

August 27, 2026

The Honorable Andrew N. Ferguson
Chairman
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 20580

**Re: Request for Extension of Comment Period for Proposed Enforcement Policy
Statement Regarding Personalized Pricing (FTC-2026-1057)**

Dear Chairman Ferguson:

On behalf of the Retail Industry Leaders Association (RILA), National Retail Federation (NRF), National Association of Convenience Stores (NACS), National Grocers Association (NGA) and FMI – The Food Industry Association, we respectfully request that the Federal Trade Commission extend the current September 18, 2026, comment deadline for its Proposed Enforcement Policy Statement Regarding Personalized Pricing (FTC-2026-1057) by 60 days to November 17, 2026. The proposed statement raises significant legal, operational, and policy considerations that warrant careful evaluation and a meaningful opportunity for affected stakeholders to provide informed input.

The retail industry is one of the nation's most significant economic engines, supporting more than one in four American jobs and contributing over \$5 trillion annually to the U.S. economy. With a footprint that spans millions of workers, retailers operate hundreds of thousands of stores, distribution centers, and fulfillment facilities nationwide.

The proposed policy statement addresses a rapidly evolving area involving consumer protection, pricing practices, data governance, technology, and disclosure obligations. As drafted, the proposal has implications for a broad range of retail business operations and longstanding business practices, including customer engagement, loyalty and rewards programs, data management, marketing, compliance programs, and emerging technologies that retailers use to serve consumers and compete in an intensely competitive marketplace. Retailers are committed to providing the Commission with constructive and substantive feedback regarding these issues.

The current 30-day comment period is particularly abbreviated given the significance of the enforcement policy under consideration. The Commission itself has recognized the value of additional time where necessary to obtain meaningful stakeholder input. Earlier this year, for example, the Commission and the Department of Justice extended the comment period regarding potential guidance on competitor collaboration specifically to give

stakeholders additional time to provide “fulsome input.” The same considerations support additional time here, where the proposed statement is intended to put businesses on notice regarding the Commission’s enforcement position and the Commission has stated that it intends to enforce the law aggressively in this area.

Meaningful participation in this proceeding will require extensive consultation across numerous functions within affected companies, including legal, compliance, privacy, technology, operations, marketing, pricing, and consumer affairs personnel. The process will also require input from individual businesses, including competing retailers, making it essential that all outreach and feedback activities are conducted in strict accordance with applicable antitrust laws, statutes, and compliance standards. Given the breadth and complexity of the issues presented, the current 30-day comment period does not provide sufficient time to develop the comprehensive and informed feedback necessary to assist the Commission in its deliberations.

An additional 60 days would allow stakeholders to assess the proposed statement carefully, consult appropriate subject-matter experts, and provide the Commission with detailed information regarding potential legal, operational, and consumer impacts. Additional time would ensure that the Commission receives the robust and well-developed record appropriate for a policy statement addressing issues of significant importance to consumers, businesses, and the broader marketplace.

The undersigned therefore respectfully request that the Commission extend the current September 18, 2026, comment deadline by an additional 60 days to November 17, 2026. We appreciate the Commission’s consideration of this request.

Thank you for your consideration of this request.

Respectfully submitted,

Retail Industry Leaders Association (RILA)

National Retail Federation (NRF)

National Association of Convenience Stores (NACS)

National Grocers Association (NGA)

FMI – The Food Industry Association