

at 202-789-6873 or via electronic mail at prc-webmaster@prc.gov.

The appeal and all related documents are also available for public inspection in the Commission's docket section. Docket section hours are 8 a.m. to 4:30 p.m., Monday through Friday, except on Federal Government holidays. Docket section personnel may be contacted via electronic mail at prc-dockets@prc.gov or via telephone at 202-789-6846.

Filing of documents. All filings of documents in this case shall be made using the Internet (Filing Online) pursuant to Commission rules 9(a) and 10(a) at the Commission's Web site, <http://www.prc.gov>, unless a waiver is obtained. 39 CFR 3001.9(a) and 10(a). Instructions for obtaining an account to file documents online may be found on the Commission's Web site, <http://www.prc.gov>, or by contacting the Commission's docket section at [prc-](mailto:prc-dockets@prc.gov)

dockets@prc.gov or via telephone at 202-789-6846.

Intervention. Those, other than the petitioner and respondent, wishing to be heard in this matter are directed to file a notice of intervention. See 39 CFR 3001.111. Notices of intervention in this case are to be filed on or before November 16, 2010. A notice of intervention shall be filed using the Internet (Filing Online) at the Commission's Web site, <http://www.prc.gov>, unless a waiver is obtained for hardcopy filing. See 39 CFR 3001.9(a) and 10(a).

Further procedures. By statute, the Commission is required to issue its decision within 120 days from the date it receives the appeal. See 39 U.S.C. 404(d)(5). A procedural schedule has been developed to accommodate this statutory deadline. In the interest of expedition, in light of the 120-day decision schedule, the Commission may

request the Postal Service or other participants to submit information or memoranda of law on any appropriate issue. As required by the Commission rules, if any motions are filed, responses are due 7 days after any such motion is filed. 39 CFR 3001.21.

It is ordered:

1. The Postal Service shall file the administrative record in this appeal, or otherwise file a responsive pleading to the appeal, by November 5, 2010.

2. The procedural schedule listed below is hereby adopted.

3. Pursuant to 39 U.S.C. 505, Robert Sidman is designated officer of the Commission (Public Representative) to represent the interests of the general public.

4. The Secretary shall arrange for publication of this notice and order and procedural schedule in the **Federal Register**.

PROCEDURAL SCHEDULE

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|-------------------------|---|
| October 19, 2010 | Filing of Appeal. |
| November 5, 2010 | Deadline for Postal Service to file administrative record in this appeal or responsive pleading. |
| November 16, 2010 | Deadline for petitions to intervene (<i>see</i> 39 CFR 3001.111(b)). |
| November 26, 2010 | Deadline for Petitioner's Form 61 or initial brief in support of petition (<i>see</i> 39 CFR 3001.115(a) and (b)). |
| December 16, 2010 | Deadline for answering brief in support of Postal Service (<i>see</i> 39 CFR 3001.115(c)). |
| December 31, 2010 | Deadline for reply briefs in response to answering briefs (<i>see</i> 39 CFR 3001.115(d)). |
| January 7, 2011 | Deadline for motions by any party requesting oral argument; the Commission will schedule oral argument only when it is a necessary addition to the written filings (<i>see</i> 39 CFR 3001.116). |
| February 16, 2011 | Expiration of the Commission 120-day decisional schedule (<i>see</i> 39 U.S.C. 404(d)(5)). |

By the Commission.
Shoshana M. Grove,
Secretary.
 [FR Doc. 2010-27350 Filed 10-28-10; 8:45 am]
BILLING CODE P

SECURITIES AND EXCHANGE COMMISSION

Proposed Collection; Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.
Existing Collection in Use Without an OMB Number: Rule 8c-1; SEC File No. 270-455; OMB Control No. 3235-0514.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission

("Commission") is soliciting comments on the collection of information summarized below. The Commission plans to submit this existing collection of information to the Office of Management and Budget for Approval. Rule 8c-1 (17 CFR 240.8c-1) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) generally prohibits a broker-dealer from using its customers' securities as collateral to finance its own trading, speculating, or underwriting transactions. More specifically, the rule states three main principles: first, that a broker-dealer is prohibited from commingling the securities of different customers as collateral for a loan without the consent of each customer; second, that a broker-dealer cannot commingle customers' securities with its own securities under the same pledge; and third, that a broker-dealer can only pledge its customers' securities to the extent that customers are in debt to the broker-dealer. See Securities Exchange Act Release No. 2690

(November 15, 1940); Securities Exchange Act Release No. 9428 (December 29, 1971). Pursuant to Rule 8c-1, respondents must collect information necessary to prevent the hypothecation of customer accounts in contravention of the rule, issue and retain copies of notices to the pledgee of hypothecation of customer accounts in accordance with the rule, and collect written consents from customers in accordance with the rule. The information is necessary to ensure compliance with the rule, and to advise customers of the rule's protections. There are approximately 111 respondents per year (*i.e.*, broker-dealers that conducted business with the public, filed Part II of the FOCUS Report, did not claim an exemption from the Reserve Formula computation, and reported that they had a bank loan during at least one quarter of the current year) that require an aggregate total of 2,498 hours to comply with the rule. Each of these approximately 111

registered broker-dealers makes an estimated 45 annual responses, for an aggregate total of 4,995 responses per year. Each response takes approximately 0.5 hours to complete. Thus, the total compliance burden per year is 2,498 burden hours. The approximate cost per hour is \$59, resulting in a total cost of compliance for the respondents of approximately \$147,382 (2,498 hours @ \$59 per hour).

Written comments are invited on: (a) Whether the collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to: Jeffrey Heslop, Acting Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: PRA_Mailbox@sec.gov.

Dated: October 25, 2010.

Florence E. Harmon,
Deputy Secretary.

[FR Doc. 2010-27366 Filed 10-28-10; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 29486; File No. 812-13648]

Nationwide Life Insurance Company, et al., Notice of Application

October 25, 2010.

AGENCY: Securities and Exchange Commission (the "Commission").

ACTION: Notice of application for an order of approval pursuant to Section 26(c) of the Investment Company Act of 1940, as amended (the "Act"), and an order of exemption pursuant to Section 17(b) of the Act from Section 17(a) of the Act.

Applicants: Nationwide Life Insurance Company ("NWL"), Nationwide Life and Annuity Insurance Company ("NLAIC") (together with NWL, the "Insurance Companies"),

Nationwide Variable Account-II ("Account II"), Nationwide Variable Account-6 ("Account 6"), Nationwide Variable Account-7 ("Account 7"), Nationwide Variable Account-8 ("Account 8"), Nationwide Variable Account-9 ("Account 9"), Nationwide Variable Account-10 ("Account 10"), Nationwide Variable Account-14 ("Account 14"), Nationwide VLI Separate Account-2 ("VLI Account 2"), Nationwide VLI Separate Account-4 ("VLI Account 4"), Nationwide VLI Separate Account-7 ("VLI Account 7"), Nationwide Provident VA Separate Account 1 ("Account P-1"), Nationwide Provident VLI Separate Account 1 ("VLI Account P-1"); Nationwide VA Separate Account-B ("Account B"), Nationwide VL Separate Account-G ("Account G"), Nationwide Provident VA Separate Account A ("Account P-A"), and Nationwide Provident VLI Separate Account A ("VLI Account P-A") (together with Accounts II, 6, 7, 8, 9, 10, 14, P-1, B, G, and P-A along with VLI Accounts 2, 4, 7, and P-1, the "Separate Accounts") and Nationwide Variable Insurance Trust. The Insurance Companies and the Separate Accounts are referred to collectively as the "Applicants." The Applicants, together with Nationwide Variable Insurance Trust are referred to as the "Section 17(b) Applicants."

SUMMARY: Summary of Application: Applicants seek an order approving the proposed substitutions (the "Substitutions") of certain series of Nationwide Variable Insurance Trust (the "Trust" or "NVIT") for shares of series of other unaffiliated registered investment companies held by the Separate Accounts under certain variable annuity contracts and/or variable life insurance policies issued by the Insurance Companies (collectively, the "Contracts"). Section 17(b) Applicants also seek an order pursuant to Section 17(b) of the Act to permit certain in-kind transactions in connection with the Substitutions.

DATES: Filing Date: The application was filed on April 2, 2009, and amended and restated on July 15, 2010 and October 21, 2010.

Hearing or Notification of Hearing: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request, personally or by mail. Hearing requests must be received by the Commission by 5:30 p.m. on November 19, 2010, 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 requester's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary of the Commission.

ADDRESSES: The Commission: Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants: c/o Jamie Ruff Casto, Esq., Nationwide Life Insurance Company, One Nationwide Plaza, 1-34-201, Columbus, Ohio 43215.

FOR FURTHER INFORMATION CONTACT: Rebecca A. Marquigny, Senior Counsel, or Joyce M. Pickholz, Branch Chief, Office of Insurance Products, Division of Investment Management, at (202) 551-6795.

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm>, or by calling (202) 551-8090.

Applicants' and Section 17(b) Applicants' Representations

1. NWL and NLAIC are stock life insurance companies organized under the laws of the State of Ohio. NLAIC is wholly owned by NWL which is wholly owned by Nationwide Financial Services, Inc. ("NFS"). NWL is the depositor and sponsor of Accounts II, 6, 7, 8, 9, 10, 14 and P-1 and VLI Accounts 2, 4, 7, and P-1. NLAIC is the depositor and sponsor of B, G, and P-A and VLI Account P-A.

2. All of the Separate Accounts are registered unit investment trusts used to issue one or more Contracts together with their respective Insurance Company. The file numbers for each Separate Account's registration under the Act and each Contract's registration under the Securities Act of 1933, as amended ("1933 Act") are set forth in the Application.

3. NVIT is registered under the Act as an open-end management investment company of the series type, and it securities are registered under the 1933 Act on Form N-1A (File Nos. 811-03213 and 002-73024). Two of these series, the NVIT—American Century NVIT Multi-Cap Value Fund and NVIT—Oppenheimer NVIT Large Cap Growth Fund (each an "NVIT Fund"), are the replacement funds ("New Funds" or "New Portfolios") in the proposed Substitutions.