

Federal Official, Mr. Sam Duraiswamy (telephone: 301-415-7364) between 7:30 a.m. and 4:15 p.m. (e.t.) five days prior to the meeting, if possible, so that appropriate arrangements can be made. Electronic recordings will be permitted only during those portions of the meeting that are open to the public.

Further information regarding this meeting can be obtained by contacting the Designated Federal Official between 7:30 a.m. and 4:15 p.m. (e.t.). Persons planning to attend this meeting are urged to contact the above named individual at least two working days prior to the meeting to be advised of any potential changes in the agenda.

Dated: September 14, 2005.

**Michael L. Scott,**

*Branch Chief, ACRS/ACNW.*

[FR Doc. 05-18800 Filed 9-20-05; 8:45 am]

BILLING CODE 7590-01-P

## OCCUPATIONAL SAFETY AND HEALTH REVIEW COMMISSION

### Senior Executive Service Performance Review Board Membership

**AGENCY:** Occupational Safety and Health Review Commission (OSHRC).

**ACTION:** Notice of Senior Executive Service Performance Review Board Membership.

Title 5, U.S. Code, section 4314(c)(4), The Civil Service Reform Act of 1978, Public Law 95-454 (section 405) requires that the appointment of Performance Review Board (PRB) members be published in the **Federal Register**.

As required by 5 CFR 430.310, Chairman W. Scott Railton has appointed the following executives to serve on the Senior Executive Service Performance Review Board for the Occupational Safety and Health Review Commission beginning September 2005 through September 2007:

Stephen S. Smith, Associated Director for Management, Broadcasting Board of Governors,

Christopher W. Warner, General Counsel, U.S. Chemical Safety and Hazard Investigator Board,

Richard L. Baker, Executive Director, Federal Mine Safety and Health Review Commission,

Marcel C. Acosta, Deputy Executive Director, National Capital Planning Commission,

Jill Crumpacker, Chief of Staff/Director of Policy and Performance Management, U.S. Federal Labor Relations Authority,

Thomas Stock, General Counsel, Federal Mine Safety and Health Review Commission.

The PRB will make recommendations to the Chairman on the performance of the Commission's senior executives.

For information regarding this notice, please contact Alexander Fernández, General Counsel, Occupational Safety and Health Review Commission at (202) 606-5100.

Dated: September 9, 2005.

**W. Scott Railton,**

*Chairman, Occupational Safety and Health Review Commission.*

[FR Doc. 05-18773 Filed 9-20-05; 8:45 am]

BILLING CODE 7600-01-M

## POSTAL SERVICE

### Sunshine Act Meeting

**TIMES AND DATES:** 12:30 p.m., Monday, September 26, 2005; and 8:30 a.m., Tuesday, September 27, 2005.

**PLACE:** Washington, DC, at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, SW., in the Benjamin Franklin Room.

**STATUS:** September 26—12:30 p.m. (Closed); September 27—8:30 a.m. (Open).

#### MATTERS TO BE CONSIDERED:

#### Monday, September 26 at 12:30 p.m. (Closed).

1. Strategic Planning.
2. Personnel Matters and Compensation Issues.
3. Rate Case Planning.
4. Proposed Filing with the Postal Rate Commission for Parcel Return Service.
5. Office of Inspector General Fiscal Year 2006 Budget.
6. Fiscal Year 2006 Integrated Financial Plan Briefing.
7. Capital Investment.
  - a. Kansas City, Missouri, Main Post Office Modification Request.

#### Tuesday, September 27, at 8:30 a.m. (Open).

1. Minutes of the Previous Meeting, August 1-2, 2005.
2. Remarks of the Postmaster General and CEO Jack Potter.
3. Committee Reports.
4. Board of Governors Calendar Year 2006 Meeting Schedule.
5. Office of the Governors Fiscal Year 2006 Budget.
6. Postal Rate Commission Fiscal Year 2006 Budget.
7. Fiscal Year 2006 Operating and Capital Plans.
8. Strategic Transformation Plan 2006-2010.

9. Fiscal Year 2006 Annual Performance Plan—Government Performance and Results Act.

10. Capital Investment.

a. San Juan, Puerto Rico, Processing and Distribution Center.

11. Tentative Agenda for the November 1, 2005, meeting in Washington, DC.

#### FOR MORE INFORMATION CONTACT:

William T. Johnstone, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, SW., Washington, DC 20260-1000. Telephone (202) 268-4800.

**William T. Johnstone,**

*Secretary.*

[FR Doc. 05-18900 Filed 9-16-05; 4:31 pm]

BILLING CODE 7710-12-M

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon written request, copies available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Rule 17a-10; SEC File No. 270-154; OMB Control No. 3235-0122.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below. The Code of Federal Regulations citation to this collection of information is the following rule: 17 CFR 240.17a-10.

Rule 17a-10 requires broker-dealers that are exempted from the filing requirements of paragraph (a) of Rule 17a-5 (17 CFR section 240.17a-5) to file with the Commission an annual statement of income (loss) and balance sheet. It is anticipated that approximately 500 broker-dealers will spend 12 hours per year complying with Rule 17a-10. The total burden is estimated to be approximately 6,000 hours. Each broker-dealer will spend approximately \$880 per response<sup>1</sup> for a

<sup>1</sup> According to the Securities Industry Association's guide on management and professional earnings, the median salary for a financial reporting manager is \$97,500. Assuming that a financial reporting manager works 1800 hours per year, he or she earns \$54.17 per hour. Adding in overhead costs of 35%, the hourly rate equals \$73.13 per hour, or \$877.56 per 12-hour response.

total annual expense for all broker-dealers of \$440,000.

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 control number.

Written comments regarding the above information should be directed to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or by sending an e-mail to: [David\\_Rostker@omb.eop.gov](mailto:David_Rostker@omb.eop.gov); and (ii) R. Corey Booth, Director, Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549. Comments must be submitted to OMB within 30 days of this notice.

Dated: September 13, 2005.

**Jonathan G. Katz,**

Secretary.

[FR Doc. 05-18764 Filed 9-20-05; 8:45 am]

BILLING CODE 8010-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-28029]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

September 14, 2005.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by October 6, 2005, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of

facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After October 6, 2005, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

#### **Black Hills Corporation, et al. (70-10237)**

Black Hills Corporation ("Black Hills"), a registered public-utility holding company, Black Hills Power, Inc. ("Black Hills Power"), an electric-utility subsidiary of Black Hills, both located at 625 Ninth Street, Rapid City, SD 57701, and Cheyenne Light, Fuel and Power Company, also an electric-utility subsidiary of Black Hills, located at 108 West 18th, Cheyenne, WY 82001, Black Hills Energy, Inc. ("Black Hills Energy"), a nonutility subsidiary of Black Hills, and all of Black Hills other subsidiaries (collectively, "Subsidiaries"), located at 625 Ninth Street, Rapid City, SD 57701 (collectively, "Applicants"), have filed with the Commission a post-effective amendment to their previously filed application-declaration ("Application") under sections 6(a), 7, 9(a), 10, 11, 12(b) and (c), 13(b), 32, 33 and 34 of the Act and rules 42, 43, 45, 52, 53, 54, 58 and 88 through 92.

Black Hills requests certain extensions of time.

#### **I. Background**

Black Hills is an integrated public-utility holding company.<sup>1</sup> On December 28, 2004, the Commission authorized Black Hills and its Subsidiaries to engage in various financing and other transactions ("Financing Order").<sup>2</sup> In

<sup>1</sup> Black Hills is engaged in two lines of business: (1) The generation, transmission, distribution and sale of electricity to retail and wholesale customers; and (2) through Black Hills Energy and its subsidiaries, the development, ownership and operation of exempt wholesale generators, as defined in section 32 of the Act, qualifying facilities as defined in the Public Utility Regulatory Policies Act of 1978, as amended, and the production, transportation and marketing of natural gas, oil, coal and other energy commodities, power marketing and other energy-related activities. Applicants previously engaged in certain exempt telecommunications activities and these businesses have recently been sold.

<sup>2</sup> *Black Hills Corporation, et al.*, Holding Company Act Release No. 27931. Black Hills registered as a public-utility holding company under the Act earlier this year, in 2005. By the Financing Order, Black Hills, then a public-utility holding company exempt from registration under section 3(a)(1) of the Act by rule 2, Black Hills Power, its subsidiary electric-utility company, and all other direct and indirect subsidiaries, were authorized to engage in financing and investment activities, intrasystem services and other related activities and transactions, through December 31, 2007, following Black Hills' registration as a public-

connection with the Financing Order, Black Hills committed to establish a limited liability subsidiary, Black Hills Service Company, LLC ("Black Hills Service"), to provide centralized services (such as accounting, financial, human resources, information technology and legal services) to the companies in the Black Hills system<sup>3</sup> and to submit certain filings to the Commission and to implement certain processes and methodologies by December 28, 2005.<sup>4</sup>

The Act was repealed on August 8, 2005, and the Public Utility Holding Company Act of 2005 ("PUHCA 2005") was enacted on that date by the Energy Policy Act of 2005 ("Energy Policy Act 2005"). The repeal of the Act ends the Commission's authority over Black Hills and the Black Hills system under this statute as of February 8, 2006 and subjects Black Hills and the Black Hills system to new, but in certain respects similar, regulation by the Federal Energy Regulatory Commission ("FERC") under PUHCA 2005.

FERC is required to issue certain PUHCA 2005 regulations by December 8, 2005. Black Hills states that the new FERC regulations may affect some of the processes and methodologies relating to allocation of costs, among other things, that were addressed in the Financing Order.

utility holding company. A recent, related notice was issued on July 26, 2005, addressing certain administrative money pool matters. See *Black Hills Corporation, et al.*, Holding Co. Act Release No. 28003. No hearing has been requested.

<sup>3</sup> Black Hills states that it explained, in its application for the Financing Order, that the Black Hills system companies will engage in a variety of affiliate transactions for goods, services and construction, in accordance with rules 87, 88, 90 and 91, unless otherwise authorized by Commission order or rule. Black Hills states it also committed to file accounting and cost allocation procedures with the Commission by October 1, 2005; to form Black Hills Service within sixty days of issuance of the Financing Order, but sought authority to delay (for not longer than twelve months) the full implementation of Black Hills Service and the required accounting systems and cost allocation methodologies; and finally, to complete conversion of non-exempt market-based rate affiliate transactions to cost-based transactions (not later than twelve months following issuance of the Financing Order). In the Financing Order, the Commission acknowledged Black Hills' plans for these procedures, Black Hills Service and the affiliate arrangements.

<sup>4</sup> Black Hills states that it established Black Hills Service and has taken significant steps to implement it. Black Hills states further that, in this implementation, it has already expended significant resources in extensive planning and organizational initiatives to identify employees and functions to be transferred to Black Hills Service, defining extensive new organizational, management and personnel structures to be put in place at Black Hills Service and associate companies and formulating required changes to human resources systems and pension and benefit plans.