



February 7, 2024

Federal Trade Commission
Office of the Secretary
600 Pennsylvania Avenue NW
Suite CC-5610 (Annex B)
Washington, DC 20580

Re: Unfair or Deceptive Fees NPRM, R207011

In conjunction with the Federal Trade Commission's ("Commission," "Agency" or "FTC") November 9, 2023 request for comments regarding its proposed Trade Regulation Rule on Unfair or Deceptive Fees,¹ Truth in Advertising, Inc. ("TINA.org") submitted a comment on February 6, 2024 expressing support for the FTC's proposed rule.²

As a supplement to the February 6 comment, we wish to make clear that TINA.org does not believe there are any disputed issues of material fact that are necessary to resolve at an informal hearing regarding the proposed rulemaking.³ However, should the Commission hold such a hearing, pursuant to 15 U.S.C. § 57a(c), TINA.org hereby requests the opportunity to participate in the hearing, as well as the opportunity to conduct a cross-examination of individuals the Commission identifies as appropriate and required for a full and true disclosure with respect to any purported disputed issues of material fact at the hearing, pursuant to 15 U.S.C. § 57a(c)(2)(B).

We thank the Commission for the opportunity to participate in this rulemaking procedure and continue to support the FTC's proposed rule to ban hidden and misleading fees.

Sincerely,

A handwritten signature in blue ink, appearing to read 'B-Patten', is written over a horizontal line.

Bonnie Patten
Laura Smith
Eliza Duggan
Truth in Advertising, Inc.

¹ Proposed Rule, Trade Regulation Rule on Unfair or Deceptive Fees, 88 Fed. Reg. 77420 (proposed Nov. 9, 2023), available at <https://www.federalregister.gov/documents/2023/11/09/2023-24234/trade-regulation-rule-on-unfair-or-deceptivefees>.

² Comment Filed by TINA.org, Unfair or Deceptive Fees NPRM, R207011 (Feb. 6, 2024), https://truthinadvertising.org/wp-content/uploads/2024/02/FTC-Junk-Fees-Comment_Truth-In-Advertising_Feb-2024.pdf. See also Comment Filed by TINA.org, Unfair or Deceptive Fees Trade Regulation Rule Commission Matter No. R207011 (Feb. 8, 2023), <https://www.regulations.gov/comment/FTC-2022-0069-6042>.

³ 15 U.S.C. 57a(c)(2).