

August 26, 1999

VIA FACSIMILE (202) 326-2624 AND US MAIL

Richard Smith Federal Trade Commission 600 Ponnsylvania Avenue NW Washington, DC 20580

Re: Voluntary Disclosures in HSR Filings

Dear Dick.

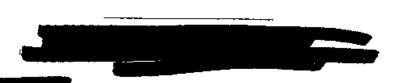
wonder if you would be so kind as to let me know if I do not.

As I explained, we are preparing a filing for an acquiring person, whose SIC codes do not overlap with those of the acquired person. The two companies nevertheless derive some revenues from the same line, or similar lines, of business, and we want to be sure to make appropriate disclosures with our filing. Since I did not yet know the extent to which the parties' revenues derive from similar lines of business other than that they represent a small fraction of

like to avoid the burden of completing item 9, which in this instance would be significant.

As I understand your answer, voluntary completion of Item 7 is just that: voluntary. We may therefore make this disclosure in another manuor, such as in a cover letter. Completion of Item 9, however, is not voluntary once Item 7 is completed. Our alternatives are therefore to complete both items, or complete neither of them and submit a cover letter with the

Gipped and proper others are accustomed to making use of the Brand at a



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ining on would not greate cause for any delays for us or added burdens for you in the extraor-

## Very truly yours,

8/27/99 (Reversed Setter with PS and MV.) We concluded that a voluntary response to Item 7 does not make the response to Item 7 mandatory. Advised writer that response to stem 7 discloring similar activities on more common STC water, tem 7 discloring similar activities on more common STC water, would been be done in item 7 teels. However, such a world been be done in item 7 teels. However, such a world been belowne (without common STC cooker) does not work tary disclorure (without common STC cooker) does not require a response to Item 9 Response