

For purposes of this **Federal Register** notice, the contact at OPM is John Cutler, at [john.cutler@opm.gov](mailto:john.cutler@opm.gov) or (202) 606-0004.

**SUPPLEMENTARY INFORMATION:** The Long-Term Care Security Act (Pub. L. 106-265) permits OPM to provide for periodic opportunities for eligible individuals to apply for coverage in the FLTCIP. OPM has issued regulations (5 CFR Part 875, sections 402-404) which set forth procedures for FLTCIP open seasons. This notice is issued under section 875.402(b). Under that provision, OPM will specify beginning and ending dates, as well as the requirements for applicants during this period, in **Federal Register** Notices. OPM may provide for abbreviated underwriting requirements for specified eligible groups when OPM determines it is in the best interest of the FLTCIP.

**Eligible Individuals:** Active civilian workforce members and their spouses or same-sex domestic partners who are not currently enrolled in FLTCIP are eligible to apply during this Open Season with abbreviated underwriting. Active civilian workforce members include Federal civilian or U.S. Postal Service employees whose current position conveys eligibility for Federal Employees Health Benefits coverage, subject to the exceptions contained in section 875.201. Members of the uniformed services—those who are on active duty or full-time National Guard duty for more than a 30-day period or are active members of the selected reserve—and their spouses who are not currently enrolled in FLTCIP are eligible to apply during this Open Season with abbreviated underwriting. Non-enrolled annuitants as described in sections 875.202 and 875.203, retired members of the uniformed services as described in section 875.205, and qualified relatives other than spouses of active workforce members and same-sex domestic partners of active civilian workforce members can apply for coverage with a full underwriting application.

**Underwriting requirements:** Eligible applicants who are active workforce members, their spouses and same-sex domestic partners of active civilian workforce members, who are not currently enrolled in FLTCIP, are able to apply during the Open Season subject to the abbreviated underwriting standards in effect for the FLTCIP as of April 4, 2011. Eligible applicants other than active workforce members, their spouses, and same-sex domestic partners of active civilian workforce members, are subject to the full

underwriting standards in effect for the FLTCIP as of April 4, 2011.

**Billing age:** Premiums are based on the enrollee's age upon receipt of his or her application by the program administrator, Long Term Care Partners, and the options selected.

**Effective date:** The effective date of coverage will be the first day of the month after an application is approved. However, in accordance with § 875.404(b)(2), workforce members who apply for coverage under abbreviated underwriting must be actively at work in order for coverage to become effective.

**Authority:** 5 U.S.C. 9008; 5 CFR 875.402. U.S. Office of Personnel Management.

**John Berry,**  
Director.

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## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon Written Request, Copies Available From: U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension:

Rule 15Ba2-6T, OMB Control No. 3235-0659, SEC File No. S7-19-10.

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 existing collection of information provided for in the following rule: Rule 15Ba2-6T—Temporary Registration as a Municipal Advisor; Required Amendments; and Withdrawal from Temporary Registration (17 CFR 240.15Ba2-6T) under the Securities Exchange Act of 1934 (15 U.S.C. 78a *et seq.*) ("Exchange Act"). The Commission plans to submit this existing collection of information to the Office of Management and Budget ("OMB") for extension and approval.

Paragraph (a) of Rule 15Ba2-6T requires municipal advisors, as defined in Section 15B(e)(4) of the Exchange Act (15 U.S.C. 78o-4(e)(4)), to electronically file with the Commission on the Commission's Web site at the following link, *Municipal Advisor Registration*, the information set forth in Form MA-T (17 CFR 249.1300T) to temporarily register or withdraw from temporary registration.

Paragraph (b)(1) of Rule 15Ba2-6T requires municipal advisors to promptly amend their temporary registration whenever information concerning Items 1 (Identifying Information) or 3 (Disciplinary Information) of Form MA-T becomes inaccurate in anyway.

Paragraph (b)(2) of Rule 15Ba2-6T requires municipal advisors to promptly amend their temporary registration whenever they wish to withdraw from registration.

Paragraph (c) of Rule 15Ba2-6T provides that every initial registration, amendment to registration, or withdrawal from registration filed pursuant to this rule constitutes a "report" within the meaning of applicable provisions of the Exchange Act.

Paragraph (d) of Rule 15Ba2-6T provides that every Form MA-T, including every amendment to or withdrawal from registration, is considered filed with the Commission when the electronic form on the Commission's Web site is completed and the Commission has sent confirmation to the municipal advisor that the form was filed.

Paragraph (e) of Rule 15Ba2-6T provides that all temporary registrations of municipal advisors will expire on the earlier of: (1) The date that the registration is approved or disapproved by the Commission pursuant to a final rule adopted by the Commission establishing another manner of registration and prescribing a form for the registration; (2) the date on which the municipal advisor's temporary registration is rescinded by the Commission; or (3) December 31, 2011.

Paragraph (f) of Rule 15Ba2-6T provides that Rule 15Ba2-6T will expire on December 31, 2011.

The primary purpose of Rule 15Ba2-6T is to provide information about municipal advisors to investors and issuers, as well as the Commission pursuant to the Dodd-Frank Wall Street Reform and Consumer Protection Act.

Commission staff estimates that approximately 1,000 municipal advisors will file Form MA-T. Commission staff estimates that each of the approximately 1,000 municipal advisors will spend an average of 2.5 hours preparing each Form MA-T. Therefore, the estimated total reporting burden associated with completing Form MA-T is 2,500 hours. Additionally, Commission staff estimates that approximately 1,000 municipal advisors will amend their Form MA-T once during the period of September 1, 2010 through December 31, 2011 and that it will take approximately 30 minutes to amend their form, which means the total

burden associated with amending Form MA-T is 500 hours. Therefore, the total annual burden associated with completing and amending Form MA-T is 3,000 hours.

The Commission believes that some municipal advisors will seek outside counsel to help them comply with the requirements of Rule 15Ba2-6T and Form MA-T, and assumes that each of the 1,000 municipal advisors will consult outside counsel for one hour for this purpose. The hourly rate for an attorney is \$400, according to the Securities Industry and Financial Markets Association's publication titled *Management & Professional Earnings in the Securities Industry 2009*, as modified by Commission staff to account for an 1,800 hour work year and multiplied by 5.35 to account for bonuses, firm size, employee benefits and overhead. The Commission estimates the total cost for all 1,000 municipal advisors to hire outside counsel to review their compliance with the requirements of Rule 15Ba2-6T and Form MA-T to be approximately \$400,000.

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid control number.

The public may view the background documentation for this information collection at the following Web site, <http://www.reginfo.gov>. Comments should be directed to: (i) Desk Officer for the Securities and Exchange Commission, Office of Information and Regulatory Affairs, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503, or by sending an e-mail to: [Shagufta\\_Ahmed@omb.eop.gov](mailto:Shagufta_Ahmed@omb.eop.gov); and (ii) Thomas Bayer, Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, VA 22312 or send an email to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: January 18, 2011.

**Elizabeth M. Murphy,**  
Secretary.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63756; File No. S7-24-89]

### Joint Industry Plan; Notice of Filing of Amendment No. 25 to the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis Submitted by the BATS Exchange, Inc., BATS Y-Exchange, Inc., Chicago Board Options Exchange, Incorporated, Chicago Stock Exchange, Inc., EDGA Exchange, Inc., EDGX Exchange, Inc., Financial Industry Regulatory Authority, Inc., International Securities Exchange LLC, NASDAQ OMX BX, Inc., NASDAQ OMX PHLX, Inc., Nasdaq Stock Market LLC, National Stock Exchange, Inc., New York Stock Exchange LLC, NYSE Amex, Inc., and NYSE Arca, Inc.

January 21, 2011.

Pursuant to Rule 608 of the Securities Exchange Act of 1934 (the "Act")<sup>1</sup> notice is hereby given that on December 23, 2010, the operating committee ("Operating Committee" or "Committee")<sup>2</sup> of the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation, and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privilege Basis ("Nasdaq/UTP Plan" or "Plan") filed with the Securities and Exchange Commission ("Commission") an amendment to the Plan.<sup>3</sup> This

<sup>1</sup> 17 CFR 242.608.

<sup>2</sup> The Plan Participants (collectively, "Participants") are the: BATS Exchange, Inc. ("BATS"); BATS Y-Exchange, Inc. ("BATS Y"); Chicago Board Options Exchange, Incorporated ("CBOE"); Chicago Stock Exchange, Inc. ("CHX"); EDGA Exchange, Inc. ("EDGA"); EDGX Exchange, Inc. ("EDGX"); Financial Industry Regulatory Authority, Inc. ("FINRA"); International Securities Exchange LLC ("ISE"); NASDAQ OMX BX, Inc. ("BX"); NASDAQ OMX PHLX, Inc. ("PHLX"); Nasdaq Stock Market LLC ("Nasdaq"); National Stock Exchange, Inc. ("NSX"); New York Stock Exchange LLC ("NYSE"); NYSE Amex, Inc. ("NYSEAmex"); and NYSE Arca, Inc. ("NYSEArca").

<sup>3</sup> The Plan governs the collection, processing, and dissemination on a consolidated basis of quotation information and transaction reports in Eligible Securities for each of its Participants. This consolidated information informs investors of the current quotation and recent trade prices of Nasdaq securities. It enables investors to ascertain from one data source the current prices in all the markets trading Nasdaq securities. The Plan serves as the required transaction reporting plan for its Participants, which is a prerequisite for their trading Eligible Securities. See Securities Exchange Act Release No. 55647 (April 19, 2007) 72 FR 20891 (April 26, 2007).

amendment represents Amendment No. 25 to the Plan and proposes to permit ministerial amendments to the Plans under the signature of the Chairman of the Nasdaq/UTP Plan Operating Committee. The Commission is publishing this notice to solicit comments from interested persons on the proposed Amendment.

#### I. Rule 608(a)

##### A. Purpose of the Amendments

Currently, Section XVI of the Nasdaq/UTP Plan requires each Participant to execute most amendments to the Plan before they can submit Plan amendments to the Commission. This can result in delays and unwarranted administrative functioning in the context of certain amendments that are of a purely ministerial nature. For that reason, the Participants propose to amend the Plan to permit the submission of Plan amendments to the Commission under the signature of the Chairman of the Nasdaq/UTP Plan Operating Committee, in lieu of signatures from each Participant.

The categories of ministerial Plan amendments that the Participants may submit under the signature of the Chairman include amendments to the Plan that pertain solely to any one or more of the following:

- (1) Admitting a new Participant into the Plan;
- (2) Changing the name or address of a Participant;
- (3) Incorporating a change that the Commission has implemented by rule and that requires no conforming language to the text of the Plan (e.g., the Commission rule establishing the Advisory Committee);
- (4) Incorporating a change (i) That the Commission has implemented by rule, (ii) that requires conforming language to the text of the Plan (e.g., the Commission rule amending the revenue allocation formula), and (iii) that a majority of all Participants has voted to approve; and
- (5) Incorporating a purely technical change, such as correcting an error or an inaccurate reference to a statutory provision, or removing language that has become obsolete (e.g., language regarding ITS).

The Participants believe that submission of these categories of ministerial amendments will improve the efficiency of the administration of the Plan and that the signature of each Participant provides no safeguards that are necessary or appropriate in the context of these categories of ministerial amendments.