



Office of the Secretary

UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

May 26, 2017

Mr. Anthony Baron  
State of Michigan

Re: In the Matter of the American Guild of Organists, Docket No. 17-0461

Dear Mr. Baron,

Thank you for the comment you submitted in connection with the Commission's proposed Complaint and Decision and Order in the Matter of the American Guild of Organists ("AGO"). The Commission received eight comments, including yours, during the public comment period, expressing a variety of viewpoints on the proposed Decision and Order. This letter responds to the concerns you raised.

After careful review of all comments, the Commission has determined that the public interest is served by issuing the Decision and Order in final form. The Commission placed all comments on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. §4.9(b)(6)(ii). Other relevant materials, including a copy of the final Decision and Order, are available from the Commission's website at: <http://www.ftc.gov>

Your comment expressed concerns that the Commission's action and the consent agreement reached with the AGO will "make it less likely for musicians to be able to achieve reasonable financial payment for their work." The Commission's focus is harm to competition and consumers. The Commission had reason to believe that the purpose, tendency, or capacity of the AGO's acts and practices unreasonably restrained competition and injured consumers, and the Commission's Decision and Order and the consent agreement entered into with the AGO address this.

It assists the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues. Thank you for your interest in this matter.

By direction of the Commission.

Donald S. Clark  
Secretary



UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

Office of the Secretary

May 26, 2017

Mr. Ray Biswanger  
proposed Complaint and Decision and Order in In the Matter of The American Guild of Organists (“AGO”). The Commission received eight comments, including yours, during the public comment period, expressing a variety of viewpoints on the proposed Decision and Order. This letter responds to the concerns you raised.

After careful review of all comments, the Commission has determined that the public interest is served by issuing the Decision and Order in final form. The Commission placed all comments on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission’s Rules of Practice, 16 C.F.R. §4.9(b)(6)(ii). Other relevant materials, including a copy of the final Decision and Order, are available from the Commission’s website at: <http://www.ftc.gov>

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Federal Trade Commission  
WASHINGTON, D.C. 20580

May 26, 2017

Doris Dabrowski  
Commonwealth of Pennsylvania

Re: In the Matter of the American Guild of Organists, Docket No. C-4617

Dear Ms. Dabrowski,

Thank you for the comment you submitted in connection with the Commission's proposed Complaint and Decision and Order in In the Matter of the American Guild of Organists ("AGO"). The Commission received eight comments, including yours, during the public comment period, expressing a variety of viewpoints on the proposed Decision and Order.

After careful review of all comments, the Commission has determined that the public interest is served by issuing the Decision and Order in final form. The Commission placed all comments on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. §4.9(b)(6)(ii). Other relevant materials, including a copy of the final Decision and Order, are available from the Commission's website at: <http://www.ftc.gov>.

You expressed concern that Paragraph II.D of the Order is overly broad and arguably prohibits the AGO from recommending a model contract or even a checklist for issues that contracts should address that may be helpful to members and those hiring them. Paragraph II.D prohibits the inclusion of compensation terms, including fees or other forms of compensation, but does not prohibit a checklist unrelated to compensation guidelines, recommendations, schedules, or related methods.

It assists the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues. Thank you for your interest in this matter.

By direction of the Commission.

Donald S. Clark  
Secretary



UNITED STATES OF AMERICA  
Federal Trade Commission  
WASHINGTON, D.C. 20580

Office of the Secretary

May 26, 2017

Dobbs  
State of Illinois

Re: In the Matter of the American Guild of Organists, Docket No. C-4617

Thank you for the comment you submitted in connection with the Commission's proposed Complaint and Decision and Order in In the Matter of the American Guild of Organists ("AGO"). The Commission received eight comments, including yours, during the public comment period, expressing a variety of viewpoints on the proposed Decision and Order. This letter responds to the concerns you raised.

After careful review of all comments, the Commission has determined that the public interest is served by issuing the Decision and Order in final form. The Commission placed all comments on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. §4.9(b)(6)(ii). Other relevant materials, including a copy of the final Decision and Order, are available from the Commission's website at: <http://www.ftc.gov>.

Your comment disputed the AGO's acts and practices had restrained competition unreasonably or injured consumers. You said that the purpose of the AGO's practices was to protect organists and assist them in making a living wage. The evidence and analysis in this matter, however, gave the Commission reason to believe that the purpose, effect, tendency, or capacity of the AGO policies and practices restrained competition unreasonably and injured



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Federal Trade Commission  
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May 26, 2017

Dr. Gregory Hamilton  
State of Texas

Re: In the Matter of the American Guild of Organists, Docket No. C-4617

Dear Dr. Hamilton,



UNITED STATES OF AMERICA  
**Federal Trade Commission**  
WASHINGTON, D.C. 20580



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Federal Trade Commission  
WASHINGTON, D.C. 20580

May 26, 2017

Mr. William Peek  
State of New York

Re: In the Matter of the American Guild of Organists, Docket No. C-4617

Dear Mr. Peek,

Thank you for the comment you submitted in connection with the Commission's proposed Complaint and Decision and Order in In the Matter of the American Guild of Organists ("AGO"). The Commission received eight comments, including yours, during the public comment period, expressing a variety of viewpoints on the proposed Decision and Order. This letter responds to the concerns you raised.

After careful review of all comments, the Commission has determined that the public interest is served by issuing the Decision and Order in final form. The Commission placed all comments on the public record pursuant to Rule 4.9(b)(6)(ii) of the Commission's Rules of Practice, 16 C.F.R. §4.9(b)(6)(ii). Other relevant materials, including a copy of the final Decision and Order, are available from the Commission's website at: <http://www.ftc.gov>.

In your comment, you expressed several concerns, including that the FTC had misunderstood and misinterpreted the intentions of the AGO; that the Commission's Decision and Order might extend to conduct of individual churches that employ organists; that salary scales and worksheets were helpful in educating those employing organists on the importance of qualifications; and that the AGO should not be viewed through a for-profit lens. The Commission's Order addresses only the AGO's conduct, not that of churches that employ organists. The Commission's Order does not interfere with the freedom of organists and churches to negotiate terms of employment, including compensation. It does not create a "legal right to demand access to the organ for an outside musician." It requires only that the AGO cease and desist from involvement in anticompetitive agreements and practices. The Commission's Order does not prohibit the AGO from engaging in efforts to educate those who might hire or employ organists regarding their qualifications and services, or educating AGO members about how to communicate on these issues. The Commission's focus is harm to competition and consumers, and it has jurisdiction over non-profit organizations like the AGO that operate for the pecuniary benefit of their members.

It assists the Commission's analysis to hear from a variety of sources in its work on antitrust and consumer protection issues. Thank you for your interest in this matter.

By direction of the Commission.

Donald S. Clark  
Secretary



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