



March 5, 2010

Marcia E. Asquith
Office of the Corporate Secretary
FINRA
1735 K Street, NW
Washington DC 20006-1506

Re: Proposed Consolidated FINRA Rules Governing FINRA's Membership Application Proceedings, Regulatory Notice 10-01

Dear Ms. Asquith:

ACI strongly supports the efforts to streamline the new and continuing membership application process. Please consider the below comments on the proposed changes.

Proposed FINRA Rule 1130 - Basis for Department Decision

FINRA Rule 1130 proposes to expand the circumstances when FINRA staff may impose a higher minimum net capital for an applicant regarding investment advisory business, but it does not provide any details regarding what those circumstances might be or the new minimum amounts. The proposal also permits FINRA staff to consider certain information regarding an applicant's affiliates without mention of any limitations. This proposal seems to provide FINRA with unlimited discretion without clear guidelines that could lead to inconsistencies.

Proposed FINRA Rule 1160 - Continuing Membership Application for Approval of Change in Ownership, Control, or Business Operations

The proposed rule increases from 30 days to 45 days the time frame for the Department of Member Regulation to issue a written decision on a CMA after the conclusion of the final CMA interview or a CMA applicant's final filing of additional information or documents, whichever is later. However, during the CMA process an applicant must provide requested information within 30 days. It seems the staff has extended itself the benefit of an extra 15 days without a reciprocal benefit to the applicant. If the staff avails itself of such a luxury, it should also be extended to the applicant.

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Proposed FINRA Rule 1160 – Business Operation Changes

The proposed rule expands the CMA filing requirement to include changes that “directly or indirectly” affect the ownership of the firm. FINRA, however, may waive the CMA if the change in ownership does not result in any “practical change” but the proposed rule does not define “practical change” nor does it indicate how such a waiver is to be obtained. The proposal in the current form may lead to member confusion and the application of a non-uniform standard.

Accounting and Compliance International (ACI) appreciates the opportunity to comment on the proposed Consolidated FINRA Rule Governing FINRA’s Membership Application proceedings pursuant to Regulatory Notice 10-01. Accounting and Compliance International is a premier provider of cost-effective financial industry consulting services. Based in the heart of Wall Street, ACI constantly strives to strike a balance between customer protection and market efficiency and is a proponent of rule proposals that streamline, simplify and clarify the compliance obligations of member firms and applicants. Our services include preparation of new member applications as well as 1017 applications (www.acisecure.com).

Please feel free to contact me at (212) 668-8700 or at rnummi@acisecure.com if you have any questions or would like to further discuss these comments. Thank you again for the opportunity to comment.

Sincerely,

A handwritten signature in black ink, appearing to read 'R. Nummi', with a long horizontal line extending to the right.

Richard M. Nummi
Executive Consultant