For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Florence E. Harmon,

Deputy Secretary.

[FR Doc. 2010–14052 Filed 6–10–10; 8:45 am]

BILLING CODE 8010–01–P

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94–409, that the Securities and Exchange Commission will hold an Open Meeting on June 16, 2010 at 10 a.m., in the Auditorium, Room L–002.

The subject matter of the Open Meeting will be: The Commission will consider whether to propose amendments to rules 156 and 482 under the Securities Act of 1933 and rule 34b–1 under the Investment Company Act of 1940 to address concerns that have been raised about target date retirement fund names and marketing materials.

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: June 8, 2010.

Elizabeth M. Murphy,

Secretary.

[FR Doc. 2010–14148 Filed 6–9–10; 11:15 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–62227; File No. SR–CBOE–2010–050]

Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend the Fees Schedule

June 4, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on May 21, 2010, the Chicago Board Options Exchange, Incorporated ("Exchange" or "CBOE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Exchange has designated this proposal as one establishing or changing a due, fee, or other charge imposed by CBOE under Section 19(b)(3)(A)(ii) of the Act[3] and Rule 19b–4(f)(2) thereunder.[4] 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 its Fees Schedule to establish fees for transactions in all S&P 500 Dividend Index options, regardless of the specified accrual period. The text of the proposed rule change is available on the Exchange's Web site (*http://www.cboe.org/Legal*), on the Commission's Web site at *http://www.sec.gov,* at the Exchange's Office of the Secretary 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 self-regulatory organization 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 those 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 parts of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange previously received approval to list options on the S&P 500 Dividend Index, which represents the accumulated ex-dividend amounts of all S&P 500 Index component securities over a specified accrual period (*e.g.,* quarterly, semi-annually, annually), and recently approval to list options on the S&P 500 Annual Dividend Index with an applied scaling factor of 1.[5] The Exchange currently lists S&P 500 Dividend Index ("DVS") options with a specified quarterly accrual period and will begin listing options on the S&P 500 Annual Dividend Index on May 25, 2010.

The purposes [sic] of this filing is to amend the CBOE Fees Schedule to extend the existing fees for transactions in DVS options to all options on the S&P 500 Dividend Index, regardless of the specified accrual period.[6] Currently the established transaction fees for DVS options are as follows:

- $0.20 per contract for Market-Maker and Designated Primary Market-Maker transactions;[7]
- $0.20 per contract for member firm proprietary transactions;
- $0.40 per contract for manually executed broker-dealer transactions;
- $0.40 per contract for electronically executed broker-dealer transactions;
- $0.40 per contract for voluntary professional transactions;
- $0.40 per contract for professional transactions;
- $0.40 per contract for customer transactions; and
- $0.10 per contract CFLEX surcharge fee.

The Exchange also assesses a $.10 per contract surcharge fee on all non-public customer transactions in DVS options to help the Exchange recoup license fees the Exchange pays to the reporting authority. Further, the Exchange's Liquidity Provider Sliding Scale applies to transaction fees in DVS options, but the Exchange's marketing fee[8] does not apply.

To affect the current proposal, the Exchange proposes to replace all references to "DVS" in the CBOE Fees Schedule with a reference to "S&P 500 Dividend Index." The transaction fees for options on the "S&P 500 Dividend Index" will apply to all options on the S&P 500 Dividend Index regardless of the specified accrual period (*e.g.,* quarterly, semi-annually, annually).

The Exchange believes the rule change will further the Exchange's goal of introducing new products to the marketplace that are competitively priced.[9] Also, the Exchange states that the surcharge fee on all non-public customer transactions in options on the S&P 500 Dividend Index is to help the

[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).

[5] *See* Securities Exchange Act Release Nos. 61136 (December 10, 2009), 74 FR 66711 (December 16, 2009) (SR–CBOE–2009–022) and 62023 (May 3, 2010), 75 FR 25899 (May 10, 2010) (SR–CBOE–2010–039).

[6] *See* Securities Exchange Act Release No. 61295 (January 6, 2010), 75 FR 2166 (January 14, 2010) (SR–CBOE–2009–098) (filing establishing transaction fees for DVS options).

[7] This is the standard rate that is subject to the Liquidity Provider Sliding Scale as set forth in Footnote 10 to the Fees Schedule.

[8] *See* Footnote 6 of the Fees Schedule.

[9] Linkage order fees are inapplicable for options on CBOE's proprietary products.