(1) By commodity and put, call or combined option:
   (i) Total number of new contracts entered into during the reporting period;
   (ii) Total quantity of commodity underlying new contracts entered into during the reporting period;
   (iii) Total number of contracts outstanding at the end of the reporting period;
   (iv) Total quantity of underlying commodity outstanding under option contracts at the end of the reporting period;
   (v) Total premiums collected on options during the reporting period;
   (vi) The value of all fees, commissions, or other charges other than option premiums, collected on trade options during the reporting period;
   (vii) Total number of options exercised during the reporting period;
   (viii) Total quantity of commodity underlying the exercise of options during the reporting period.
(2) Total number of customers by commodity with open option contracts at the end of the reporting period.
(e) Special calls. Upon special call by the Commission for information relating to agricultural trade options offered or sold on the dates specified in the call, each agricultural trade option merchant shall furnish to the Commission within the time specified the following information as specified in the call:
   (1) All positions and transactions in agricultural trade options including information on the identity of agricultural trade option customers.
   (2) All positions and transactions for future delivery or options on contracts for future delivery or on physicals on all contract markets.
   (3) All positions and transactions in cash commodities, their products, and by-products.
   (f) Internal controls. (1) Each agricultural trade option merchant registered with the Commission shall prepare, maintain and preserve information relating to its written policies, procedures, or systems concerning the agricultural trade option merchant’s internal controls with respect to market risk, credit risk, and other risks created by the agricultural trade option merchant’s activities, including systems and policies for supervising, monitoring, reporting and reviewing trading activities in agricultural trade options; policies for hedging or managing risk created by trading activities in agricultural trade options; and policies relating to restrictions or limitations on trading activities.
   (2) The financial statements of the agricultural trade option merchant must on an annual basis be audited by a certified public accountant in accordance with generally accepted auditing standards.
   (3) The agricultural trade option merchant must file with the Commission a copy of its certified financial statements within 90 days after the close of the agricultural trade option merchant’s fiscal year.
   (4) The agricultural trade option merchant must perform a reconciliation of its books at least monthly.
(5) The agricultural trade option merchant:
   (i) Must report immediately if its net worth falls below the level prescribed in § 3.13 of this chapter, and must report within three days discovery of a material inadequacy in its financial statements by the independent public accountant or any state or federal agency performing an audit of its financial statements promptly to the Commission and National Futures Association by facsimile, telegraphic or other similar electronic notice; and
   (ii) Within five business days after giving such notice, the agricultural trade option merchant must file a written report with the Commission stating what steps have been taken or are being taken to correct the material inadequacy.
   (6) If the agricultural trade option merchant’s net worth falls below the level prescribed in § 3.13(c)(1) of this chapter, it must immediately cease offering or entering into new option transactions and must notify customers having premiums which the agricultural trade option merchant is holding under the Act that such customer can obtain an immediate refund of that premium amount, thereby closing the option position.
   (g) Exemption. (1) The provisions of this section shall not apply to a commodity option offered by a person which has a reasonable basis to believe that the option is offered to a producer, processor, or commercial user of, or a merchant handling, the commodity which is the subject of the commodity option transaction, or the products or by products thereof, and that such producer, processor, or commercial user or merchant is offered or enters into the commodity option transaction solely for purposes related to its business as such, and that both parties to the contract have a net worth of not less than 10 million dollars.
(2) Provided, however, that § 32.9 of this part continues to apply to such option transactions.

PART 33—REGULATION OF DOMESTIC EXCHANGE-TRADED COMMODITY OPTION TRANSACTIONS

7. The authority citation for part 33 continues to read as follows:

Authority: 7 U.S.C. 1a, 2, 4, 5, 6a, 6d, 6e, 6f, 6g, 6h, 6i, 6j, 6k, 6l, 6m, 6n, 6o, 7, 7a, 7b, 8, 9, 11, 12a, 13a, 13a–1, 13b, 19, and 21.

8. The first sentence of the introductory text of § 33.4 is proposed to be revised to read as follows:

§ 33.4 Designation as a contract market for the trading of commodity options.

The Commission may designate any board of trade located in the United States as a contract market for the trading of options on contracts of sale for future delivery or for options on physicals in any commodity regulated under the Act, where the applicant complies with and carries out the requirements of the Act (as provided in § 33.2), these regulations, and the following conditions and requirements with respect to the commodity option for which the designation is sought:

* * * * *

Issued this 29th day of October 1997, in Washington, DC, by the Commodity Futures Trading Commission.

Jean A. Webb,
Secretary of the Commission.

[FR Doc. 97–29037 Filed 11–3–97; 8:45 am]

BILLING CODE 6351–01–P

DEPARTMENT OF THE INTERIOR

Office of Surface Mining Reclamation and Enforcement

30 CFR Parts 707 and 874

RIN 1029–AB94

Enhancing Abandoned Mine Land (AML) Reclamation

AGENCY: Office of Surface Mining Reclamation and Enforcement, Interior.

ACTION: A advance notice of proposed rulemaking; notice of public meetings.

SUMMARY: The Office of Surface Mining Reclamation and Enforcement (OSM) is announcing times and locations of meetings open to the public to discuss its early draft of a proposal for adding to the reclamation of abandoned mine lands already being accomplished under Title IV of the Surface Mining Control and Reclamation Act of 1977 (SMCRA). OSM is seeking to involve the public in the development of a proposed rule...
miscellaneous changes to trademark trial and appeal board rules

agency: patent and trademark office.

action: proposed rule; notice of hearing and reopening of comment period.

summary: the patent and trademark office (pto) will hold a public hearing and reopen the comment period, on changes to certain rules and practices of the trademark trial and appeal board that were proposed in june of 1997 (62 fr 30802, june 5, 1997). interested members of the public are invited to testify at the public hearing and to submit written comments on these proposed changes.

dates: the public hearing will be held on wednesday, december 10, 1997, beginning at 9:00 a.m.

these wishing to present oral testimony at the hearing must request an opportunity to do so no later than tuesday, december 2, 1997.

speakers may provide a written copy of their testimony for inclusion in the record of the proceeding no later than tuesday, december 17, 1997.

written comments will be accepted by the pto until december 10, 1997.

written comments and transcripts of the hearing will be available for public inspection on or about wednesday, january 7, 1998.

addresses: the hearing will be held on wednesday, december 10, 1997, beginning at 9:00 a.m. in the commissioner's conference room, located on the 9th floor of crystal park 2, 2121 crystal drive, arlington, virginia 22202.

requests to testify should be sent to elen seeherman by telephone at (703) 308-9300, ext. 206, by facsimile transmission at (703) 308-9333, or by mail marked to her attention and addressed to assistant commissioner for trademarks, box ttab–no fee, 2900 crystal drive, arlington, virginia 22202–3513.

written comments may be sent by mail addressed to assistant commissioner for trademarks, box ttab–no fee, 2900 crystal drive, arlington, virginia 22202–3513, marked to the attention of elen j. seeherman.

written comments may also be sent by facsimile transmission to (703) 308–9333, marked to the attention of elen j. seeherman.

written comments and transcripts of the hearing will be maintained for public inspection in suite 900, on the 9th floor of the south tower building, 2900 crystal drive, arlington, virginia 22202–3513.

further information contact: elen j. seeherman, administrative trademark judge, trademark trial and appeal board, by telephone at (703) 308–9300, ext. 206, or by mail marked to her attention and addressed to assistant commissioner for trademarks, box ttab–no fee, 2900 crystal drive, arlington, virginia 22202–3513 or by facsimile transmission marked to her attention and sent to (703) 308–9333.

supplementary information: a notice of proposed rulemaking to amend certain rules governing practice before the trademark trial and appeal board was published in the federal register on june 5, 1997 (62 fr 30802) and in the official gazette on june 24, 1997 (119 tmog 88). a number of the comments made in response to that notice suggested that a public hearing be held on the proposed rules changes. accordingly, the pto has decided to hold a public hearing on the proposed rules changes on december 10, 1997.

moreover, some trade organizations expressed the concern that, because the comment period occurred during the summer months, some practitioners and other interested parties and entities were not aware of the proposed amendments. accordingly, the pto has decided to reopen the comment period. all comments previously submitted will be considered together with any additional written comments which are submitted by december 10, 1997.

it should be noted that, in view of the comments already received, the pto has determined that it will not adopt the proposed changes to sections 2.120(d) and 2.120(h) regarding limiting the number of requests for production of documents and the requests for admission which may be served.