are the most important. However, based on the recent outcry we have changed the order and assume customers will understand their mortgage payments may be returned while the smaller, less important checks will be paid.

In my nearly 30 years of banking I will have to agree with some of the other bankers who have so far commented as to the reluctance of chronic overdrafters to commit to any kind of financial counseling. Many years prior to ODP, banks with whom I have been associated have offered budgeting and checkbook balancing services. The vast majority of overdraft customers are not interested.

To assume banks are not already offering other overdraft programs (lines of credit, access through other deposit accounts) is a misrepresentation of the majority of community banks. Those customers who overdraft regularly may either not qualify for a line of credit or do not have other deposit accounts.

No other industry is regulated as to the fees they are allowed to charge as is the banking industry. As an example, the majority of consumers require a vehicle every day to go to work, school, doctor, etc. Yet the price of gasoline, a necessity, is not regulated. Banks are not asking to randomly assess fees on customers for no reason. Customers should expect to be charged for the ability to use the bank's funds.

Thank you,  
Joan Stephenson  
VP/Accounting  
First Enterprise Bank  
(405) 680-8225  
[jstephenson@febokc.com](mailto:jstephenson@febokc.com)