



*Filed By Email [e-ORI@dol.gov](mailto:e-ORI@dol.gov)*

July 24, 2015

Office of Regulations and Interpretations  
Employee Benefits Security Administration  
Attn: Conflict of Interest Rule Hearing  
Room N-5655  
U.S. Department of Labor  
200 Constitution Avenue, NW  
Washington, DC 20210

**Re: Conflict of Interest Rule Hearing**

Dear Sir or Madam:

The SPARK Institute, Inc.<sup>1</sup> respectfully requests the opportunity to testify at the “Conflict of Interest Rule Hearing” to be held on August 10-13, 2015.

*Name of Witness:* Tim Rouse, Executive Director

*Organization Represented:* The SPARK Institute

*Contact Information:*

9 Phelps Lane

Simsbury, CT 06070

(508) 838-1919

[tim@sparkinstitute.org](mailto:tim@sparkinstitute.org)

The SPARK Institute submitted a comment letter on the proposal dated July 21.

Below is an outline of our testimony:

- Recommended changes and requested clarifications related to the definition of fiduciary
- Recommended changes to the proposed carve-outs:
  - Investment education carve-out
  - Seller’s carve-out
  - Platform provider carve-out

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<sup>1</sup> The SPARK Institute represents the interests of a broad-based cross section of retirement plan service providers and investment managers, including banks, mutual fund companies, insurance companies, third-party administrators, trade clearing firms, and benefits consultants. Collectively, our members serve approximately 70 million employer-sponsored plan participants.

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- Selection and monitoring carve-out
- Unworkability of the Best Interest Contract Exemption for service providers
- Effective date

If you have any need of further information in advance of the hearing, please contact me or the SPARK Institute's outside counsel, Michael Hadley, Davis & Harman LLP ([mlhadley@davis-harman.com](mailto:mlhadley@davis-harman.com) or 202-347-2210). (Mr. Hadley will join me at the hearing to assist with any technical questions.)

Sincerely,

A handwritten signature in black ink, appearing to read "Tim Rouse". The signature is fluid and cursive, with a prominent loop at the end.

Tim Rouse  
Executive Director