

at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland, this 20th day of February 2002.

For the Nuclear Regulatory Commission.

**Stephen R. Monarque,**

*Project Manager, Section I, Project Directorate II, Division of Licensing Project Management, Office of Nuclear Reactor Regulation.*

[FR Doc. 02-4520 Filed 2-25-02; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Notice

**AGENCY HOLDING THE MEETING:** Nuclear Regulatory Commission.

**DATE:** Weeks of February 25, March 4, 11, 18, 25, April 1, 2002.

**PLACE:** Commissioners' Conference room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**NOTE:** MATTERS TO BE CONSIDERED:

### Week of February 25, 2002

*Friday, March 1, 2002*

9:30 a.m.

Briefing on Status of Office of the Chief Financial Officer (OCFO) Programs, Performance, and Plans (Public Meeting) (Contact: Lars Solander, 301-415-6080)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov)

### Week of March 4, 2002—Tentative

*Monday, March 4, 2002*

2:00 p.m.

Briefing on Status of Nuclear Waste Safety (Public Meeting) (Contact: Claudia Seelig, 301-415-7243)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov)

### Week of March 11, 2002—Tentative

There are no meetings scheduled for the Week of March 11, 2002.

### Week of March 18, 2002—Tentative

*Tuesday, March 19, 2002*

9:30 a.m.

Briefing on Office of Nuclear Regulatory Research (RES) Programs, Performance, and Plans (Public Meeting) (Contact: James Johnson, 301-415-6802)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov)

*Wednesday, March 20, 2002*

9:25 a.m.

Affirmation Session (Public Meeting) (If needed)

9:30 a.m.

Meeting with Advisory Committee on Nuclear Waste (ACNW) (Public Meeting) (Contact: John Larkins, 301-415-7360)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov)

### Week of March 25, 2002—Tentative

There are no meetings scheduled for the Week of March 25, 2002.

### Week of April 1, 2002—Tentative

There are no meetings scheduled for the Week of April 1, 2002.

\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: David Louis Gamberoni (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: [www.nrc.gov](http://www.nrc.gov)

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This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: February 21, 2002.

**David Louis Gamberoni,**

*Technical Coordinator, Office of the Secretary.*

[FR Doc. 02-4575 Filed 2-22-02; 10:18 am]

BILLING CODE 7590-01-M

## PENSION BENEFIT GUARANTY CORPORATION

### Submission of Information Collection for OMB Review; Comment Request; Annual Financial and Actuarial Information Reporting

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of request for extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation (PBGC) is requesting that

the Office of Management and Budget (OMB) extend approval, under the Paperwork Reduction Act, of the collection of information under the PBGC's regulation on Annual Financial and Actuarial Information Reporting, 29 CFR part 4010 (OMB control number 1212-0049; expires March 31, 2002). This notice informs the public of the PBGC's request and solicits public comment on the collection of information.

**DATES:** Comments should be submitted by March 28, 2002.

**ADDRESSES:** Comments should be mailed to the Office of Information and Regulatory Affairs of the Office of Management and Budget, Attention: Desk Officer for Pension Benefit Guaranty Corporation, Washington, DC 20503. Copies of the request for extension (including the collection of information) may be obtained without charge by writing to or visiting the PBGC's Communications and Public Affairs Department, suite 240, 1200 K Street, NW., Washington, DC 20005-4026, or calling 202-326-4040. (TTY and TDD users may call 800-877-8339 and request connection to 202-326-4040). The regulation on Annual Financial and Actuarial Information Reporting can be accessed on the PBGC's Web site at <http://www.pbgc.gov>.

**FOR FURTHER INFORMATION CONTACT:** Harold J. Ashner, Assistant General Counsel, or Deborah C. Murphy, Attorney, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024. (TTY and TDD users may call 800-877-8339 and request connection to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** Section 4010 of the Employee Retirement Income Security Act of 1974 (ERISA) requires each member of a controlled group to submit identifying, financial, and actuarial information to the PBGC in certain circumstances. Reporting is required (1) if the aggregate unfunded vested benefits of all defined benefit pension plans maintained by the controlled group exceed \$50 million, (2) if the controlled group maintains any plan with missed contributions aggregating more than \$1 million (unless paid within a ten-day grace period), or (3) if the controlled group maintains any plan with funding waivers in excess of \$1 million and any portion is still outstanding (taking into account certain credit balances in the funding standard account). The PBGC's regulation on Annual Financial and Actuarial Information Reporting (29

CFR part 4010) implements section 4010.

The regulation requires the controlled group to file certain identifying information, certain financial information, each plan's actuarial valuation report, certain participant information, and a determination of the amount of each plan's benefit liabilities. The information submitted under the regulation allows the PBGC (1) to detect and monitor financial problems with the contributing sponsors that maintain severely underfunded pension plans and their controlled group members and (2) to respond quickly when it learns that a controlled group with severely underfunded pension plans intends to engage in a transaction that may significantly reduce the assets available to pay plan liabilities.

The collection of information under the regulation has been approved by OMB under control number 1212-0049, expiring March 31, 2002. The PBGC is requesting that OMB extend its approval for three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

The PBGC estimates that an average of 70 controlled groups per year respond to this collection of information. The PBGC further estimates that the average annual burden of this collection of information is 7.9 hours and \$10,000 per controlled group, for a total burden of 552 hours and \$700,000.

Issued in Washington, D.C., this 20th day of February, 2002.

**Stuart Sirkin,**

*Director, Corporate Policy and Research Department, Pension Benefit Guaranty Corporation.*

[FR Doc. 02-4502 Filed 2-25-02; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45456; File No. SR-Phlx-2002-08]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to the Extension of Its Pilot Program to Implement its Existing Fee Schedule for Electronic Communication Networks

February 19, 2002.

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> notice is hereby given that on January 28, 2002, the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Phlx proposes to extend its one-year pilot program for an additional one-year period, in order to continue to impose a \$2,500 monthly fee for Electronic Communications Networks ("ECNs") that are member organizations and send order flow to the Exchange's equity trading floor.<sup>3</sup> The Exchange believes that the original pilot program was due to expire on January 31, 2002.<sup>4</sup>

The text of the proposed rule change is available at the Office of the Secretary, the Phlx, and 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 Phlx included statements concerning the purpose of and 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. The Phlx has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

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

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

<sup>3</sup> As stated in the Phlx fee schedule, the term ECN shall mean any electronic system that widely disseminates to third parties orders entered therein by an Exchange market maker or over-the-counter ("OTC") market maker, and permits such orders to be executed against in whole or in part. The term ECN shall not include: any system that crosses multiple orders at one or more specified times at a specified price set by the ECN, algorithm, or by any derivative pricing mechanism and does not allow orders to be crossed or executed against directly by participants outside of such times; or any system operated by or on behalf of an OTC market maker or exchange market maker as principal, other than riskless principal.

<sup>4</sup> See Exchange Act Release No. 44155 (April 5, 2001), 66 FR 19274 (April 13, 2001).

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

##### 1. Purpose

The purpose of the proposed rule change is to extend the Exchange's current ECN pilot program until January 31, 2003, thereby continuing to impose a \$2,500 monthly fee for ECNs that are member organizations and send order flow to the Exchange's equity trading floor.<sup>5</sup> According to the Exchange, the continuation of the \$2,500 fee is intended to attract equity order flow from ECNs to the Exchange by continuing to substitute a fixed monthly fee, in light of the potential for high volumes of order flow from ECNs.<sup>6</sup>

The monthly fee will continue to apply to ECN order flow to the Exchange's equity trading floor, including from ECNs that either became members or began sending order flow after the commencement of the program. The \$2,500 fee would continue to apply to trades where the ECN was not acting as a Phlx specialist or floor broker.<sup>7</sup>

Currently, no ECN operates from the Exchange's equity trading floor as a floor broker or specialist unit. If, however, an ECN did operate from the equity trading floor, it would be subject to various floor-related fees respecting its floor operation.<sup>8</sup> In addition, an ECN's transactions as a floor broker would be subject to the equity transaction value charge, and its specialist trades would be subject to other charges.<sup>9</sup> Even if the ECN was acting as a floor broker or specialist with

<sup>5</sup> The \$2,500 monthly fee will apply regardless of the ECN's average daily Phlx equity volume.

<sup>6</sup> In order to recoup costs due from the Exchange to the Commission pursuant to Section 31(b) of the Act, the Exchange intends to continue to apply such fee to ECNs, as the current fee schedule reflects. This fee is currently \$15 per \$1,000,000 of the aggregate dollar amount of the sale of securities.

<sup>7</sup> An ECN would continue to incur specialist or floor brokerage transaction fees if it acts as a Phlx specialist or floor broker.

<sup>8</sup> These include the Trading Post/Booth Fee, Trading Post w/Kiosk Fee, Controller Space Fee, Floor Facility Fee, Shelf Space on Equity Option Trading Floor Fee, Computer Equipment Services, Repairs or Replacements Fee and Computer Relocation Requests Fee. Certain communications fees could also apply, such as the Direct Wire to the Floor Fee, Telephone System Line Extensions, Wireless Telephone System, Tether Initial Connectivity Fee, Tether Monthly Service Fee, Execution Services/Communication Charge, Stock Execution Machine Registration Fee (Equity Floor), Equity, Option, or FCO Transmission Charge, FCO Pricing Tape, Option Report Service Fee, Quotron Equipment Fee, Instinet, Reuters Equipment Pass-Through Fee and the Option Mailgram Service Fee.

<sup>9</sup> The PACE Specialist Charge is a fee imposed on specialist transactions only and the Equity Floor Brokerage Assessment and Equity Floor Brokerage Transaction Fee apply to floor brokerage activity.