IV

For the foregoing reasons, the NRC staff has concluded that the use of the two demonstration assemblies in the TMI–1 reactor during Cycles 11, 12, and 13 will not present an undue risk to public health and safety and is consistent with the common defense and security. The NRC staff has determined that there are special circumstances present as specified in 10 CFR 50.12(a)(2)(ii) such that application of 10 CFR 50.46, 10 CFR Part 50, Appendix K, and 10 CFR 50.44 to explicitly consider the advanced clad fuel rods present within the two demonstration assemblies is not necessary in order to achieve the underlying purpose of these regulations.

Accordingly, the Commisslon has determined that pursuant to 10 CFR 50.12, an exemption is authorized by law and will not endanger life or property or common defense and security and is otherwise in the public interest, and hereby grants GPU Nuclear Corporation an exemption from the requirements of 10 CFR 50.44, 10 CFR 50.46, and Appendix K to 10 CFR Part 50 in that explicit consideration of the advanced zirconium-based clad fuel present within the two demonstration assemblies is not required in order to be in compliance with these regulations. This exemption applies only to the two demonstration assemblies for the time period (Cycles 11, 12, and 13) for which these assemblies will be in the TMI–1 reactor core.

Pursuant to 10 CFR 51.32, the Commission has determined that the granting of this exemption will have no significant impact on the quality of the human environment (60 FR 34559).

This exemption is effective upon issuance.

Dated at Rockville, Maryland this 12th day of October 1995.

For the Nuclear Regulatory Commission.

Steven A. Varga,

Director, Division of Reactor Projects—I/II, Office of Nuclear Reactor Regulation.

[FR Doc. 95–25804 Filed 10–17–95; 8:45 am]

BILLING CODE 7590–01–P

PRESIDENT'S COUNCIL ON SUSTAINABLE DEVELOPMENT

The Tenth Meeting of the President's Council on Sustainable Development (PCSD) in Washington, DC

Summary: The President's Council on Sustainable Development, a partnership of industry, government, and environmental, labor, and Native American organizations, will convene its tenth meeting in Washington, DC.

The President's Council on Sustainable Development will review the final draft of the report to President Clinton. The report will encompass goals for achieving a sustainable future, indicators of progress, and policy recommendations for how to achieve sustainability. The Council will also discuss a recommended strategy for implementing sustainable development policy options and practices.

Dates/Times: Wednesday, 1 November 1995–3:00–5:00 p.m.

Place: U.S. Chamber of Commerce, 1615 H Street, NW., Washington, DC.

Status: Open to the Public/Public comments are welcome.

Contact: 202–408–5296.

Molly Harriss Olson,

Executive Director, President's Council on Sustainable Development.

[FR Doc. 95–25758 Filed 10–17–95; 8:45 am]

BILLING CODE 4310–10–M

POSTAL RATE COMMISSION

[Order No. 1083; Docket No. A96–1]

In the Matter of Burr, Nebraska, 68324–0128 (Robert Brandt, et al., Petitioners); Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. § 404(b)(5)

Issued October 13, 1995.

Before Commissioners: Edward J. Gleiman, Chairman; W.H. ''Trey'' LeBlanc III, Vice-Chairman; George W. Haley; H. Edward Quick, Jr.; Wayne A. Schley.

Docket Number: A96–1

Name of Affected Post Office: Burr, Nebraska 68324–0128.

Name(s) of Petitioner(s): Robert Brandt, *et al.*

Type of Determination: Consolidation.

Date of Filing of Appeal Papers: October 5, 1995.

Categories of Issues Apparently Raised:

1. Effect on postal services [39 U.S.C. § 404(b)(2)(C)].

2. Effect on the community [39 U.S.C. § 404(b)(2)(A)].

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above. Or, the Commission may find that the Postal Service's determination disposes of one or more of those issues.

The Postal Reorganization Act requires that the Commission issue its decision within 120 days from the date this appeal was filed (39 U.S.C. § 404(b)(5)). In the interest of expedition, in light of the 120-day decision schedule, the Commission may request the Postal Service to submit memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from the issuance of the request and the Postal Service shall serve a copy of its memoranda on the petitioners. The Postal Service may incorporate by reference in its briefs or motions, any arguments presented in memoranda it previously filed in this docket. If necessary, the Commission also may ask petitioners or the Postal Service for more information.

The Commission orders:

(a) The Postal Service shall file the record in this appeal by October 20, 1995.

(b) The Secretary of the Postal Rate Commission shall publish this Notice and Order and Procedural Schedule in the Federal Register.

By the Commission.

Margaret P. Crenshaw,

Secretary.

Appendix

October 5, 1995	Filing of Appeal letter.
October 13, 1995	Commission Notice and Order of Filing of Appeal.
October 30, 1995	Last day of filing of petitions to intervene [*see* 39 CFR § 3001.111(b)].
November 9, 1995	Petitioners' Participant Statement or Initial Brief [*see* 39 CFR 3001.115(a) and (b)].
November 29, 1995	Postal Service's Answering Brief [see 39 CFR 3001.115(c)].
December 14, 1995	Petitioners' Reply Brief should Petitioner choose to file one [*see* 39 CFR 3001.115(d)].

Appendix—Continued

December 21, 1995	Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR 3001.116].
February 2, 1996	Expiration of the Commission's 120-day decisional schedule [see 39 U.S.C. § 404(b)(5)].

[FR Doc. 95–25831 Filed 10–17–95; 8:45 am]

BILLING CODE 7710–FW–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–36360; File No. SR–NSCC–95–12]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Granting Temporary Approval of a Proposed Rule Change Limiting the Use of Letters of Credit To Collateralize Clearing Fund Contributions

October 11, 1995.

On August 21, 1995, the National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change (File No. SR–NSCC–95–12) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'').[1] Notice of the proposal was published in the Federal Register on September 8, 1995.[2] No comment letters were received. For the reasons discussed below, the Commission is approving the proposed rule change on a temporary basis through September 30, 1996.[3]

I. Description

NSCC's rule change modifies the amount of a member's required clearing fund deposit that may be collateralized by letters of credit. Specifically, the rule change increases the minimum cash contribution for any member that uses letters of credit from $50,000 to the greater of $50,000 or 10% of that member's required clearing fund deposit up to a maximum of $1,000,000. In addition, the rule change provides that only 70% of a member's required clearing fund deposit may be collateralized with letters of credit. The rule change also adds headings to the clearing fund formula section of NSCC's rules for purposes of clarity and includes other nonsubstantive drafting changes. The effect of the rule change is to increase the liquidity of the clearing fund and to limit NSCC's exposure to unusual risks resulting from the reliance on letters of credit.

When NSCC first filed this change, the impetus was to improve NSCC's liquidity resources by requiring additional deposits of cash and cash equivalents. Since that time, NSCC has obtained additional liquidity resources through a line of credit with a major New York clearinghouse bank. NSCC currently has a three hundred million dollar line of credit that can be used for liquidity purposes, and the letters of credit in the NSCC clearing fund are available as collateral for this line of credit.

II. Discussion

Section 17A(b)(3)(F) of the Act requires that a clearing agency's rules be designed to ensure the safeguarding of securities and funds in its custody or control or for which it is responsible and to protect investors and the public interest.[4] The Commission believes NSCC's proposal to limit the use of letters of credit to collateralize clearing fund obligations should make NSCC's clearing fund more liquid. A liquid clearing fund is necessary to ensure the safety and soundness of a clearing agency. Therefore, NSCC's proposal is consistent with the requirements under the Act with regard to NSCC's obligation to safeguard securities and funds and to protect the interests of investors and of the public.

Although letters of credit are a useful means of funding clearing agency guarantee deposits, their unrestricted use may present risks to clearing agencies. Because letters of credit reflect the issuer's promise to pay funds upon presentation of stipulated documents by the holder, a clearing agency holding letters of credit will be exposed to risk should the issuer refuse to honor its promise to pay. Furthermore, because under the Uniform Commercial Code the issuer may defer honoring a payment request until the close of business on the third banking day following receipt of the required documents, a clearing agency making a payment request either may have to await payment or may have to seek alternative short-term financing. This waiting period could reduce a clearing agency's liquidity and thereby could hinder its ability to meet its payment obligations on a timely basis.[5]

NSCC has experienced over a 200% increase in both cash and securities deposited as clearing fund collateral since the proposal first received temporary approval. Because cash and securities are generally more liquid than letters of credit, the enhanced level of such deposits should help to ensure the liquidity of the clearing fund in the event of a major member insolvency, catastrophic loss, or major settlement loss. By reducing the risk associated with the use of letters of credit, the proposal is consistent with NSCC's responsibilities under the Act to safeguard securities or funds in its custody or control and to protect investors and the public in general.

III. Conclusion

On the basis of the foregoing, the Commission finds that the proposal is consistent with the requirements of the Act and particularly with Section 17A(b)(3)(F) of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–NSCC–95–12) be and hereby is approved on a temporary basis through September 30, 1996.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

[1] 15 U.S.C. 78s(b0(1) (1988).

[2] Securities Exchange Act Release No. 36172 (August 31, 1995), 60 FR 46878.

[3] The proposed rule change was originally filed on October 27, 1989, and was approved temporarily through December 31, 1990. Securities Exchange Act Release No. 27664 (January 31, 1990), 55 FR 4297 [File No. SR–NSCC–89–16]. Subsequently, the Commission granted a number of extensions to the temporary approval to allow the Commission and NSCC sufficient time to review and assess the use of letters of credit as clearing fund collateral. Most recently, the Commission extended temporary approval through September 30, 1995. Securities Exchange Act Release No. 34745 (September 29, 1994), 59 FR 50949 [File No. SR–NSCC–94–18].

[4] 15 U.S.C. 78q–1(b)(3)(F) (1988).

[5] The Division of market Regulation (''Division'') is still concerned that 70% may be too high a percentage of a member's clearing fund deposit that may be collateralized with letters of credit. Consequently, the Division is continuing its review of the 70% concentration limit and its effect on NSCC's clearing fund.

[6] 17 CFR 200.30–3(a)(12) (1994).