

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

1. Purpose

The Exchange's fee schedule reflected in Exchange Rule 11.10(A) currently provides for fees payable by members based upon, among other things, transactions executed on the Exchange. The Exchange's current fee schedule provides for a monthly transaction fee cap of the lesser of the fees contained in Exchange Rule 11.10(A)(a) to 11.10(A)(h) or \$200,000. With this filing, the Exchange proposes to reduce the dollar cap parameter from \$200,000 to \$50,000. This proposal will allow the Exchange to cap the transaction fee (which consists of trading fees in respect of agency, odd lot, professional agency, proprietary and preferencing transactions, as well as the fees associated with crosses and meets and the agency order mix fee) at \$50,000 per month for competitive reasons in an attempt to preserve order flow. Please note that this transaction fee is calculated shortly after the month end activity (*i.e.*, the transaction fee for January would be calculated in February) and would be collected thereafter (in February), after the effective date of this filing. Accordingly, the Exchange will utilize this new rule in the calculation of the January fee (which would represent a reduction of the transaction fees for all NSX members).

The NSX believes the reduction of the fee cap will in no way impede the Exchange's current regulatory program or its ability to enforce compliance by its members with the Exchange's Rules or the Act.

2. Statutory Basis

The NSX believes the proposed rule change is consistent with Section 6(b) of the Act,<sup>5</sup> in general, and furthers the objectives of Section 6(b)(4) of the Act,<sup>6</sup> in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges.

*B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition.

*C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

The Exchange has neither solicited nor received written comments on the proposed rule change.

**III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

The foregoing rule change establishes or changes a due, fee, or other charge applicable only to a member imposed by the Exchange, and, therefore, has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>7</sup> and subparagraph (f)(2) of Rule 19b-4 thereunder.<sup>8</sup> At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

**IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

*Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File No. SR-NSX-2006-01 on the subject line.

*Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, Station Place, 100 F Street, NE., Washington, DC 20549-9303. All submissions should refer to File No. SR-NSX-2006-01. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the

Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the NSX. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-NSX-2006-01 and should be submitted on or before February 21, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

Nancy M. Morris,  
Secretary.

[FR Doc. E6-1177 Filed 1-30-06; 8:45 am]

BILLING CODE 8010-01-P

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration # 10348 and # 10349]**

**Rhode Island Disaster # RI-00001**

**AGENCY:** Small Business Administration.  
**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of Rhode Island dated 01/24/2006.

*Incident:* Flooding.  
*Incident Period:* 10/07/2005 through 10/15/2005.

*Effective Date:* 01/24/2006.

*Physical Loan Application Deadline Date:* 03/27/2006.

*Economic Injury (EIDL) Loan Application Deadline Date:* 10/26/2006.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, National Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration applications for disaster loans may be

<sup>5</sup> 15 U.S.C. 78f(b).

<sup>6</sup> 15 U.S.C. 78f(b)(4).

<sup>7</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>8</sup> 17 CFR 240.19b-4(f)(2).

<sup>9</sup> 17 CFR 200.30-3(a)(12).

filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

**Primary Counties:**

Kent, Providence.

**Contiguous Counties:**

Rhode Island: Bristol, Washington.  
 Connecticut: New London, Windham.  
 Massachusetts: Bristol, Norfolk,  
 Worcester.

The Interest Rates are:

	Percent
Homeowners With Credit Available Elsewhere .....	5.375
Homeowners Without Credit Available Elsewhere .....	2.687
Businesses With Credit Available Elsewhere .....	6.557
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere .....	4.750
Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 10348 6 and for economic injury is 10349 0.

The States which received an EIDL Declaration # are: Rhode Island, Connecticut, Massachusetts.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: January 24, 2006.

**Hector V. Barreto,**

*Administrator.*

[FR Doc. E6-1180 Filed 1-30-06; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**Region IV North Florida District Advisory Council; Public Meeting**

The U.S. Small Business Administration North Florida District Advisory Council located in Jacksonville, Florida, will host a public meeting at 12 p.m. EST on March 2, 2006 at the SBA North Florida District Office located at 7825 Baymeadows Way, Suite 100B, Jacksonville, FL 32256 to discuss such matters that may be presented by members, and staff of the U.S. Small Business Administration, or others present. Anyone wishing to make an oral presentation to the Board must contact Wilfredo J. Gonzalez, District Director, in writing by letter or fax no later than February 27, 2006, in order to be placed on the agenda. Wilfredo J. Gonzalez, District Director, U.S. Small

Business Administration, 7825 Baymeadows Way, Suite 100B, Jacksonville, FL 32256. Telephone (904) 443-1900 or FAX (904) 443-1980.

**Matthew K. Becker,**

*Committee Management Officer.*

[FR Doc. E6-1182 Filed 1-30-06; 8:45 am]

**BILLING CODE 8025-01-P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**Public Notice for a Change in Use of Aeronautical Property at Bradford Regional Airport, Lewis Run, PA**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Request for Public Comment.

**SUMMARY:** The Federal Aviation Administration is requesting public comment on the Bradford Regional Airport Authority's request to change a portion (23.48 Acres) of airport property from aeronautical use to non-aeronautical use.

The parcel is located between the airfield and the existing airport Access Road approximately 1150 feet north of the intersection with PA Route 59. The property is currently aeronautical use used to protect the FAR Part 77 Transition Surface airspace. The tract currently consists of vacant and semi-forested land located roughly abeam and southeast of the Runway 05 threshold, and southwest of the existing terminal complex. The requested release is for the purpose of permitting the Airport Owner to sell and convey title of 23.48 Acres for use as a Pennsylvania National Guard Stryker Brigade Combat Readiness Center.

Documents reflecting the Sponsor's request are available, by appointment only, for inspection at the Airport Managers office and the FAA Harrisburg Airport District Office.

**DATES:** Comments must be received on or before March 2, 2006.

**ADDRESSES:** Documents are available for review at the Airport Manager's office: Mr. Tom Frungillo, Manager, Bradford Regional Airport, 212 Airport Road, Suite E, Lewis Run, PA 16738. (814) 368-5928 and at the FAA Harrisburg Airports District Office: Mr. James M. Fels, Sr. Planner, Harrisburg Airports District Office, 3905 Hartzdale Dr., Suite 508, Camp Hill, PA 17011. (717) 730-2830.

**FOR FURTHER INFORMATION CONTACT:**

James M. Fels, Sr. Planner, Harrisburg Airports District Office location listed above.

**SUPPLEMENTARY INFORMATION:**

The parcel is located between the airfield and the existing airport Access Road approximately 1150 feet north of the intersection with PA Route 59.

**Proposed Meets & Bounds Description**

*National Guard Parcel at Bradford Regional Airport*

Beginning at a concrete monument, said monument also being the northwest corner of a parcel of ground belonging to now or formerly Cole;

Thence by the land of Cole, N 89°02'45" E, 26.92 feet to a set 5/8" rebar the true point of beginning for this parcel;

Thence through land that this was once a part of the following four courses and distances; N 44°26'45" E, 1695.02 feet to a set 5/8" rebar;

Thence S 45°38'17" E, 521.84 feet to a set 5/8" rebar, said point being on the westerly edge of a 50 foot right-of-way, said right-of-way leading up to the airport terminal from LR 42006 (Rt. 59);

Thence by a curve to the left an arc distance of 866.80 feet to a set 5/8" rebar, said curve having central angle of 82°56'36" and a radius of 598.77 feet;

Thence continuing by said right-of-way, S 45°22'21" E, 37.97 feet to a set 5/8" rebar;

Thence by land of the Bradford Regional Airport and lands now or formerly Cole, S 89°02'45" W, 1641.19 feet to the point and place of beginning, passing over a concrete monument at 48.85'. Said Parcel containing 23.48 acres more or less. Excepting and reserving a 15-foot utility easement along the westerly edge of the road right-of-way, being the easterly boundary of this parcel; for maintenance, repair and or replacement of utilities located within said right-of-way.

Said property also subject to an easement prohibiting construction on the area abutting the northeasterly property line and extending southwesterly, 500 feet distant from and parallel with the aforesaid runway center line to a point 300' beyond the end of said runway.

The property is currently aeronautical use used to protect the FAR Part 77 Transition Surface airspace. The parcel was acquired without Federal participation. The requested release is for the purpose of permitting the Sponsor to sell and convey title of the subject 23.48 Acres for use as a Pennsylvania National Guard Stryker Brigade Combat Readiness Center. The proceeds from the sale of property are to be used for the capital and operating costs of the airport.