

categorization of SSCs that are considered in risk-informing special treatment requirements. This categorization method uses the process that the Nuclear Energy Institute (NEI) described in Revision 0 of its guidance document NEI 00-04, "10 CFR 50.69 SSC Categorization Guideline," dated July 2005.<sup>2</sup> Specifically, this process determines the safety significance of SSCs and categorizes them into one of four risk-informed safety class (RISC) categories.

The NRC issued a draft of this guide, Draft Regulatory Guide DG-1121, as part of the § 50.69 rulemaking package in May 2003, and solicited public comments specifically concerning the draft guide by publishing related **Federal Register** notices (68 FR 34012 and 68 FR 41408) on June 6 and July 11, 2003. Following the closure of the public comment period on August 1, 2003, the staff considered all stakeholder comments in the course of preparing the new Regulatory Guide 1.201. However, a few issues of technical interpretation and implementation still remain, with respect to specific aspects of the guidance. Because the staff believes these issues will be best resolved by testing the guide against actual applications, the NRC decided to issue this guide for trial use. This trial regulatory guide does not establish any final staff positions, and may be revised in response to experience with its use. As such, this trial guide does not establish a staff position for purposes of the Backfit Rule, 10 CFR 50.109, and any changes to this trial guide prior to staff adoption in final form will not be considered to be backfits as defined in 10 CFR 50.109(a)(1). This will ensure that the lessons learned from regulatory review of pilot and follow-on applications are adequately addressed in the final regulatory guide, and that the guidance is sufficient to enhance regulatory stability in the review, approval, and implementation of probabilistic risk assessments (PRAs) and their results in the risk-informed categorization process required by § 50.69.

The NRC staff encourages and welcomes comments and suggestions in connection with improvements to published regulatory guides, as well as

<sup>2</sup> NEI 00-04, "10 CFR 50.69 SSC Categorization Guideline," is available through the NRC's public Web site at <http://adamswebsearch2.nrc.gov/idmws/doccontent.dll?ID=052910091:@LogonId=2b2cbc48fd7897510347535dd7c30495>, and through the NRC's Agencywide Documents Access and Management System (ADAMS), <http://www.nrc.gov/reading-rm/adams/web-based.html>, under Accession #ML052910035.

items for inclusion in regulatory guides that are currently being developed. You may submit comments by any of the following methods.

Mail comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Hand-deliver comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, 11555 Rockville Pike, Rockville, Maryland 20852, between 7:30 a.m. and 4:15 p.m. on Federal workdays.

Fax comments to: Rules and Directives Branch, Office of Administration, U.S. Nuclear Regulatory Commission, at (301) 415-5144.

Requests for technical information about Regulatory Guide 1.201 may be directed to Donald G. Harrison at (301) 415-3587 or via e-mail to [DGH@nrc.gov](mailto:DGH@nrc.gov).

Regulatory guides are available for inspection or downloading through the NRC's public Web site in the Regulatory Guides document collection of the NRC's Electronic Reading Room at <http://www.nrc.gov/reading-rm/doc-collections>. Electronic copies of Regulatory Guide 1.201 are also available in the NRC's Agencywide Documents Access and Management System (ADAMS) at <http://www.nrc.gov/reading-rm/adams.html>, under Accession No. ML060260164.

In addition, regulatory guides are available for inspection at the NRC's Public Document Room (PDR), which is located at 11555 Rockville Pike, Rockville, Maryland; the PDR's mailing address is USNRC PDR, Washington, DC 20555-0001. The PDR can also be reached by telephone at (301) 415-4737 or (800) 397-4205, by fax at (301) 415-3548, and by e-mail to [PDR@nrc.gov](mailto:PDR@nrc.gov). Requests for single copies of draft or final guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Reproduction and Distribution Services Section; by e-mail to [DISTRIBUTION@nrc.gov](mailto:DISTRIBUTION@nrc.gov); or by fax to (301) 415-2289. Telephone requests cannot be accommodated.

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(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 27th day of January, 2006.

For the U.S. Nuclear Regulatory Commission.

**Carl J. Paperiello,**

*Director, Office of Nuclear Regulatory Research.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collection; Comment Request

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

Extension:

Form ADV-E; Sec File No. 270-318; OMB Control No. 3235-0361.

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 (the "Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget ("OMB") for extension and approval.

Form ADV-E is the cover sheet for accountant examination certificates filed pursuant to rule 206(4)-2 under the Investment Advisers Act of 1940 by certain investment advisers retaining custody of client securities or funds. Respondents each spend approximately three minutes, annually, complying with the requirements of the form.

The estimate of burden hours set forth above is made solely for the purposes of the Paperwork Reduction Act and is not derived from a comprehensive or representative survey or study of the cost of Commission rules and forms.

Written comments are invited on: (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden of the collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to R. Corey Booth, Director/Chief Information Officer, Office of Information Technology, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549.

January 31, 2006.

**Nancy M. Morris,**  
Secretary.

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## 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:

Form N-54A; SEC File No. 270-182; OMB Control No. 3235-0237.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 [44 U.S.C. 3501 *et seq.*] (the "PRA"), the Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collection of information discussed below.

- Form N-54A under the Investment Company Act of 1940; Notification of Election to be Subject to Sections 55 through 65 of the Investment Company Act of 1940 Filed Pursuant to Section 54(a) of the Act.

Form N-54A [17 CFR 274.53] is the notification to the Commission of election to be regulated as a business development company. A company making such an election only has to file a Form N-54A once.

It is estimated that approximately 46 respondents per year file with the Commission a Form N-54A. Form N-54A requires approximately 0.5 burden hours per response resulting from creating and filing the information required by the Form. The total burden hours for Form N-54A would be 23.0 hours per year in the aggregate. The estimated annual burden of 23.0 hours represents an increase of 21.0 hours over the prior estimate of 2.0 hours. The increase in burden hours is attributable to an increase in the number of respondents from 4 to 46.

The estimate of average burden hours for Form N-54A is made solely for the purposes of the PRA and is not derived from a comprehensive or even

representative survey or study of the cost of Commission rules and forms.

The collection of information under Form N-54A is mandatory. The information provided by the Form is not kept confidential. 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.

General 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 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.

January 30, 2006.

**Nancy M. Morris,**  
Secretary.

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## 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:

Form N-PX; SEC File No. 270-524; OMB Control No. 3235-0582.

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 ("OMB") a request for extension of the previously approved collection of information discussed below.

The title of the collection of information is "Form N-PX under the Investment Company Act of 1940, Annual Report of Proxy Voting Record." Rule 30b1-4 under the Investment Company Act of 1940 ("Investment Company Act") requires every registered management investment company, other than a small business investment company ("Fund"), to file Form N-PX not later than August 31 of

each year. Funds use Form N-PX to file annual reports with the Commission containing their complete proxy voting record for the most recent twelve-month period ended June 30. Funds also use Form N-PX to inform the Commission that certain of their portfolios do not hold any equity securities and have no proxy record to file.

The Commission requires the dissemination of this information in order to meet the filing and disclosure requirements of the Investment Company Act and to enable Funds to provide investors with the information necessary to evaluate an investment in the Fund. The information filed with the Commission also permits the verification of compliance with securities law requirements and assures the public availability and dissemination of the information. Requiring a Fund to file its annual reports on Form N-PX has the advantages of making each Fund's proxy voting record available within a relatively short period of time after the proxy voting season, and of providing disclosure of all Funds' proxy voting records over a uniform period of time.

There are approximately 3,700 Funds registered with the Commission, representing 7,900 Fund portfolios, which are required to file one Form N-PX each year. Those 7,900 portfolios are comprised of 5,000 portfolios holding equity securities and 2,900 portfolios holding no equity securities. The staff estimates that filing a response that states that the portfolio does not hold equity securities will require a 10 minute burden per response. The burden for portfolios holding equity securities is estimated to be 14.4 hours per response. The total annual reporting and recordkeeping burden is estimated to be approximately 72,483 hours ((5,000 responses × 14.4 hours per response for equity-holding portfolios) + (2,900 × 10 minutes per response for portfolio holding no equity securities)).

Form N-PX does not involve any recordkeeping requirements. Providing the information required by the rule is mandatory and information provided under the rule will not be kept confidential.

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.

General 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,