

- Information in II is required for PY ending after 8–17–2006 (or, evidence of a reduction in number of employers to less than two since the PYs described in II), in addition to PYs described in II
- For PYs described in II, list contributing employers exempt under section 501
- For employers listed above, evidence of exempt status—IRS approval letter; IRS Form 990 or Form 990–EZ (first page and signed and dated last page only); copy of LM–2 or LM–3 (signed and dated first page only)
- For PYs described in II, aggregate contributions by employers listed above, and percentage of the total annual contributions to plan
- If percentage above at least 85%, written statement by plan administrator
- Plan document, trust instrument, plan amendment, Plan Description Form D–1, or Annual Report Form D–2 from period before 9–2–74, or if unavailable, documentation from later date providing substantial evidence of plan's existence before 9–2–74

[FR Doc. E7–14247 Filed 7–20–07; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94–409, that the Securities and Exchange Commission will hold the following meetings during the week of July 23, 2007:

Open Meetings will be held on Tuesday, July 24, 2007 at 10 a.m. and Wednesday, July 25, 2007, at 10 a.m., in the Auditorium, Room L–002 and Closed Meetings will be held on Tuesday, July 24, 2007 at 11 a.m. and Thursday, July 26, 2007 at 2 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meetings. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (5), (7), (8), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), (8), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meetings.

Chairman Cox, as duty officer, voted to consider the items listed for the closed meetings in closed sessions.

The subject matter of the Open Meeting scheduled for Tuesday, July 24, 2007 will be:

The Commission will hear oral argument in an appeal by Gregory M.

Dearlove, CPA, from the decision of an administrative law judge. The law judge found that the financial statements of Adelpia Communications Corporation, a public company, for the period ending December 31, 2000 violated generally accepted accounting principles in several respects. The law judge also found that Dearlove, a certified public accountant and former partner at Deloitte and Touche, LLP, engaged in improper professional conduct under Commission Rule of Practice 102(e) when he served as the engagement partner on Deloitte's audit of Adelpia's 2000 financial statements. The law judge also found that Dearlove caused Adelpia's violations of the reporting and recordkeeping provisions of the Securities Exchange Act of 1934, specifically, Exchange Act Section 13(a) and rules 13a–1 and 12b–20 thereunder, and Exchange Act Section 13(b)(2)(A). The law judge barred Dearlove from appearing or practicing before the Commission in any capacity.

Among the issues likely to be argued are whether Dearlove's conduct during the audit constituted improper professional conduct, whether Dearlove caused Adelpia's violations of the Exchange Act and rules thereunder, and whether there is merit to Dearlove's contention that he was deprived of due process because he did not have adequate time to prepare for the hearing before the law judge. The parties may also address whether and to what extent Dearlove should be sanctioned if he is found to have committed the alleged violations.

The subject matter of the Closed Meeting scheduled for Tuesday, July 24, 2007 will be:

Post-argument discussion.

The subject matter of the Open Meeting scheduled for Wednesday, July 25, 2007 will be:

1. The Commission will consider whether to approve the Public Company Accounting Oversight Board's Auditing Standard No. 5, *An Audit of Internal Control Over Financial Reporting that is Integrated with an Audit of Financial Statements*, a Related Independence Rule 3525, and Conforming Amendments.

2. The Commission will consider whether to adopt rule amendments to Exchange Act Rule 12b–2 and Rule 1–02 of Regulation S–X to define the term “significant deficiency.”

3. The Commission will consider whether to publish a Concept Release to solicit public comment on allowing U.S. issuers, including investment companies subject to the Investment Company Act of 1940, to prepare financial statements in accordance with

International Financial Reporting Standards as published in English by the International Accounting Standards Board for purposes of complying with the Commission's rules and regulations.

4. The Commission will consider whether to propose amendments to the proxy rules under the Securities Exchange Act of 1934 for operating and investment companies regarding shareholder proposals, disclosure about shareholder proponents, shareholder communications, and related matters.

The subject matter of the Closed Meeting scheduled for Thursday, July 26, 2007 will be:

Formal orders of investigations;
Institution and settlement of injunctive actions;
Institution and settlement of administrative proceedings of an enforcement nature;
Resolution of litigation claims;
Amicus consideration;
An adjudicatory matters; and
Other matters related to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551–5400.

Dated: July 18, 2007.

Florence E. Harmon,
Deputy Secretary.

[FR Doc. E7–14216 Filed 7–20–07; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

In the matter of Bentley Commerce Corp., File No. 500–1.; Order of Suspension of Trading

July 19, 2007.

It appears to the Securities and Exchange Commission that there is a lack of current and accurate information concerning the securities of Bentley Commerce Corp. because it has not filed any periodic reports since it filed a Form 10–QSB for the period ended March 31, 2005.

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 Bentley Commerce Corp. is suspended for the period from 9:30 a.m. EDT on July 19,

2007, through 11:59 p.m. EDT on August 1, 2007.

By the Commission.

Nancy M. Morris,
Secretary.

[FR Doc. 07-3602 7-19-07; 1:18 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-56086; File No. SR-BSE-2007-36]

Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Permit the Listing and Trading of Quarterly Options Series

July 17, 2007.

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 July 17, 2007, the Boston Stock Exchange, Inc. (“Exchange” or “BSE”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been substantially prepared by the Exchange. The Exchange has designated the proposed rule change as a non-controversial rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder,⁴ which renders the proposed rule change 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 Exchange proposes to amend the rules of the Boston Options Exchange (“BOX”), including Rule Chapter I Section 1 (“Definitions”); Chapter IV Section 6 (“Series of Options Contracts Open for Trading”); Chapter VII Section 1 (“Exercise of Options Contracts”); and Chapter XIV, Section 2 (“Definitions”), Section 5 (“Position Limits for Broad-Based Index Options”), Section 6 (“Position Limits for Industry Index Options”), and Supplemental Material to Section 10 (“Terms of Index Options Contracts”) to establish a pilot program (“BOX Pilot”) which would accommodate the listing and trading of

options series that may be opened for trading on any business day and that expire at the close of business on the last business day of a calendar quarter (“Quarterly Options” or “Quarterly Options Series”). The pilot program (the “BOX Pilot”) will commence the day the Exchange first initiates trading in a Quarterly Options Series and will continue through July 10, 2008.⁵ The text of the proposed rule change is available on the Exchange’s Web site (<http://www.bostonoptions.com>), at the Exchange’s principal office, 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 Exchange 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 purpose of the proposed rule change is to amend the Exchange’s Rules, including BOX Rules Chapter I

⁵ The BOX proposal is substantially similar to a proposal by the Philadelphia Stock Exchange (“Phlx”) to list Quarterly Options Series on a pilot basis through July 24, 2007. See Securities Exchange Act Release No. 55301 (February 15, 2007), 72 FR 8238 (February 23, 2007) (SR-Phlx-2007-08) (notice of filing and immediate effectiveness). The Commission has approved a substantially similar Quarterly Options Series pilots on behalf of the International Securities Exchange. See Securities Exchange Act Release No. 54113 (July 7, 2006), 71 FR 39694 (July 13, 2006) (SR-ISE-2006-24) (order approving proposal). In addition, the Chicago Board Options Exchange, NYSE Arca, and the American Stock Exchange have filed substantially similar proposals. See Securities Exchange Act Releases No. 54123 (July 11, 2006), 71 FR 40558 (July 17, 2006) (SR-CBOE-2006-65) (notice of filing and immediate effectiveness); 54166 (July 18, 2006), 71 FR 42151 (July 25, 2006) (SR-NYSEArca-2006-45) (notice of filing and immediate effectiveness); and 54137 (July 12, 2006), 71 FR 41283 (July 20, 2006) (SR-Amex-2006-67) (notice of filing and immediate effectiveness). The Phlx proposal also incorporates certain changes made by CBOE to its version of the Quarterly Options Series pilot (e.g., limiting Quarterly Options Series based on an underlying index to five strike prices above or below the value of the index). See Securities Exchange Act Release No. 54762 (November 16, 2006), 71 FR 67663 (November 22, 2006) (SR-CBOE-2006-93) (notice of filing and order granting accelerated approval).

Section 1, Chapter IV Section 6, Chapter VII Section 1, and Chapter XIV Section(s) 2, 5, 6, and Supplemental Material to Section 10, to establish the Pilot Program, which would accommodate the listing of Quarterly Options Series that would expire at the close of business on the last business day of a calendar quarter.

Quarterly Options Series could be opened on any approved options class⁶ on a business day (“Quarterly Options Opening Date”) and would expire at the close of business on the last business day of a calendar quarter (“Quarterly Options Expiration Date”). The Exchange would list series that expire at the end of the next four consecutive calendar quarters, as well as the fourth quarter of the next calendar year.

Quarterly Options Series listed on approved options classes would be P.M.-settled and, in all other respects, would settle in the same manner as do the monthly expiration series in the same options class.

The proposed rule change would allow BOX to open up to five currently listed options classes that are either options on exchange traded funds (“ETFs”) or options on indexes. With respect to quarterly options on ETFs, the strike price for each series would be fixed at a price per share, with at least two strike prices above and two strike prices below the approximate value of the underlying security at about the time that a Quarterly Options Series is opened for trading on BOX. BOX may list strike prices for a Quarterly Options Series based on an underlying ETF that are within \$5 from the closing price of the underlying security on the preceding trading day.

With respect to Quarterly Options Series based on an underlying index, the proposed rule change would allow BOX to list not more than five strike prices above and not more than five strike prices below the value of the underlying index at the time the series is initially listed.

The proposal would permit BOX to open for trading additional Quarterly Options Series of the same class when the Exchange deems it necessary to maintain an orderly market, to meet customer demand, or when the current market price of the underlying security or index moves substantially from the exercise prices of those Quarterly Options Series that already have been opened for trading on BOX. The exercise price of each Quarterly Options Series on an underlying index would be

⁶ Quarterly Options Series may be opened in options on indexes or options on ETFs that satisfy the applicable listing criteria under BOX rules.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(6).