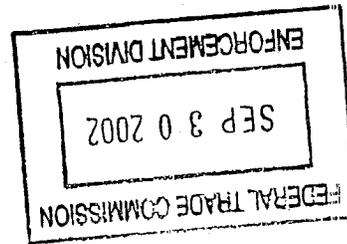


Federal Trade Commission  
Comments: Conoco/Phillips merger  
601 Pennsylvania ave. NW, Rm.2410  
Washington D.C.



September 27, 2002

Dear F.T.C.

My name is Ken Moser. I am the retail manager for Dal Soglio Inc. in Midvale Utah. We are one of the top five Phillips Marketers in this area. We own two Phillips stations and supply a dozen more, so we looked at this merger a little different than some. The people I supply are single station owners and do not have any other income.

When this merger was announced we were all excited here because we all thought finally we would be strong enough and have the backing to be able to compete against the likes of Chevron, Hypermarkets and the big box retailers. Little did we know we would get put out on an island out here and left to slowly die.

The sale of the Woods Cross refinery is not needed and as one marketer said, "California refineries spill more gas in one day than we will ever sell." What does not make sense to me is how can we compete with only a 10-year deal. And with Chevron/Texaco bringing Texaco back in two years, competing with Conoco/Phillips and their hypermarkets that are constantly selling several cents below cost, and expecting the new buyer to be able to have deep enough pockets to compete. The dealers that I work with daily are not asking for a hand out they just want a fair playing field. As of today it is not even close. I have personally been in this business for over twenty years and cannot remember any other time when the margins have been this bad for this long.

I have not talked to any one from the FTC nor has anyone contacted my company. I think for a decision as important as this and one that will most likely put a lot of people out of work, you would come to Utah and see how this would affect us. It is typical of Washington Bureaucrats to sit back in their big offices and tell us what is best for us. At least have the common courtesy to fly out and take a look around the state and talk with a few of us that it is going to affect the most.

What happens when a couple of months or years after the sale, the new smaller company cannot afford too continue to support and or compete with the other major brand. (Because nobody will enforce the below cost selling law a.k.a. predatory pricing) Then Chevron/Texaco or Conoco/Phillips would have a monopoly because no one would be left to compete with them. That is just what they would like to see. You are not helping competition- you are eliminating it! This sale will eventually have the opposite effect it is intended to have.

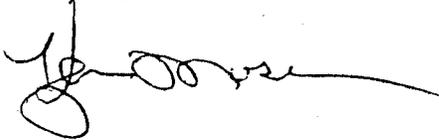
Vertical stamp on the right side of the page, partially legible, containing the word "INFORMATION".

Myself along with many other marketers/dealers, are only asking for you to look at this honestly and sincerely and be completely informed. We would like the opportunity to present our concerns. We would be happy to fly back to Washington D.C. to voice our concerns. I do not think that is asking too much, considering that you are attempting to make a decision that will affect the future of my children and grandchildren.

Our Attorney General made promises to all of us at a petroleum marketers meeting stating that if we all voted for him he would enforce the law on below cost selling. As it turns out he was elected and he has not done one thing to help. He has turned out to be sadly, like most politicians and only cared about being elected then re-elected, instead of serving the people whether or not the law is popular. I am hoping you are sincerely trying to do the right thing not just the popular thing, as your decision will affect many, many lives.

Please let me know if there is any way I can help you make a more informed decision. I am looking forward to hearing from you.

Sincerely,



Ken Moser  
Retail Manager  
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801-205-4764