

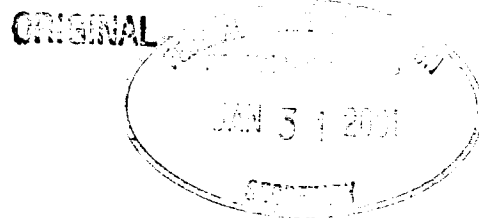
metris

COMPANIES

Metris Companies Inc.
10900 Wayzata Boulevard
Minnetonka, MN 55305

Phone 952 525-5020
Fax 952 593-4891

January 30, 2001



Secretary
Federal Trade Commission
Room H-159
600 Pennsylvania Avenue, N.W.
Washington, DC 20580

Re: Proposed interpretations under the Fair Credit Reporting Act, as published in the Federal Register on December 22, 2000 ____

To Agency Staff:

This letter provides comments by Metris Companies Inc. ("Metris") on the proposed guidance posted by the Federal Trade Commission concerning the Fair Credit Reporting Act, as published in December 2000. Metris has several subsidiaries which would be affected by this proposal.

Metris appreciates the opportunity to comment on this issue. We thank the FTC and all of the agencies for their concerted effort to standardize the various regulations through which we must conduct business. Anything less makes our task more confusing, difficult, worrisome and overall more expensive for the consumer to ultimately bear.

Our first recommendation concerns the joint proposal's request for comments on whether the inclusion of examples in the final regulation are appropriate and/or useful. We believe inclusion of examples in the guidance or as exhibits or attachments are extremely helpful, and appreciate their inclusion. Such items provide us with a vision of protocol from our regulator which assists us in developing our policies, procedures and training for our institutions, as well as providing a "best" or "recommended" practice in the industry. We recommend that the final guidance note that such examples are not exclusive methods of compliance.


Our second comment concerns the effective date of the proposed guidance. We urge the FTC to allow ample time for institutions to implement these new requirements. The guidance is still outstanding, and the industry is still in the process of trying to finalize plans to meet the other Gramm Leach Bliley Title V requirements and regulations. We strongly encourage the FTC to set the effective date at least one year from the date the final guidance is published.

Our third comment concerns the definition of "reasonable means" to opt out. We believe the proposed regulations set a higher standard for those persons who elect to receive their notices electronically versus those who receive them in another media. See section 6(b)(3), which guides the institution to allow a consumer 30 days to opt out after the institution receives confirmation of the consumer's receipt of the opt

out notice. Such rule not only gives those consumers more rights than other consumers, it could prove to be difficult to track and implement if the user does not open e-mail, or abandons his/her account, etc. Such requirements are not indicated in the guidance for institutions delivering notice via U.S. Mail. By definition elsewhere in the proposed guidance, consumers who receive disclosures electronically have already agreed to receive them in that media, with no further need for receipt's, etc. We urge the FTC to implement a standard for all consumers, as indicated in the Privacy rules.

Again, we appreciate the opportunity to comment on the proposed guidance, as well your effort in creating a standardized playing field in the industry. If you have any questions or comments, please do not hesitate to contact me at (952) 358-4194.

Sincerely,

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

Pamela O. Lindula
Attorney