

supplement to the petition to intervene which must include a list of the contentions which are sought to be litigated in the matter. Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitioner shall provide a brief explanation of the bases of the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitioner must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitioner intends to rely to establish those facts or expert opinion. Petitioner must provide sufficient information to show that a genuine dispute exists with the applicant on a material issue of law or fact. Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitioner who fails to file such a supplement which satisfies these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing, including the opportunity to present evidence and cross-examine witnesses. Since the Commission has made a final determination that the amendment involves no significant hazards consideration, if a hearing is requested, it will not stay the effectiveness of the amendment. Any hearing held would take place while the amendment is in effect.

A request for a hearing or a petition for leave to intervene must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-001, Attention: Docketing and Services Branch, or may be delivered to the Commission's Public Document Room, the Gelman Building, 2120 L Street, NW., Washington, DC, by the above date. Where petitions are filed during the last 10 days of the notice period, it is requested that the petitioner promptly so inform the Commission by a toll-free telephone call to Western Union at 1-(800) 248-5100 (in Missouri 1-(800) 342-6700). The Western Union operator should be given Datagram Identification Number N1023 and the following message addressed to **(Project Director)**: petitioner's name and telephone number, date petition was mailed, plant name, and publication

date and page number of this **Federal Register** notice. A copy of the petition should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-001, and to the attorney for the licensee.

Nontimely filings of petitions for leave to intervene, amended petitions, supplemental petitions and/or requests for a hearing will not be entertained absent a determination by the Commission, the presiding officer or the Atomic Safety and Licensing Board that the petition and/or request should be granted based upon a balancing of the factors specified in 10 CFR 2.714(a)(1)(i)-(v) and 2.714(d).

Union Electric Company, Docket No. 50-483, Callaway Plant, Unit 1, Callaway County, Missouri

Date of application for amendment: April 1, 1997

Brief description of amendment: The amendment revises Technical Specification Table 3.3-3 to correct administrative errors associated with the start logic of the turbine driven auxiliary feedwater pump.

Date of issuance: April 2, 1997

Effective date: April 2, 1997

Amendment No.: 119

Facility Operating License No. NPF-30: The amendment revised the Technical Specifications. Public comments requested as to proposed no significant hazards consideration: No. The Commission's related evaluation of the amendment, finding of emergency circumstances, and final determination of no significant hazards consideration are contained in a Safety Evaluation dated April 2, 1997.

Attorney for licensee: Gerald Charnoff, Esq., Shaw, Pittman, Potts & Trowbridge, 2300 N Street, NW., Washington, DC 200379

Local Public Document Room location: Callaway County Public Library, 710 Court Street, Fulton, Missouri 65251.

NRC Project Director: William H. Bateman

Dated at Rockville, Maryland, this 16th day of April, 1997.

For the Nuclear Regulatory Commission
Jack W. Roe,

Director, Division of Reactor Projects III/IV, Office of Nuclear Reactor Regulation
[Doc. 97-10334 Filed 4-22-97; 8:45 am]

BILLING CODE 7590-01-F

SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application to Withdraw From Listing and Registration; (Donnelly Corporation, Class A Common Stock, \$0.10 Par Value) File No. 1-9716

April 17, 1997.

Donnelly Corporation ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the above specified security ("Security") from listing and registration on the American Stock Exchange, Inc. ("Amex" or "Exchange").

The reasons cited in the application for withdrawing the Security from listing and registration include the following:

The Company has complied with Rule 18 of the Amex by filing with such Exchange a certified copy of preambles and resolutions adopted by the Company's Board of Directors authorizing the withdrawal of its common stock from listing on the Amex and by setting forth in detail to such Exchange the reasons for such proposed withdrawal, and the facts in support thereof. The Company became listed for trading on the New York Stock Exchange, Inc. ("NYSE") pursuant to a Registration Statement on Form 8-A effective March 6, 1997.

In making the decision to withdraw its common stock from listing on the Amex, the Company considered: (a) that the Company believes that the NYSE will offer the Company's shareholders more liquidity over time than is presently available on the Amex; (b) that the Company believes that listing on the NYSE will offer greater visibility for the Company and its stock potential for greater institutional ownership; (c) that as the Company becomes an increasingly international company, it believes there will be advantages to having its stock listed on the NYSE, and (d) many of the companies which it regards as peers or leaders in its industry are listed on the NYSE.

Any interested person may, on or before May 8, 1997, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the exchanges and what terms, if any, should be imposed by the Commission for the protection of investors. The Commission, based on

the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

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

Jonathan G. Katz,

Secretary.

[FR Doc. 97-10436 Filed 4-22-97; 8:45 am]

BILLING CODE 8010-01-M

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-38520; File No. 4-208]

Intermarket Trading System; Notice of Filing of Proposed Twelfth Amendment to the ITS Plan Relating To Amending the Pre-Opening Application, Deleting Text That Is No Longer Applicable, and To Make Technical Amendments

April 17, 1997.

Pursuant to Rule 11Aa3-2 under the Securities Exchange Act of 1934 ("Act"), notice is hereby given that on January 31, 1997, the Intermarket Trading System ("ITS") submitted to the Securities and Exchange Commission ("Commission") an amendment ("Twelfth Amendment") to the restated ITS Plan.¹ The purpose of the amendment is to amend the Pre-Opening Application, to delete text that, by its terms, is no longer applicable, and to make several technical amendments to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

The ITS is a communications and order routing network linking eight national securities exchanges and the electronic over-the-counter ("OTC") market operated by the National Association of Securities Dealers, Inc. ("NASD"). The ITS was designed to facilitate intermarket trading in exchange-listed equity securities based on current quotation information emanating from the linked markets.

Participants to the ITS Plan include the American Stock Exchange, Inc. ("Amex"), the Boston Stock Exchange, Inc. ("BSE"), the Chicago Board Options Exchange, Inc. ("CBOE"), the Chicago Stock Exchange, Inc. ("CHX"), the Cincinnati Stock Exchange, Inc. ("CSE"), the NASD, the New York Stock Exchange, Inc. ("NYSE"), the Pacific

Stock Exchange, Inc. ("PSE"), and the Philadelphia Stock Exchange, Inc. ("PHLX").

I. Description of the Amendment

The purpose of the amendment is to trigger the use of the Pre-Opening whenever an "indication of interest" (i.e., an opening price range) is sent to the Consolidated Tape System ("CTS") prior to the opening or reopening of trading in a System security, to delete text that, by its terms, is no longer applicable, and to make technical revisions to update the rules. The amended language is as follows.

To cause Section 1(4) to read as follows:

(4) ("CAES") means the "Computer Assisted Execution System", the computerized order routing and execution facility, as from time to time modified or supplemented, that is operated by The Nasdaq Stock Market, Inc. ("Nasdaq"), a wholly-owned subsidiary of the NASD, and that is supervised and surveilled by the NASD and made available to NASD members by Nasdaq. CAES is not part of the System.

To cause Section 1(5) to read in full as follows:

(5) "CAES Supervisory Center" means the premises of Nasdaq at which is located the ITS supervisory station that monitors the ITS/CAES Third Market as described in section 5(a)(i).

To cause Section 1(11) to read in full as follows:

(11) "Exchange (Participant's) Market" means the floor(s) of an Exchange Participant, except that, in the case of the CSE, "Exchange (Participant's) Market" means in addition to the premises on which NSTS terminals are located, NSTS and ITS stations located in the NSTS Supervisory Center.

To cause Section 1(17) to read in full as follows:

(17) "ITS/CAES security (stock)" means a security (stock) (a) that is a System security, (b) that is a 19c-3 security and (c) as to which one or more ITS/CAES Market Makers are registered as such with the NASD for the purposes of the Applications. When used with reference to a particular ITS/CAES Market Maker, "ITS/CAES security" means any such security (stock) as to which the particular ITS/CAES Market Maker is so registered.

To delete Section 1(24):

(24) "NASD Pilot Phase." [Deleted]

To delete Section 1(27A):

(27A) "NSTS/ITS Automated Linkage Commencement Date." [Deleted]

To cause Section 5(b)(ii) to read in full as follows:

(ii) *Selection of System Securities.* The System is designed to accommodate trading in any Eligible Security in the case of Exchange Participants and, in the case of any ITS/CAES Market Maker, trading in the one or more ITS/CAES securities in which he is registered as such with the NASD for the purposes of the Applications. The particular securities that may be traded through the System at any time ("System securities") shall be selected by the Operating Committee. The Operating Committee may add or delete System securities as it deems appropriate and may delay the commencement of trading in any Eligible Security if capacity or other operational considerations shall require such delay. ITS/CAES securities may be traded by Exchange Participants and ITS/CAES Market Makers as provided in the ITS Plan and other System securities may be traded by Exchange Participants as provided in the ITS Plan.

To cause the first paragraph of Section 6(a)(i)(B) to read in full as follows:

(B) *Furnishing of Quotations.* As to each System security that is traded on its floor or otherwise in its Exchange Market, each Exchange Participant shall furnish, or cause to be furnished, to each "receiving Participant Market" as defined below, or to a person acting therefor, the current bid-asked quotation emanating from its trading floor or otherwise from its Exchange Market. The NASD, as to each ITS/CAES security, agrees to collect, or cause to be collected, from each ITS/CAES Market Maker registered as such with the NASD for the purposes of the Applications each current bid price and each current offer price as made by such ITS/CAES Market Maker, each such bid and offer to be accompanied by size. For each ITS/CAES security, the NASD or its agent (1) shall select the best bid price and the best offer price from the bid prices and offer prices so collected and (2) shall furnish, or cause to be furnished, to each Receiving Participant, or to a person acting therefor, such best bid price and best offer price, together with the sum of the sizes accompanying the bids and offers at the best bid price and best offer price (the "ITS/CAES BBO"). As to any System security, a Participant Market is a "receiving Participant Market" if (1) it is an Exchange Market in which the security is traded or (2) it is the ITS/CAES Third Market and the security is an ITS/CAES security in which one or more ITS/CAES Market Makers are registered as such with the NASD for the purposes of the Applications.

¹ The ITS is a National Market System ("NMS") plan approved by the Commission pursuant to Section 11A of the Act and Rule 11Aa3-2. Securities Exchange Act Release No. 19456 (January 27, 1993), 48 FR 4938.