October 24, 2003

Mr. Robert Herz
Chairman, Financial Accounting Standards Board
401 Merritt 7, P.O. Box 5116
Norwalk, CT 06856-5116

Dear Chairman Herz:

I am the CFO of a mid-sized non-public construction company and would like to voice my concern regarding the potential effects of FAS 150 which dictates that future planned stock retirements, such as those covered by typical owner buy-sell agreements, be treated as liabilities on the balance sheet.

The construction industry is largely comprised of privately held companies that also have to compete with large publicly traded companies. However, in order to effectively compete, these non-public companies must rely on buy-sell agreements to maintain continuity of ownership and to establish a "market" for their shares. Without such a market, most people including employees would not buy shares in a closely held company, and without the ability to transfer shares, the privately held construction company's future viability is at risk.

In addition, this ruling will have a severe negative impact on financial ratios used by our bank, bonding company, and potential customers to assess our creditworthiness. The end result of FAS 150 will be to potentially place our loan agreements and surety bonds in default of these requirements, without any underlying change in our financial position. Our company has been very successful and we enjoy a strong balance sheet that will allow us to survive these changes. However, many privately held contractors will be considered in default of their loans and/or surety bonds based on FAS 150 potentially causing them to go out of business.

In conclusion, I believe that privately held concerns should be exempt from FAS 150. A more reasonable but effective alternative would be full disclosure of buy-sell redemption agreements on financial statements. We would very much appreciate your help in providing some relief on this matter.

Sincerely,

Steven Ehrlich