

From: mford@cbtnet.com [<mailto:mford@cbtnet.com>]  
Sent: Monday, September 27, 2010 9:23 AM  
To: Comments  
Subject: FDIC Proposed Guidance on Overdraft Coverage

Mott Ford  
510 South mendenhall  
Memphis, TN 38117-4246

September 27, 2010

Comments to FDIC

Dear Comments to FDIC:

By electronic delivery to:  
[OverdraftComments@fdic.gov](mailto:OverdraftComments@fdic.gov)

Federal Deposit Insurance Corporation  
550 17th Street, NW  
Washington, DC 20429-9990

Re: Overdraft Payment Supervisory Guidance, FIL-47-2010, August 11, 2010

Dear Sir or Madame:

R. Molitor Ford, Jr.  
Vice Chairman/CEO  
Commercial Bank and Trust Company  
Paris, Tennessee

We are a \$600 million bank operating in four markets in west Tennessee. Our main office is in Paris, TN and we also operate in Union City, TN; Jackson, TN and Memphis, TN. Our bank was established in 1877 and continues to serve our communities with great pride and distinction.

I strongly oppose the FDIC's proposed guidance (FIL-47-2010) that addresses overdraft coverage programs. Simply put now is not the time to introduce further regulation targeted at overdraft coverage products. My bank has just implemented new requirements under Regulation DD (Truth in Savings) and Regulation E (Electronic Fund Transfers) at great expense and manpower. Having to rework our bank's deposit products and to accommodate a regulatory moving target does not help my bank serve its customers.

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My bank does not manipulate transaction processing to generate more fees and higher revenue. We have always paid checks per the check number and never the amount. It seems only fair to the customer and

the bank that we pay the checks based on the order in which they were written. Additionally, we have a \$5 grace amount where no fee will be charged if the account is overdrawn by this small amount. My bank is accountable to its community and its success is dependent on a mutually beneficially relationship with customers. If we engaged in "price-gouging" tactics, we COULD NOT do business in our community.

If the FDIC proceeds with adoption of the proposed guidance, please consider the following:

To specifically exempt ad hoc programs from this guidance. Ad hoc overdraft coverage is an extension of my bank's customer service and is based on our knowledge of the individual customer. Including ad hoc overdraft coverage in this guidance would damage the relationship between my bank and its customers.

The elimination of the requirement that banks monitor programs for excessive or chronic use (six overdrafts in a rolling twelve month period) and then contact the customer (in person or via telephone) to discuss less costly alternatives. This mandate would be extremely burdensome and operationally unworkable for my bank and would result in an excessive number of calls, causing us to either discontinue our overdraft coverage program, or to close the customer's account and return all payments.

To allow banks to charge a fee for returning items paid by check or ACH. Processing return items represent expense and employee attention and should not be provided free of charge.

I urge the FDIC to carefully consider this measure to ensure that the guidance does not impede my bank's ability to provide overdraft coverage services to my customers. If we are forced to abandon or significantly alter these services due to regulatory burden, the result could lead more consumers into becoming unbanked or relying on other products such as prepaid debit cards and check cashing services, which have higher fees and foster unsound financial practices.

Sincerely,

Mott Ford  
901 888-2265