

transaction which is the subject of the exemption.

Ivan Strasfeld,

*Director of Exemption Determinations,
Employee Benefits Security Administration,
U.S. Department of Labor.*

[FR Doc. E6-15922 Filed 9-27-06; 8:45 am]

BILLING CODE 4510-29-P

**NUCLEAR REGULATORY
COMMISSION**

[Docket No. 70-7004-ML; ASLBP No. 05-838-01-ML]

**USEC, Inc. (American Centrifuge
Plant); Notice of Reconstitution**

Pursuant to 10 CFR 2.321, the Atomic Safety and Licensing Board in the above captioned *USEC, Inc.* proceeding, is hereby reconstituted by appointing Administrative Judge Peter S. Lam in place of Administrative Judge Paul B. Abramson.

In accordance with 10 CFR 2.302, henceforth all correspondence, documents, and other material relating to any matter in this proceeding over which this Licensing Board has jurisdiction should be served on Administrative Judge Lam as follows: Administrative Judge Peter S. Lam, Atomic Safety and Licensing Board Panel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001.

Issued at Rockville, Maryland this 22nd day of September 2006.

E. Roy Hawkens,

*Chief Administrative Judge, Atomic Safety
and Licensing Board Panel.*

[FR Doc. E6-15921 Filed 9-27-06; 8:45 am]

BILLING CODE 7590-01-P

**SECURITIES AND EXCHANGE
COMMISSION**

[File No. 500-1]

**In the Matter of China Energy Savings
Technology, Inc.; Order of Suspension
of Trading**

September 26, 2006.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of China Energy Savings Technology, Inc. ("China Energy"), a Nevada corporation headquartered in Hong Kong, which trades in the over-the-counter market under the symbol "CESV".

Questions have arisen regarding the accuracy and completeness of information contained in China Energy's

press releases and public filings with the Commission concerning, among other things: (i) The company's purported ownership and control of its sole asset, Shenzhen Dicken Industrial Development, a manufacturer of energy saving devices located and doing business in the People's Republic of China; and (ii) the existence and/or identity of the company's purported former Chairman and Chief Executive Officer, Mr. Sun Li.

The Commission is of the opinion that the public interest and the protection of investors require a suspension of trading in the securities of the above-listed company.

Therefore, it is ordered, pursuant to Section 12(k) of the Securities Exchange Act of 1934, that trading in the above-listed company is suspended for the period from 9:30 a.m. edt, September 26, 2006, through 11:59 p.m. edt, on October 10, 2006.

By the Commission.

Jill M. Peterson,

Assistant Secretary.

[FR Doc. 06-8365 Filed 9-26-06; 11:44 am]

BILLING CODE 8010-01-P

**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34-54486; File No. SR-Amex-2006-79]

**Self-Regulatory Organizations;
American Stock Exchange LLC; Notice
of Filing and Immediate Effectiveness
of a Proposed Rule Change Relating
To the Amendment to the Payment for
Order Flow Plan To Include
Supplemental Registered Options
Traders**

September 22, 2006.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on August 18, 2006, the American Stock Exchange LLC ("Amex" 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 Amex has designated this proposal as one establishing or changing a due, fee, or other charge imposed by the Amex under section 19(b)(3)(A)(ii) of the Act³ and Rule 19b-4(f)(2) thereunder,⁴ which renders the proposal

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(ii).

⁴ 17 CFR 240.19b-4(f)(2).

effective upon filing with the Commission. 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 Amex proposes to amend the its current options fee schedule and Payment for Order Flow Plan to allow Supplemental Registered Options Traders ("SROT's") to negotiate a payment for order flow arrangement with any affiliated order flow provider ("OFP") from which they receive the guaranteed SROT allocation.⁵

The text of the proposed rule change is available on the Amex's Web site at <http://www.amex.com>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

**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 Exchange 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 Amex 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

The Amex proposes to amend the its current options fee schedule and Payment for Order Flow Plan to allow SROT's to negotiate a payment for order flow arrangement with any affiliated OFP from which they receive the guaranteed SROT allocation.⁶

The Exchange states that it adopted its current Payment for Order Flow Plan in February of 2006.⁷ The Amex states that under the current plan, the Exchange charges an equity options marketing fee of \$0.75 per contract solely with respect to customer orders that are from

⁵ Telephone conference between Michou H.M. Nguyen, Special Counsel, Division of Market Regulation, Commission, and Nyieri Nazarian, Assistant General Counsel, Exchange, on September 18, 2006. See also Amex Rule 935-ANTE(a)(7).

⁶ *Id.*

⁷ See Securities Exchange Act Release No. 53341 (February 21, 2006), 71 FR 10085 (February 28, 2006) (SR-Amex-2006-15).

payment accepting firms with whom a specialist has negotiated a payment for order flow arrangement. SPDR Options are currently subject to a \$1.00 per contract fee. The Amex states that this fee solely applies to those orders that are executed electronically through the Exchange's ANTE system.

The Exchange now proposes to allow SROs to negotiate such an arrangement from any affiliated OFPs from which they receive the guaranteed SROT allocation. Payment collected on SROT trades would be set aside for that particular SROT. In addition, fees would be collected from any SROT, specialist, or ROT who participates in the trade.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with section 6(b) of the Act,⁸ in general, and furthers the objectives of section 6(b)(4) of the Act,⁹ in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among Amex members and other persons using Amex facilities.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

The Exchange neither solicited nor received comments with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has been designated as a fee change pursuant to section 19(b)(3)(A)(ii) of the Act¹⁰ and Rule 19b-4(f)(2)¹¹ thereunder, because it establishes or changes a due, fee, or other charge imposed by the Exchange. Accordingly, the proposal will take effect upon filing with the Commission. At any time within 60 days of the filing of such proposed rule change the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for

the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-Amex-2006-79 on the subject line.

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Amex-2006-79. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the Amex. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Amex-2006-79 and should be submitted on or before October 19, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹²

Jill M. Peterson,

Assistant Secretary.

[FR Doc. E6-15925 Filed 9-27-06; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54478; File No. SR-NASDAQ-2006-016]

Self-Regulatory Organizations; The NASDAQ Stock Market LLC; Order Granting Approval of Proposed Rule Change To Eliminate Registration of Foreign Associates Under Nasdaq Membership Rules

September 21, 2006.

On July 21, 2006, The NASDAQ Stock Market LLC ("Nasdaq") submitted to the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² a proposed rule change to eliminate the requirement for foreign associates to register with Nasdaq. The proposed rule change was published for comment in the **Federal Register** on August 15, 2006.³ The Commission received no comments 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 that are applicable to a national securities exchange.⁴ In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,⁵ which requires, among other things, that the rules of the Exchange are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest.

¹² 17 CFR 200.30-3(a)(12).

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Securities Exchange Act Release No. 54284 (August 8, 2006), 71 FR 46954.

⁴ In approving this proposed rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

⁵ 15 U.S.C. 78f(b)(5).

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(4).

¹⁰ 15 U.S.C. 78s(b)(3)(A)(ii).

¹¹ 17 CFR 240.19b-4(f)(2).