

From: Tammy Franks [Tammy.Franks@cbthomebank.com]
Sent: Monday, September 20, 2010 5:36 PM
To: Overdraft Comments
Subject: Comment regarding Overdraft Payment Supervisory Guidance
September 20, 2010

In response to the recent issuance of the proposed Overdraft Payment Supervisory Guidance, I am pleased to offer the following comments as to why I consider these views to be misplaced.

First, the vast majority of customers who avail themselves of overdraft products wish to continue to use them. In compliance with the OPT In Opt Out requirements of Reg. E, our bank contacted customers who used the services on a regular basis (defined as over twelve (12) uses in a twelve (12) month period.) This group comprises approximately sixteen (16) percent of our eligible customer base. Ninety (90) percent of this regular user base who we were able to contact elected to continue with the program.

Secondly, consumers are fully aware of the cost of our overdraft program and are provided on a monthly basis with the cost for the month and year to date. This information is received via our bank's monthly account statement. In addition, Reg E required each Opt In customer to receive a disclosure of cost of our overdraft program.

Thirdly, the use of our bank's overdraft services covers many socio-economic groups. We have high earning professional as well as middle and lower class participation.

Fourthly, we stand ready to and have always been willing to give advice and council to any customer who may wish to modify their behavior in order to reduce cost. We do feel strongly, however, that it is not our place to impose our own financial view on our customers. For example, we do not suggest that buying a Chevrolet is preferable to buying a Cadillac even though that action might result in a large dollar savings.

Finally, I have a significant philosophy problem with the proposed guidance. It is predicated on two propositions. One is that the institutions offering the service are predatory. Two is that consumers do not have sense enough to conduct their business without help from the FDIC. Both of the propositions are false in the vast majority of cases. In our bank's documented experience as stated above ninety percent of our most frequent users wish us to continue the service and are willing to pay for it. It is difficult for me to see how the judgment implications made in the proposed guidance are superior to the desires of the customers our bank has been in the business to serve for over one hundred and twenty-five years.

Cordially Yours,
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