

multiplication measurements, predictions of multiplication for next fuel additions, and prediction and verification of final criticality conditions.

9. Primary coolant measurements:

Results of any primary coolant water sample measurements for fission product activity taken during the first 30 days of LEU operation.

10. Pulse Measurements:

Results of any test pulses performed and comparison with calculations and available HEU core measurements.

11. Discussion of results:

Discussion of the comparison of the various results including an explanation of any significant differences that could affect normal operation and accident analyses.

[FR Doc. E8-20998 Filed 9-8-08; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**DATES:** Weeks of September 8, 15, 22, 29, October 6, 13, 2008.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### Week of September 8, 2008

9:30 a.m. Affirmation Session (Public Meeting). (Tentative)

a. U.S. Department of Energy (High Level Waste Repository) DOE's Partially Unopposed Motion for Protective Order Governing Classified Information (filed May 30, 2008). (Tentative)

b. U.S. Department of Energy (High Level Waste Repository: Pre-Application Matters), Docket No. PAPO-00—The DOE's Notice of Appeal from the PAPO Board's April 23, 2008 Order and Nye County's Motion to File an Amicus Curiae Brief—SRM—SECY-08-0082. (Tentative)

#### Week of September 15, 2008—Tentative

There are no meetings scheduled for the week of September 15, 2008.

#### Week of September 22, 2008—Tentative

There are no meetings scheduled for the week of September 22, 2008.

#### Week of September 29, 2008—Tentative

There are no meetings scheduled for the week of September 29, 2008.

#### Week of October 6, 2008—Tentative

There are no meetings scheduled for the week of October 6, 2008.

#### Week of October 13, 2008—Tentative

There are no meetings scheduled for the week of October 13, 2008.

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\* The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292.

Contact person for more information: Michelle Schroll, (301) 415-1662.

\* \* \* \* \*

The NRC Commission Meeting Schedule can be found on the Internet at:

<http://www.nrc.gov/about-nrc/policy-making/schedule.html>.

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [REB3@nrc.gov](mailto:REB3@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: September 4, 2008.

**R. Michelle Schroll,**

*Office of the Secretary.*

[FR Doc. E8-20969 Filed 9-5-08; 4:15 pm]

BILLING CODE 7590-01-P

#### Matters to be Considered:

1. President's Report
2. Approval of July 17, 2008 Minutes (Open Portion)

*Further Matters to be Considered:*  
(Closed to the Public 10:15 a.m.)

1. Report from Audit Committee
2. Finance Project—Costa Rica, El Salvador, Guatemala, Honduras
3. Finance Project—Liberia
4. Finance Project—South Africa
5. Finance Project—Mexico, Nicaragua, El Salvador, Peru, Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Tajikistan, Cambodia, Bosnia, Kenya
6. Finance Project—Botswana
7. Finance Project—Bulgaria and the Balkans
8. Finance Project—Asia
9. Finance Project—South Asia
10. Finance Project—Global
11. Finance Project—Global
12. Finance Project—Global
13. Finance Project—Global
14. Finance Project—Latin America
15. Finance Project—Latin America
16. Finance Project—Latin America
17. Finance Project—Mexico and Central America
18. Finance Project—Central and South America
19. Finance Project—Latin America, Pakistan and Georgia
20. Approval of July 17, 2008 Minutes (Closed Portion)
21. Pending Major Projects
22. Reports

#### Contact Person for Information:

Information on the meeting may be obtained from Connie M. Downs at (202) 336-8438.

Dated: September 3, 2008.

**Connie M. Downs,**

*Corporate Secretary, Overseas Private Investment Corporation.*

[FR Doc. E8-20959 Filed 9-5-08; 11:15 am]

BILLING CODE 3210-01-P

## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995 which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

*Comments are invited on:* (a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical

utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

### Title and Purpose of Information Collection

Appeal Under the Railroad Retirement and Railroad Unemployment Insurance Act; OMB 3220-0007 Under Section 7(b)(3) of the Railroad Retirement Act (RRA), and section 5(c) of the Railroad Unemployment Insurance Act (RUIA) any person aggrieved by a decision on his or her application for an annuity or benefit under that Act has the right to appeal to the RRB. This right is prescribed in 20 CFR part 260 and 20 CFR part 320. The notification letter sent to the individual at the time of the original action on the application informs the applicant of such right. When an individual protests a decision, the concerned bureau reviews the entire file and any additional evidence submitted and sends the applicant a letter explaining the basis of the determination. The applicant is then notified that if he or she wishes to protest further, they can appeal to the RRB's Bureau of Hearings and Appeals. The procedure pertaining to the filing of such an appeal is prescribed in 20 CFR 260.5 and 260.9 and 20 CFR 320.12 and 320.38.

The form prescribed by the RRB for filing an appeal under the RRA or RUIA is form HA-1, *Appeal Under the Railroad Retirement Act or Railroad Unemployment Insurance Act*. The form asks the applicant to furnish the basis for the appeal and what additional evidence, if any, is to be submitted. Completion is voluntary, however if the information is not provided the RRB cannot process the appeal.

The RRB proposes to remove items from Form HA-1 that request the appellant to provide their social security number or RRB Claim number. No other changes are proposed. The completion time for the HA-1 is estimated at 20 minutes per response. The RRB estimates that approximately 650 Form HA-1's are completed annually. Annual burden for the collection is estimated at 217 hours.

**Additional Information or Comments:** To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363 or

send an e-mail request to [Charles.Mierzwa@RRB.GOV](mailto:Charles.Mierzwa@RRB.GOV). Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 North Rush Street, Chicago, Illinois 60611-2092 or send an e-mail to [Ronald.Hodapp@RRB.GOV](mailto:Ronald.Hodapp@RRB.GOV). Written comments should be received within 60 days of this notice.

**Charles Mierzwa,**  
Clearance Officer.

[FR Doc. E8-20789 Filed 9-8-08; 8:45 am]

BILLING CODE 7905-01-P

## SECURITIES AND EXCHANGE COMMISSION

Release No. 34-58454]

### Order Granting Application for Exemption Pursuant to Section 36(a) of the Exchange Act by the Philadelphia Stock Exchange, Inc. From the Rule Filing Requirements of Section 19(b) of the Exchange Act With Respect to Certain Rules Incorporated by Reference

September 3, 2008.

#### I. Introduction

On June 27, 2007,<sup>1</sup> the Philadelphia Stock Exchange, Inc., n/k/a NASDAQ OMX PHLX, Inc., ("Phlx" or the "Exchange") filed with the Securities and Exchange Commission ("Commission") pursuant to Rule 0-12<sup>2</sup> under the Securities Exchange Act of 1934 ("Exchange Act") an application for an exemption under Section 36(a)(1) of the Exchange Act<sup>3</sup> from the rule filing requirements of Section 19(b) of the Exchange Act<sup>4</sup> with respect to certain margin rules of other self-regulatory organizations ("SROs") that the Exchange seeks to incorporate by reference.

#### II. Application for Section 36 Exemption From Section 19(b) Rule Filing Requirements for SRO Rules Incorporated by Reference

On August 11, 2008, the Commission approved a proposed rule change—SR-Phlx-2007-33—which, among other things, permits Phlx members to elect to be bound by the margin rules of either the New York Stock Exchange LLC ("NYSE") or the Chicago Board Options

Exchange, Incorporated ("CBOE").<sup>5</sup> More specifically, Phlx amended its Rule 721 to state a member organization must elect to be bound by the initial and maintenance margin requirements of either the NYSE or CBOE as the same may be in effect and amended from time to time.<sup>6</sup> Phlx Rule 721 further states that upon the filing of such election, a Phlx member shall be bound to comply with the margin rules of the NYSE or CBOE, as applicable, as though said rules were part of Phlx's margin rules. On June 26, 2007, Phlx submitted a formal request, pursuant to Rule 0-12 under the Exchange Act,<sup>7</sup> seeking an exemption under Section 36 of the Exchange Act from the rule filing procedures of Section 19(b) of the Exchange Act with respect to changes to the margin rules of either the NYSE or CBOE.<sup>8</sup>

#### III. Order Granting Section 36 Exemption

Section 36 of the Exchange Act<sup>9</sup> authorizes the Commission to conditionally or unconditionally exempt any person, security, or transaction, or any class thereof, from any provision of the Exchange Act or rule thereunder, if necessary or appropriate in the public interest and consistent with the protection of investors. The Commission believes that it is appropriate to issue exemptions, subject to the conditions described below, to allow SROs to incorporate by reference the rules of other SROs without being subject to the rule filing requirements of Section 19(b) of the Exchange Act whenever the SRO's rules that are incorporated by reference change. Such exemptions promote efficient use of Commission and SRO resources by avoiding duplicative rule filings based on simultaneous changes to identical rule text sought by more than one SRO.

The Commission will consider granting requests for exemption, pursuant to Section 36 of the Exchange Act, from the rule filing requirements imposed by Section 19(b) of the Exchange Act, provided that:<sup>10</sup>

<sup>5</sup> See Exchange Act Release 58340, 73 FR 48268 (August 18, 2008).

<sup>6</sup> Exchange Act Release No. 58340 (August 11, 2008); see also Exchange Act Release No. 58045 (June 26, 2008), 73 FR 38487 (July 7, 2008) (SR-Phlx-2007-33).

<sup>7</sup> See 17 CFR 240.0-12.

<sup>8</sup> See Letter from Edith H. Hallahan, Esq., Senior Vice President and Deputy General Counsel, Phlx, to Nancy M. Morris, Secretary, Commission, dated June 26, 2007.

<sup>9</sup> 15 U.S.C. 78mm.

<sup>10</sup> Exchange Act Release No. 49260 (February 17, 2004), 69 FR 8500 (February 24, 2004).

<sup>1</sup> See Letter from Edith H. Hallahan, Esq., Senior Vice President and Deputy General Counsel, Phlx, to Nancy M. Morris, Secretary, Commission, dated June 26, 2007.

<sup>2</sup> 17 CFR 240.0-12.

<sup>3</sup> 15 U.S.C. 78mm(a)(1).

<sup>4</sup> 15 U.S.C. 78s(b).