Section 19(a)(3) of the Act provides that in the event any self-regulatory organization is no longer in existence or has ceased to do business in the capacity specified in its application for registration, “the Commission, by order, shall cancel its registration.” Based upon the representations and undertakings made by PCX to the Commission and because PCC is no longer in existence and has ceased to do business in the capacity specified in its registration application, the Commission is canceling its registration effective February 24, 2012. It is therefore ordered that:

Effective February 24, 2012, based on the facts and representations noted above, PCC’s registration as a clearing agency under Section 17A of the Exchange Act and Rule 17Ab2–1 thereunder is cancelled.

By the Commission.
Kevin M. O’Neill,
Deputy Secretary.

SECURITIES AND EXCHANGE COMMISSION
[Release No. 34–66460; File No. No. 600–10]

Self-Regulatory Organizations; Pacific Securities Depository Trust Company; Order Cancelling Clearing Agency Registration

February 24, 2012.

I. Background

On December 1, 1975, pursuant to Sections 17A(b) and 19(a)(1) of the Securities Exchange Act of 1934 (“Act”) and Rule 17Ab2–1 thereunder, the Securities and Exchange Commission (“Commission”) approved a temporary basis the application for registration as a clearing agency filed by the Pacific Securities Depository Trust Company ("PSTDTC").

By subsequent orders, the Commission extended PSTDTC’s temporary registration. On September 23, 1983, pursuant to Section 17A and Rule 17Ab2–1 thereunder, the Commission approved on a permanent basis PSTDTC’s registration as a clearing agency. PSTDTC was a wholly owned subsidiary of the Pacific Exchange, Inc. (“PCX”) (now NYSE Arca, Inc. (“NYSE Arca”)). Prior to the transaction described below, PSTDTC offered various clearance and settlement services such as trade recording for Pacific Stock Exchange-listed and over-the-counter securities transactions, trade comparison, continuous net settlement, and book-entry depository services.

II. Cancellation of PSTDTC’s Registration as a Clearing Agency

In the April 2005 Letter, PCX notified the Commission that PSTDTC had been dissolved. PCX represented PCX had diligently identified and paid all PSTDTC claims and liabilities including completing the outstanding PSTDTC transaction balances and making final monetary distributions to the proper parties or if the proper parties were not identified remitted to the State of California in accordance with state escheatment regulations.

In connection with the dissolution of PSTDTC, PCX represented that pursuant to Rule 17a–1 PCX would retain at least one copy of all documents, including all correspondence, memoranda, papers, books, notices, accounts, and other such records of PSTDTC in PCX’s possession for at least 5 years from the date of termination of PSTDTC’s registration as a clearing agency.
The SEC has ordered the cancellation of the registration of a clearing agency, MSTC. The Commission has found that MSTC is no longer in existence and has ceased to do business in the capacity specified in its registration application, the Commission is canceling its registration effective February 24, 2012.

I. Background

On December 1, 1975, pursuant to Sections 17A(b) and 19(a)(1) of the Securities Exchange Act of 1934 ("Act") and Rule 17Ab2–1 thereunder, the Securities and Exchange Commission ("Commission") approved on a permanent basis MSTC's registration as a clearing agency. MSTC was a subsidiary of The Chicago Stock Exchange, Incorporated ("CHX") and operated as a securities depository and trust company providing trade recording, comparison, clearance, and settlement services.

II. Cancellation of MSTC's Registration as a Clearing Agency

In a letter dated April 24, 2003, CHX stated that MSTC was no longer in operation and therefore had ceased to do business in the capacity specified in MSTC's application for registration. Further, in a letter dated October 28, 2009, CHX indicated that MSTC had tendered its Certificate of Authority to the Illinois Office of Banks and Real Estate ("OBRE") and referenced an agreement between CHX and OBRE regarding the transfer of long-abandoned property from MSTC to OBRE. As part of the subsequent wind down process, MSTC and CHX entered into an agreement with The Depository Trust Company ("DTC") under which DTC assumed all rights, title, and interest to the name Kray & Co., the nominee partnership for MSTC ("Kray"). CHX stated that, given the length of time that has elapsed since MSTC ceased active operations, CHX did not anticipate any future claims against MSTC, OBRE, Kray, or CHX. CHX also stated that it would retain MSTC's records that were subject to Rule 17a–1 in accordance with CHX's document retention policies and that, as of October 28, 2009, most of the records required to be retained by Rule 17a–1 had exceeded the five year retention period required by Rule 17a–1(b).

Section 19(a)(3) of the Act provides that in the event any self-regulatory organization is no longer in existence or has ceased to do business in the capacity specified in its application for registration, "the Commission, by order, shall cancel its registration."

Based upon the representations and undertakings made by PCX to the Commission and because PSDTC is no longer in existence and has ceased to do business in the capacity specified in its registration application, the Commission is canceling its registration effective February 24, 2012.

By the Commission.

Kevin M. O'Neill,
Deputy Secretary.