

the type of insurance coverage and benefits provided by the Contract, will remain the same.

### Conclusion

Applicants assert that, for the reasons summarized above, the terms of the proposed substitution meet the standards set forth in section 26(b) of the 1940 Act.

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

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

[FR Doc. 01-12024 Filed 5-11-01; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-44269; File No. SR-BSE-00-22]

### Self-Regulatory Organizations; Order Granting Approval of Proposed Rule Change by the Boston Stock Exchange, Inc. Relating to Minimum Equity Requirements for Derivative-Based Products

May 7, 2001.

On January 3, 2001, the Boston Stock Exchange, Inc. ("Exchange") filed with the Securities and Exchange Commission ("Commission"), 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 relating to minimum equity requirements for derivative-based products.

The proposal amends the Rules of the Board of Governors of the Exchange to reduce from \$1,000,000 to \$200,000 the minimum equity requirement for firms trading Portfolio Depositary Receipts ("PDRs"), if the firm arranges to clear its trades through another forum and obtains Exchange approval to do so.

Notice of the proposed rule change was published for comment in the **Federal Register** on April 5, 2001.<sup>3</sup> No comments were received on the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.<sup>4</sup> In particular, the

Commission believes that the proposal is consistent with Section 6(b)(5) of the Act,<sup>5</sup> which requires, among other things, that the rules of an exchange be designed to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market, and to protect investors and the public interest. The proposed rule change would reduce capital requirements for firms trading PDRs pursuant to clearing arrangements approved by the Exchange, while ensuring maintenance of adequate capital.

*It is therefore ordered,* pursuant to Section 19(b)(2) of the Act,<sup>6</sup> that the proposed rule change (File No. SR-BSE-00-12) be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

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

[FR Doc. 01-11988 Filed 5-11-01; 8:45 am]

BILLING CODE 8010-01-M

## SOCIAL SECURITY ADMINISTRATION

### Statement of Organization, Functions and Delegations of Authority; Correction

**AGENCY:** Social Security Administration.

**ACTION:** Notice; correction.

**SUMMARY:** The Social Security Administration published a document in the **Federal Register** of April 24, 2001, regarding the Statement of Organization, Functions and Delegations of Authority. The document contained an incorrect title for the Division of Information Technology Integration in the Office of Management in the Office of Hearings and Appeals (OHA).

### Corrections

In the **Federal Register** of April 24, 2001, in FR Doc. 01-10081, on page 20703, in the first column, H. 5. Correct the title to read:

5. The "Office Automation Support Staff" as "Division of Information Technology Integration" (TAHE7).

In the **Federal Register** of April 24, 2001, in FR Doc. 01-10081, on page 20703, in the second column, under "Functions" item H.5. Correct the title to read:

<sup>5</sup> 15 U.S.C. 78f(b)(5).

<sup>6</sup> 15 U.S.C. 78s(b)(2).

<sup>7</sup> 17 CFR 200.30-3(a)(12).

5. The "Office of Automation Support Staff" as "Division of Information Technology Integration" (TAHE7).

In the **Federal Register** of April 24, 2001, in FR Doc. 01-10081, on page 20703, in the third column, line 12: Remove the period between the word "needs" and the word "and".

Dated: May 4, 2001.

**Lewis H. Kaiser,**

*Director, Center for Classification and Organization Management.*

[FR Doc. 01-11962 Filed 5-11-01; 8:45 am]

BILLING CODE 4191-02-U

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of Intent to Rule on Application (01-06-U-00-YKM) to Use the Revenue From a Passenger Facility Charge (PFC) at Yakima Air Terminal-McAllister Field, Submitted by the Yakima Air Terminal Board, Yakima Air Terminal-McAllister Field, Yakima, Washington

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use, PFC revenue at Yakima Air Terminal-McAllister Field under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before June 13, 2001.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: J. Wade Bryant, Manager; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW., Suite 250, Renton, Washington, 98055. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. Bob Clem, Airport Manager, at the following address: 2400 West Washington Avenue, Yakima, Washington 98903.

Air Carriers and foreign air carriers may submit copies of written comments previously provided to Yakima Air Terminal-McAllister Field, under § 158.23 of part 158.

**FOR FURTHER INFORMATION CONTACT:** Ms. Suzanne Lee-Pang; Seattle Airports District Office, SEA-ADO; Federal Aviation Administration; 1601 Lind Avenue SW., Suite 250, Renton,

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

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

<sup>3</sup> See Securities Exchange Act Release No. 44101 (March 26, 2001), 66 FR 18126 (April 5, 2001).

<sup>4</sup> In approving this proposal, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78(c)(f).

Washington, 98055. The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application 01-06-U-00-YKM to impose and use PFC revenue at Yakima Air Terminal-McAllister Field, under the provisions of 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On April 30, 2001, the FAA determined that the application to impose and use, the revenue from a PFC submitted by Yakima Air Terminal Board, Yakima, Washington, was substantially complete within the requirements of § 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than August 3, 2001.

The following is a brief overview of the application.

*Level of the proposed PFC:* \$3.00.

*Proposed charge effective date:* June 1, 2000.

*Proposed charge expiration date:* February 1, 2002.

*Total requested for use approval:* \$182,313.

Brief description of proposed project: Construct West Perimeter Road.

Class or classes of air carriers, which the public agency has requested not be required to collect PFC's: Air taxi/commercial operators filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT** and at the FAA Regional Airports Office located at: Federal Aviation Administration, Northwest Mountain Region, Airports Division, ANM-600, 1601 Lind Avenue SW., Suite 540, Renton, WA 98055-4056.

In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Yakima Air Terminal-McAllister Field.

Issued in Renton, Washington on April 30, 2001.

**David A. Field,**

*Manager, Planning, Programming and Capacity Branch, Northwest Mountain Region.*

[FR Doc. 01-11471 Filed 5-11-01; 8:45 am]

**BILLING CODE 4910-13-M**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Finance Docket No. 34031]

#### Florida Midland Railroad Company— Acquisition and Operation Exemption—CSX Transportation, Inc.

Florida Midland Railroad Company (FMID), a Class III rail carrier, has filed a verified notice of exemption under 49 CFR 1150.41 to acquire from CSX Transportation, Inc. (CSXT) two rail lines described as follows: (1) The Lake Wales Line, extending (a) from milepost SV-863.28, in West Lake Wales, FL, to milepost SV-867.47, in Lake Wales, FL, and (b) from milepost AVC-843.30, in Lake Wales, to milepost AVC-857.50, in Frostproof, FL, a distance of approximately 18.39 miles; and (2) the Winter Haven Line, extending from milepost AW-842.0, in Winter Haven, FL, to milepost AW-848.0, in Gordonville, FL, a distance of approximately 6 miles. The total distance of the Lake Wales and Winter Haven Lines is approximately 24.39 miles. FMID will acquire only the track and track materials. CSXT will retain ownership of the real property underlying the right-of-way of the Lake Wales and Winter Haven Lines, and FMID will lease that underlying property from CSXT.<sup>1</sup>

The transaction is scheduled to be consummated shortly after May 7, 2001.

If the verified notice contains false or misleading information, the exemption is void *ab initio*. Petitions to reopen the proceeding to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 34031, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Unit, 1925 K Street, NW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Thomas J. Litwiler, Esq., Fletcher & Sippel LLC, Two Prudential Plaza, Suite 3125, 180 North Stetson Avenue, Chicago, IL 60601-6721.

Board decisions and notices are available on our website at [www.stb.dot.gov](http://www.stb.dot.gov).

Decided: May 7, 2001.

<sup>1</sup> FMID's operation of the Lake Wales and Winter Haven Lines was exempted in *Florida Midland Railroad Company-Acquisition and Operation Exemption-Rail Lines of CSX Transportation, Inc.*, Finance Docket No. 31151 (ICC served Nov. 27, 1987).

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

**Vernon A. Williams,**  
*Secretary.*

[FR Doc. 01-12050 Filed 5-11-01; 8:45 am]

**BILLING CODE 4915-00-P**

## DEPARTMENT OF TRANSPORTATION

### Surface Transportation Board

[STB Docket No. AB-31 (Sub No. 38)]

#### CSX Corporation and CSX Transportation, Inc.—Adverse Abandonment—Canadian National Railway Company and Grand Trunk Western Railroad Inc.

On April 24, 2001, CSX Corporation and CSX Transportation, Inc. (collectively, CSX) filed an adverse application under 49 U.S.C. 10903 requesting that the Surface Transportation Board (Board) authorize the abandonment by Canadian National Railway Company (CNR)<sup>1</sup> and its wholly owned affiliate Grand Trunk Western Railroad Incorporated (GTW), of a portion of a rail line known as Track No. 239 extending from milepost 26.4 to milepost 27.0 near 43rd Street and Damen Avenue, in Chicago, Cook County, IL, a distance of 2,952 feet. The track is situated on property leased from New York Central Lines, L.L.C. (NYC). The line traverses United States Postal Service ZIP Code 60609 and includes no stations. In the alternative, CSX seeks an order of adverse discontinuance against GTW's operations on the line.

CSX indicates that it filed the adverse abandonment application so that it could proceed with plans to utilize the track to service its new 59th Street intermodal facility. CSX asserts that serious congestion problems near its facility have magnified its need to access and control the right-of-way. CSX maintains that GTW ceased using the line in 1996. Under its Operating Agreement with NYC, CSX Transportation, Inc. is the operator of the leased property and the entity with rights to enforce the lease, acquired as part of CSX's acquisition of certain assets of Consolidated Rail Corporation (Conrail). CSX asserts that, although it has trackage rights over the line, GTW has not allowed it to make necessary changes to utilize the track, has refused in recent years to make rent payments due under the lease agreement, and has

<sup>1</sup> GTW states in its February 21, 2001 Reply to CSX's Petition for Waiver that it owns Track 239 and contends that CNR is not a proper party to this proceeding. That contention would properly be the subject of a motion to dismiss accompanied by supporting evidence.