

**DATES:** Comments will be accepted until March 28, 2007.

**ADDRESSES:** Interested parties are invited to submit written comments to NCUA Clearance Officer or OMB Reviewer listed below:

Clearance Officer: Mr. Neil McNamara, National Credit Union Administration, 1775 Duke Street, Alexandria, Virginia 22314-3428; Fax No. 703-837-2861; E-mail: [\\_OCIOmail@ncua.gov](mailto:_OCIOmail@ncua.gov).

OMB Reviewer: NCUA Desk Officer, Office of Management and Budget, Room 10226, New Executive Office Building, Washington, DC 20503.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information or a copy of the information collection request should be directed to Tracy Sumpter at the National Credit Union Administration, 1775 Duke Street, Alexandria, VA 22314-3428 or at (703) 518-6444.

**SUPPLEMENTARY INFORMATION:** Proposal for the following collection of information:

*OMB Number:* 3133-0167.

*Form Number:* N/A.

*Type of Review:* Revision to a currently approved collection.

*Title:* 12 CFR Part 741.11 of NCUA's Rules and Regulations, Foreign Branching.

*Description:* Part 741.11 contains a provision that any insured credit union must apply for and receive approval from the regional director before establishing a credit union branch outside the United States unless the foreign branch is located on a United States military institution or embassy outside the United States. The application must include (1) a business plan, (2) written approval by the state supervisory agency if the applicant is a state-chartered credit union, and (3) documentation evidencing written permission from the host country to establish the branch that explicitly recognizes NCUA's authority to examine and take any enforcement actions, to include conservatorship and liquidation actions.

*Estimated No. of Respondents/Recordkeepers:* 2.

*Estimated Burden Hours Per Response:* 16 hours.

*Frequency of Response:* Reporting and other (one time only).

*Estimated Total Annual Burden Hours:* 32.

*Estimated Total Annual Cost:* \$0.

By the National Credit Union Administration Board on February 20, 2007.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. E7-3154 Filed 2-23-07; 8:45 am]

**BILLING CODE 7535-01-P**

## NATIONAL CREDIT UNION ADMINISTRATION

### Notice of Meeting

**TIME AND DATE:** 10 a.m., Friday, February 23, 2007.

**PLACE:** Board Room, 7th Floor, Room 7047, 1775 Duke Street, Alexandria, VA 22314-3428.

**STATUS:** Closed.

**MATTER TO BE CONSIDERED:** 1. Personnel Matter. Closed pursuant to Exemptions (2) and (6).

**FOR FURTHER INFORMATION CONTACT:** Mary Rupp, Secretary of the Board, Telephone: 703-518-6304.

**Mary Rupp,**

*Secretary of the Board.*

[FR Doc. 07-890 Filed 2-22-07; 3:24 pm]

**BILLING CODE 7535-01-M**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. IA-2590/803-190]

### Gates Capital Partners, LLC/Bear Creek Inc.; Notice of Application

February 16, 2007.

**AGENCY:** Securities and Exchange Commission (SEC).

**ACTION:** Notice of Application for Exemption under the Investment Advisers Act of 1940 ("Advisers Act").

*Applicants:* Gates Capital Partners, LLC ("GCP") and Bear Creek Inc. ("Bear Creek").

*Relevant Advisers Act Sections:* Exemption requested under section 202(a)(11)(F) from section 202(a)(11).

*Summary of Application:* GCP and Bear Creek (collectively, the "Applicants") request that the SEC issue an order declaring them and their employees acting within the scope of their employment to be persons not within the intent of section 202(a)(11), which defines the term "investment adviser."

*Filing Dates:* The application was filed on December 21, 2005, and was amended and restated on May 23, 2006, and on January 25, 2007.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the SEC orders a hearing.

Interested persons may request a hearing by writing to the SEC's Secretary and serving Applicants with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on March 13, 2007 and should be accompanied by proof of service on Applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

**ADDRESSES:** Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicant, Gates Capital Partners, LLC, 3575 Cherry Creek North Drive, Denver, Colorado 80209. Applicant, Bear Creek Inc., P.O. Box 4742, Jackson, Wyoming 83001.

**FOR FURTHER INFORMATION CONTACT:** Vivien Liu, Senior Counsel, or David Blass, Assistant Director, at (202) 551-6787 (Division of Investment Management, Office of Investment Adviser Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

### Applicants' Representations

1. GCP was formed in September 2005 to provide investment advice to the Gates family by advising and managing Evergreen 37, LLC ("Evergreen"), a Wyoming limited liability company recently formed by the Family to facilitate the Family's investments, and by advising individual Family members and trusts.

For purposes of this application, "Family" means:

- The lineal descendants of Charles C. Gates and Hazel R. Gates and the spouses of such descendants;
- Trusts established by and for the sole benefit of individual Family members;
- Charitable trusts established by Charles C. Gates and Hazel R. Gates or individual Family members;
- Companies wholly owned by such trusts or individual Family members; and
- Future Family Investment Pools

(investment pools that are exempt from the definition of "investment company" under section 3(c)(1) and section 3(c)(7) of the Investment Company Act of 1940 ("Investment Company Act") and that are wholly owned by the Family but for the limited non-voting interest owned