



FEDERAL ELECTION COMMISSION
WASHINGTON, D.C. 20463

RQ-2

January 4, 2013

JOSEPH P. DWYER, TREASURER
ASPLUNDH TREE EXPERT CO POLITICAL
ACTION COMMITTEE (ATE PAC)
BLAIR MILL ROAD
WILLOW GROVE, PA 19090

Response Due Date
02/08/2013

IDENTIFICATION NUMBER: C00177741

REFERENCE: JULY QUARTERLY REPORT (04/01/2012 - 06/30/2012)

Dear Treasurer:

This letter is prompted by the Commission's preliminary review of the report(s) referenced above. This notice requests information essential to full public disclosure of your federal election campaign finances. **Failure to adequately respond by the response date noted above could result in an audit or enforcement action.** Additional information is needed for the following 1 item(s):

- Schedule B of your report (see attached) discloses one or more contributions which appear to exceed the limits set forth in the Act. Please be advised that contributions to Presidential candidates are governed by specific regulations. All Presidential primary elections held during an election year are considered one election for the purpose of the contribution limits. Therefore, a multicandidate committee may give only \$5,000 to a Presidential candidate's primary election campaign, regardless of how many separate state Presidential primaries the candidate participates in, while a non-multicandidate may give only \$2,500. (11 CFR §§110.1(j)(1) and 110.2(i)(1))

In addition, please note that general election contributions to Presidential campaigns are not permitted if the candidate receives public funds. (An exception: Political committees may contribute to a publicly funded Presidential nominee's "compliance fund." A compliance fund is used solely for legal and accounting expenses incurred in complying with the election law. Gifts to compliance funds are considered contributions and are subject to usual per-candidate, per-election limits.) (11 CFR §9003.3(a))

If any apparently excessive contribution in question was incompletely or incorrectly disclosed, you should amend your original report with clarifying information.

ASPLUNDH TREE EXPERT CO POLITICAL ACTION COMMITTEE (ATE PAC)

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If you have made an excessive contribution, you must notify the recipient and request a refund of the excessive amount. The refund of the excessive amount must be made within sixty (60) days of receipt of the contribution. (11 CFR §103.3(b)(1) and (3))

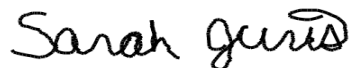
Please inform the Commission of your corrective action immediately in writing and provide a photocopy of the refund request. In addition, any refunds should be disclosed on Schedule A supporting Line 16 of the report covering the period during which they are received.

Although the Commission may take further legal action concerning the excessive contribution(s), prompt action in obtaining a refund will be taken into consideration.

Please note, you will not receive an additional notice from the Commission on this matter. Adequate responses must be received by the Commission on or before the due date noted above to be taken into consideration in determining whether audit action will be initiated. Failure to comply with the provisions of the Act may also result in an enforcement action against the committee. Any response submitted by your committee will be placed on the public record and will be considered by the Commission prior to taking enforcement action. **Requests for extensions of time in which to respond will not be considered.**

Electronic filers must file amendments (to include statements, designations and reports) in an electronic format and must submit an amended report in its entirety, rather than just those portions of the report that are being amended. If you should have any questions regarding this matter or wish to verify the adequacy of your response, please contact me on our toll-free number (800) 424-9530 (at the prompt press 5 to reach the Reports Analysis Division) or my local number (202) 694-1175.

Sincerely,



Sarah Juris
Campaign Finance Analyst
Reports Analysis Division

Excessive, Prohibited, and Impermissible Contributions
Asplundh Tree Expert Co Political Action Committee (ATE PAC) (C00177741)

Excessive Contributions to a Candidate Committee

Recipient Name	Date	Amount	Election	Report
ROMNEY FOR PRESIDENT INC.	6/27/12	\$5,000.00	G2012	2012 July Quarterly
ROMNEY FOR PRESIDENT INC.	6/27/12	\$5,000.00	*G2012	2012 July Quarterly

*Schedule B of your report discloses this contribution as designated to the 2012 Primary election; however, the purpose field indicates "GENERAL" election. Therefore, this contribution could be excessive. Please clarify this discrepancy.