

I would like to comment on section c of rule 3070. It was always very clear what a complaint was, but with the addition of section c I no longer understand the benefit of gathering data every quarter each time a client might put in an email that their dividend check was late or they didn't receive a statement (yes we have been told by regulators that those are complaints). Now with the use of email almost everything is in writing rather than via a phone call. Each time a client says I'm not happy with my performance or why is this stock down we are being forced to gather all of this data and file it and if we don't happen to catch every instance and the examiners find an email during their review we get a mark against us for not filing it as a complaint.

We take true "complaints" very seriously, but I think this requirement dilutes the importance of responding to and filing true complaints. There is a disconnect between what has always been defined as a complaint versus what is considered a complaint today. It also becomes very difficult to keep reminding staff that they have to forward every email to compliance that may make one negative comment about something.

Given current market conditions there are very few happy clients so most email correspondence is about their concerns over their portfolios and I know the importance of dealing with each one of these requests. What I don't understand is the benefit of spending additional time compiling all of this data and making the quarterly filings. Maybe it would help to know exactly what is done with this data and how it is benefiting the industry.

Thank you,

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