assumed and the costs incurred by CG Life.

6. Applicants assert that the 1.25% mortality and expense risk charge to be assessed under the Existing Contracts and Future Contracts is/will be within the range of industry practice with respect to comparable annuity products. Applicants represent that this determination is based upon Applicants' analysis of publicly available information about similar industry products, taking into consideration such factors as: current charge levels; benefits provided; charge level guarantees; and guaranteed annuity rates. Applicants represent that CG Life will maintain at its home office, and make available to the Commission upon request, a memorandum detailing the methodology used in, and the results of, the Applicants' comparative survey.

7. Applicants acknowledge that the CDSC will likely be insufficient to cover all costs relating to the distribution of the Existing Contracts. To the extent distribution costs are not covered by the CDSC, CG Life will recover its distribution costs from the assets of the general account. Those assets may include that portion of the mortality and expense risk charge which is profit to CG Life. Applicants represent that CG Life has concluded that there is a reasonable likelihood that the distribution financing arrangement proposed under the Existing Contracts and Future Contracts will benefit the Variable Account, the Future Accounts, Contract owners, and Future Contract owners. The basis for this conclusion is set forth in a memorandum which will be maintained by CG Life at its home office and will be made available to the Commission upon request.

8. CG Life represents that the Variable Account and any Future Account will invest only in open-end management investment companies which undertake, in the event such companies should adopt a plan for financing distribution expenses pursuant to Rule 12b–1 of the 1940 Act, to have such plan formulated and approved by the company's board of directors/trustees, a majority of whom are not interested persons of any such company.

Conclusion

Applicants assert that for the reasons and upon the facts set forth above, the requested exemptions from Sections 26(a)(2)(C) and 27(c)(2) of the 1940 Act are necessary and appropriate in the public interest and consistent with the protection of investors and the purposes fairly intended by the policy and provisions of the 1940 Act.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12238 Filed 5–15–96; 8:45 am]

BILLING CODE 8010–01–M

[Release No. 34–37191; File No. SR–CTA/CQ–96–1]

Consolidated Tape Association; Order Granting Approval of Proposed Restatements and Amendments to the Restated Consolidated Tape Association Plan and the Consolidated Quotation Plan

May 9, 1996.

I. Introduction

On December 26, 1995, the Consolidated Tape Association (''CTA'') and Consolidated Quotation (''CQ'') Plan Participants filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') amendments to the Restated CTA Plan and CQ Plan pursuant to Rule 11Aa3–2 of the Securities Exchange Act of 1934 (''Act''). Notice of the filing appeared in the Federal Register on January 25, 1996.[1] No comment letters were received in response to the Notice. For the reasons stated below, the Commission has determined to approve the filing.

II. Description

A. Overview of the Changes

The changes to the CQ and CTA Plans broaden ''concurrent uses'' of the CTA and CQ facilities, incorporate a number of housekeeping changes, and consolidate and reorganize the ''Financial Matters'' provisions of both plans. In an attempt to make the plans less legalistic, and therefore easier to read, the filing expands the use of definitions used throughout the plans, and deletes certain language that is almost two decades old and outdated. Furthermore, the amendments provide the Participants with greater flexibility in prescribing contract and other requirements for vendor and subscriber services, including the use of the Subscriber Addendum or such alternate requirements as the Participants may prescribe.

B. Second Restatement of the CTA Plan

The filing restates and amends the Restated CTA Plan.[2] The restatement (the ''Second Restatement of the CTA Plan'') incorporates into the Restated CTA Plan the 17 substantive amendments, and 16 charges amendments, to the Restated CTA Plan that the Commission has previously approved and incorporates the additional amendments submitted to the Commission.[3]

The amendments (1) revise the form of agreement[4] into which the Participants require vendors and certain end users to enter (the ''Consolidated Vendor Form'') and (2) introduce a form of addendum (the ''Subscriber Addendum'') that the Participants, under appropriate circumstances, will allow vendors to attach to, or to incorporate into, agreements with certain subscribers as a surrogate for the form of agreement that the participants currently require subscribers to execute.

C. Restated CQ Plan

The filing restates and amends the CQ Plan.[5] The restatement (the ''Restated CQ Plan'') incorporates into the CQ Plan the 21 substantive amendments, and 6 changes amendments, to the CQ Plan that the Commission has previously approved and incorporates the additional amendments submitted to the Commission.[6]

The Participants are also proposing to use the revised Consolidated Vendor Form and the Subscriber Addendum in connection with the Restated CQ Plan, in the same manner as in the proposed Second Restatement of the CTA Plan.

III. Discussion

The Commission has determined that the Second Restatement of the CTA Plan and the Restated CQ Plan are consistent with the Act. Rule 11Aa3–2(c)(2) under

[1] Securities Exchange Act Release No. 36725 (January 17, 1996), 61 FR 2321.

[2] The Commission declared the CTA Plan effective as of May 17, 1974. *See* Securities Exchange Act Release No. 10787 (May 10, 1974), 39 FR 17799. The Participants filed a restatement and amendment of that Plan (the ''Restated CTA Plan'') with the Commission on May 12, 1980. The Commission approved the Restated CTA Plan on July 16, 1980. *See* Securities Exchange Act Release No. 16983 (July 16, 1980) 45 FR 49414.

[3] A description of the amendments and a listing of the attachments were included in the Notice of Filing of Amendment (*see*, note 1 *supra*), and are incorporated by reference herein.

[4] The Participants submitted the version of the Consolidated Vendor Form currently in use to the Commission on October 12, 1989. The Commission published a notice of the effectiveness of the Consolidated Vendor Form on September 6, 1990. *See* Securities Exchange Act Release No. 28407 (September 6, 1990) 55 FR 37276.

[5] AMEX and NYSE submitted the version of the CQ Plan currently in effect to the Commission on July 25, 1978. The Commission granted permanent approval of that plan effective as of January 22, 1980. *See* Securities Exchange Act Release No. 16518 (January 22, 1980), 45 FR 6521.

[6] A description of the amendments and a listing of the attachments were included in the Notice of Filing of Amendment (*see*, note 1, *supra*), and are incorporated by reference herein.

the Act provides, *inter alia*, that the Commission approve an amendment to an effective National Market System plan if it finds that the amendment is necessary or appropriate in the public interest, for the protection of investors and maintenance of fair and orderly markets, to remove impediments to and perfect the mechanisms of a National Market System, or otherwise in furtherance of the purposes of the Act. In making such a determination, the Commission must examine Section 11A of the Act and rules promulgated thereunder. Rule 11Aa3–2(b) lists the requirements for filing or amending a national market system plan. The Commission has determined that the detailed description of the amendments, the rationale for the amendments, and plans for operation meet the requirements of Rule 11Aa3–2(b).

Furthermore, the amendments will remove impediments to and perfect the mechanisms of a National Market System by affording greater flexibility that changing technology is likely to require. Participants will retain greater flexibility in determining which vendors and subscribers need to enter into contracts to receive and use information and which terms and conditions apply.[7] The Commission expects that vendors and users of information will benefit from a more flexible agreement with the Participants, and in some instances will be relieved of additional contractual documents that today's practice requires.

The public's interest in availability of information will be met by the broadening of the scope of concurrent use information to include virtually all Participant securities (including bonds) and index information. Amending the language and format of the two plans to make them more closely comport with each other will result in drafting economies, and a more easily readable document.

IV. Conclusion

For the reasons discussed above, the Commission finds that the proposed amendments to the CTA and CQ Plans are consistent with the Act, and the Rules thereunder.

[7] The Commission notes that Section 11A of the Act establishes special fairness conditions for the dissemination of market information by exclusive securities information processors (''SIPs'') such as CTA and CQ. Limitations on access to services of exclusive SIPs must be consistent with the Act, must not discriminate unfairly, and must not place an inappropriate burden on competition. Section 11A requires any SIP that directly or indirectly prohibits or limits access to services offered by the SIP to immediately file notice thereof with the Commission. Such prohibition or limitation on access is subject to review by the Commission.

It is therefore ordered, pursuant to Section 11A of the Act, that the amendments to the CTA and CQ Plans be, and hereby are, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[8]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12237 Filed 5–15–96; 8:45 am]

BILLING CODE 8010–01–M

[File No. 500–1]

Comparator Systems Corp; Order of Suspension of Trading

It appears to the Securities and Exchange Commission that questions that have been raised about the adequacy and accuracy of publicly-disseminated information about Comparator Systems Corp. concerning, among other things, the assets recorded on its financial statements.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above listed company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the above listed company is suspended for the period from 9:30 a.m. EDT, May 14, 1996 through 11:59 p.m. EDT, on May 28, 1996.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96–12468 Filed 5–14–96; 2:46 pm]

BILLING CODE 8010–01–M

[Release No. 34–37187; File No. SR–CBOE–96–25]

Self-Regulatory Organizations; Chicago Board Options Exchange, Inc.; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change Relating to Members' Use of Blanket or Standing Assurances as to Stock Availability To Satisfy Their Affirmative Determination Requirements Under the Prompt Receipt and Delivery of Securities Interpretation When Effecting Short Sales

May 9, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''), 15 U.S.C. 78s(b)(1), notice is hereby given that on April 17, 1996, the Chicago Board Options Exchange, Inc. (''CBOE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'' or ''SEC'') the proposed rule change as described in Items I and II below, which Items have been prepared by the CBOE. This Order approves the proposed rule change on an accelerated basis and also solicits comments from interested persons.

[8] 17 CFR 200.30–3(a)(27).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to make certain changes to its rules relating to the requirement to make prior arrangements to borrow stock or to obtain other assurances that delivery can be made on settlement date before a member or person associated with a member may sell short. The text of the proposed rule change is available at the Office of the Secretary of the CBOE and at the Commission.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the CBOE included statements concerning the purpose of the basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. CBOE has prepared summaries, set forth in Section (A), (B), and (C) below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The purpose of this rule proposal is to amend an interpretation regarding the need to make prior arrangements to borrow stock, warrants, or other securities that trade subject to Chapter 30 of the Exchange's rules, or to otherwise ensure availability of the subject securities before engaging in short sales. Specifically, the Exchange proposes to amend the interpretation to provide that under certain circumstances members may rely on ''blanket'' or standing assurances (*e.g.*, daily fax sheets) as to stock availability to satisfy their affirmative determination requirements under the Interpretation.

On November 27, 1995, the Commission published a notice of filing an immediate effectiveness of a proposed rule change by the Exchange which adopted Interpretation .04 to Rule 30.20 (''Interpretation''), ''Long''