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ARTHUR F. BELL, JR. & ASSOCIATES, L.L.C.

COMMENT

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December 5, 2000

Ms. Jean A. Webb  
Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

Re: Extension of Time to File Annual Reports for Commodity Pools;  
Federal Register: November 7, 2000 (Volume 65, Number 216)

Dear Ms. Webb,

Arthur F. Bell, Jr. & Associates, L.L.C. is pleased to have this opportunity to respond to the Commodity Futures Trading Commission's (CFTC's or Commission's) request for comments on proposed rules set forth in the Federal Register regarding Extension of Time to File Annual Reports for Commodity Pools.

Arthur F. Bell, Jr. & Associates, L.L.C. is a Certified Public Accounting firm serving the futures industry for approximately twenty years. The firm has over two hundred clients involved in derivative and equity trading as Commodity Trading Advisors (CTAs), Commodity Pool Operators (CPOs), Futures Commission Merchants (FCMs), Introducing Brokers (IBs), Registered Investment Advisers (RIAs) and similar capacities. Members of the firm are involved in numerous industry committees, and Mr. Bell is a member and former Director of the Managed Funds Association (MFA), a member of MFA Government Relations Committee, Futures Industry Association (FIA), National Futures Association (NFA) Special Committee, the CFTC Global Markets Advisory Committee, the UK Pension Research Accounting Group, Advisory Panel of Futures Industry Law Letter and various other similar industry groups. Mr. Bell is also on the Editorial Advisory Board of *Futures Industry Magazine* and on the Board of Editors for the *Futures and Derivatives Law Report*. The firm's experience and industry involvement are the basis for substantial interest in the proposed rules.

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We strongly support the Commission's proposal of a standardized process for Commodity Pool Operators (CPO's) to file an extension of time to file the pool's Annual Report where the pool is invested in other collective investment vehicles. We applaud the Commission for timely responding to this industry situation which has seen a dramatic increase in the number of extensions requested by commodity pools in recent years. However, we are aware of certain instances where the CPO's of commodity pools that invest in other collective investment vehicles ("fund of funds") historically have not been able to obtain the information necessary for their independent public accountant to finish auditing the pools' financial statements by the maximum time specified by the proposed rules of 150 calendar days after the end of the pool's fiscal year. Accordingly, we encourage the Commission to elaborate, in the Supplementary section of the final Federal Register release, on the procedure to be followed by CPO's who operate fund of funds who are unable to file the pool's Annual Report within 150 calendar days after the end of the pool's fiscal year.

Thank you for considering our comments. If you have any questions or would like to discuss them with us, please call Arthur F. Bell, Jr. or Ross A. Ellberg at (410) 821-8000.

Sincerely,

*Arthur F. Bell, Jr. & Associates, L.L.C.*  
Arthur F. Bell, Jr. & Associates, L.L.C.

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