

SR-NYSE-98-44 and should be submitted by January 20, 1999.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>4</sup>

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 98-34514 Filed 12-29-98; 8:45 am]  
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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-40817; File No. SR-PCX-98-54]

### Self-Regulatory Organizations; Pacific Exchange, Inc.; Order Granting Approval to Proposed Rule Change Relating to Extension of PCX Specialist Evaluation Program for One Year

December 21, 1998.

#### I. Introduction

On November 2, 1998, the Pacific Exchange, Inc. ("PCX" or "Exchange") submitted to the Securities and Exchange Commission ("Commission" or "SEC"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to extend its specialist evaluation pilot program for an additional year, to January 1, 2000. The Commission published the proposed rule change for comment in the **Federal Register** on November 19, 1998.<sup>3</sup> No comments were received. This order approves the proposal.

#### II. Description of the Proposal

On December 22, 1997, the Commission approved a one-year extension of the Exchange's pilot program for the evaluation of equity specialists.<sup>4</sup> The filing was intended to establish an overall score and individual passing scores for specialists, replace the "Bettering the Quote" criterion with "Price Improvement," and lower the weighting of the "Specialist Evaluation Questionnaire" criterion from 15% to 10% so that Price Improvement could be given a weight of 10%. Subsequently, the Commission approved an Exchange proposal to codify the aforementioned changes.<sup>5</sup> The Exchange is requesting a

one-year extension of the pilot program. At this time, the Exchange is not seeking to modify the pilot program.

#### III. Discussion

After careful review, the Commission finds that the PCX's proposal to extend its pilot program is consistent with the requirements of sections 6(b) and 11 of the Act<sup>6</sup> and the rules and regulations thereunder applicable to a national securities exchange. Specifically, the Commission finds that the proposed rule change is consistent with the Section 6(b)(5) requirement that the rules of an exchange be designed, among other things, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.<sup>7</sup> Further, the Commission finds that the proposal is consistent with Section 11(b) of the Act<sup>8</sup> and Rule 11b-1 thereunder which allow securities exchanges to promulgate rules relating to specialists in order to maintain fair and orderly markets and to remove impediments to and perfect the mechanism of a national market system.

According to the Exchange, the pilot program is operating successfully and without any problems. The Commission believes it is appropriate to extend the current pilot program for an additional year, until January 1, 2000 so that the Exchange will have an opportunity to continue reviewing and evaluating the program before seeking permanent approval. The Commission notes that the October 29, 1998 report filed by the Exchange indicates that it is reasonably monitoring the effectiveness of the program. The Commission's rationale for approving the extension in December 1997 continues to apply and is incorporated by reference into this order.<sup>9</sup> In addition, the Commission requests that the PCX submit a report to the Commission, by October 30, 1999, containing the information described in the December 1997 order for the first, second and third quarters of 1999.

*It is therefore ordered,* pursuant to Section 19(b)(2) of the Act,<sup>10</sup> that the proposed rule change (SR-PCX-98-54) be, and hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 98-34515 Filed 12-29-98; 8:45 am]  
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## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.  
**ACTION:** Notice of reporting requirements submitted for OMB review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. Chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

**DATES:** Submit comments on or before January 29, 1999. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

**COPIES:** Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: Agency Clearance Officer, Jacqueline White, Small Business Administration, 409 3rd Street, S.W., 5th Floor, Washington, D.C. 20416; and OMB Reviewer Victoria Wassmer, Office of Information and Regulatory Affairs, Office of Management and Budget, New Executive Office Building, Washington, D.C. 20503.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-6629.

**SUPPLEMENTARY INFORMATION:**  
*Title:* One Stop Capital Shop  
Customer Comment Card.

*Form No.:* N/A.  
*Frequency:* On Occasion.  
*Description of Respondents:* One Stop Capital Shop Customers.  
*Annual Responses:* 1,500.  
*Annual Burden:* 250.

Dated: December 22, 1998.

**Jacqueline White,**  
*Chief, Administrative Information Branch.*  
[FR Doc. 98-34509 Filed 12-29-98; 8:45 am]

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<sup>11</sup> 17 CFR 200.30-3(a)(12).

<sup>4</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> Securities Exchange Act Release No. 40675 (November 12, 1998), 63 FR 64307.

<sup>4</sup> Securities Exchange Act Release No. 39477 (December 22, 1997), 62 FR 68334 (December 31, 1997).

<sup>5</sup> Exchange Act Release No. 39976 (May 8, 1998), 63 FR 26834 (May 14, 1998).

<sup>6</sup> 15 U.S.C. 78f(b) and 78k.

<sup>7</sup> In approving this proposed rule change, the Commission notes that it has also considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>8</sup> 15 U.S.C. 78k(b).

<sup>9</sup> See *supra* note 4.

<sup>10</sup> 15 U.S.C. 78s(b)(2).