September 25, 2026

Submitted via Regulations.gov
The Honorable Commissioners of the Federal Trade Commission
Federal Trade Commission
600 Pennsylvania Avenue, NW
Washington, DC 2058

Re: Docket #: FTC-2026-1057

The National Consumer Law Center (on behalf of its low-income clients) submits these comments in response to the Federal Trade Commission (FTC) request for comments regarding its Proposed Enforcement Policy Statement Regarding Personalized Pricing.

The FTC Should Specify that its Personalized Pricing Policy Statement Applies to Debt Collection Discounts and Settlement Offers.

When attempting to collect a delinquent account, debt collectors often offer consumers discounts on the face value of the alleged debt. Increasingly, debt collectors are using artificial intelligence or analytics to determine the amount and terms of the discount or settlement offer based on information about that consumer.[1] This creates personalized pricing for consumers contacted by debt collectors.

Consumers do not choose the debt collection company that contacts them, and they do not have the ability to shop around for a better discount or settlement offer from another company. As a result, it is particularly important that they know that the discount or settlement offer that they receive is not the same one that every other consumer receives and to understand what factors contributed to the amount that they were charged. Without this information, the consumer may not understand that it may be possible to negotiate a better discount or settlement offer. Similarly, they would be unable to challenge pricing based on erroneous information that was used to create the debt collector's discount or settlement offer.

Thus, we urge the FTC to apply the same scrutiny to debt collectors offering discounts and settlement offers that it applies to retailers and to clarify this in its policy statement.

If you have any questions about these comments, please contact April Kuehnhoff at akuehnhoff@nclc.org.

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[1] *See, e.g.,* National Consumer Law Center, Fair Debt Collection 1.5.5 (11th ed. 2026), updated at www.nclc.org/library; Mike Gibbs, AccountsRecovery.net, FTC Puts Businesses on Notice Over Personalized Pricing, Opens Comment Period (Aug. 22, 2026), https://www.accountsrecovery.net/2026/08/20/ftc-puts-businesses-on-notice-over-personalized-pricing-opens-comment-period/ (noting that discounts and settlements "are increasingly being made using algorithms and artificial intelligence" by the "servicing and collection industry); Noelle Robillard, How TrueAccord Embraces Machine Learning to Create Positive Consumer Experiences in Debt Collection (TrueAccord, Dec. 23, 2021) ("we have machine learning models that determine the best combination of discount and length of payment plans to offer to each consumer").