

used to determine entitlement to and the amount of the annuity applied for.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312-751-3363). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Chuck Mierzwa,**

*Clearance Officer.*

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## RAILROAD RETIREMENT BOARD

### Agency Forms Submitted for OMB Review

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. Chapter 35), the Railroad Retirement Board (RRB) has submitted the following proposal(s) for the collection of information to the Office of Management and Budget for review and approval.

#### Summary of Proposal(s)

(1) *Collection title:* Application for Spouse Annuity Under the Railroad Retirement Act.

(2) *Form(s) submitted:* AA-3, AA-3cert.

(3) *OMB Number:* 3220-0042.

(4) *Expiration date of current OMB clearance:* 6/30/2003.

(5) *Type of request:* Revision of a currently approved collection.

(6) *Respondents:* Individuals or households.

(7) *Estimated annual number of respondents:* 8,500.

(8) *Total annual responses:* 4,717.

(9) *Total annual reporting hours:* 4,717.

(10) *Collection description.* The Railroad Retirement Act provides for the payment of annuities to spouses of railroad retirement annuitant's who meet the requirements under the Act. The application obtains information supporting the claim for benefits based on being a spouse of an annuitant. The information is used for determining entitlement to and the amount of the annuity applied for.

*Additional Information or Comments:* Copies of the forms and supporting documents can be obtained from Chuck Mierzwa, the agency clearance officer (312) 751-3363). Comments regarding

the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 and to the OMB Desk Officer for the RRB, at the Office of Management and Budget, Room 10230, New Executive Office Building, Washington, DC 20503.

**Chuck Mierzwa,**

*Clearance Officer.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45904; File No. SR-CBOE-2002-17]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the Chicago Board Options Exchange, Incorporated Relating to Fees for Telecommunications, Screen-Based Trading, and Market Data Products

May 9, 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 hereby is given that on April 19, 2002, the Chicago Board Options Exchange, Incorporated ("CBOE" 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

CBOE is proposing to make a change to its Fee Schedule to: (1) Reduce its telecommunication fees; (2) modify its connectivity fee schedule for the CBOEdirect screen-based trading system; and (3) reflect charges for additional market data (regarding the New York Stock Exchange's OpenBook) now available through trading floor terminals rented by CBOE members. The text of the proposed rule change is available at the Exchange's Office of the Secretary at the Commission's Public Reference Room.

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

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

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

In its filing with the Commission, CBOE included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received regarding the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. CBOE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

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

###### 1. Purpose

###### Reduction of Telecommunication Fees

CBOE increased its telecommunications fees this year to help fund the installation of a new trading floor phone system.<sup>3</sup> Because the installation of the phone system will take place later than previously anticipated, CBOE has decided that certain of the fees should be reduced. CBOE proposes to implement these reductions through the changes to Section 7G of the Exchange Fee Schedule.

##### Modification of Connectivity Fees for CBOEdirect

In a previous rule filing, CBOE provided a detailed technical explanation of the connectivity fees imposed by the Exchange in connection with the CBOEdirect screen-based trading platform.<sup>4</sup> CBOE now proposes certain modifications to the connectivity fees that would reduce the costs of certain connectivity alternatives while also more fairly distributing the overall costs associated with CBOEdirect connectivity. CBOE proposes to implement these modifications through the changes to Section 15 of the Exchange Fee Schedule.

##### Fees Relating to New NYSE Open Book Service

The New York Stock Exchange ("NYSE") has launched a new market data product called OpenBook, which will display the NYSE book through all prices for an individual stock. OpenBook is accessible through quote vendors that supply the information as

<sup>3</sup> See Securities Exchange Act Release No. 45269 (January 11, 2002), 67 FR 2710 (January 18, 2002) (SR-CBOE-2001-72).

<sup>4</sup> See Securities Exchange Act Release No. 45009 (October 31, 2001), 66 FR 56365 (November 7, 2001) (SR-CBOE-2001-55).