

Appendix R, Paragraph III.G.2 Operator Manual Actions," dated June 2006.

Section 9.5.1, "Fire Protection Program," of the Standard Review Plan, NUREG-0800, will be revised to incorporate the guidance provided by RIS 2006-10 and NUREG-1852.

The NRC is seeking public comment in order to receive feedback from the widest range of interested parties and to ensure that all information relevant to developing this document is available to the NRC staff. This document is issued for comment only and is not intended for interim use. The NRC will review public comments received on the document, incorporate suggested changes as necessary, and issue the final NUREG-1852 for use.

Dated at Rockville, MD, this 11th day of September, 2006.

For the Nuclear Regulatory Commission.

**Farouk Eltwila,**

*Director, Division of Risk Assessment and Special Projects, Office of Nuclear Regulatory Research.*

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## SECURITIES AND EXCHANGE COMMISSION

### Proposed Collections; Comment Request

Upon written request; copies available from: Securities and Exchange Commission, Office of Filings and Information Services, Washington, DC 20549.

#### Extensions:

Rule 12d1-3, OMB Control No. 3235-0109, SEC File No. 270-116.

Schedule 13E-4F, OMB Control No. 3235-0375, SEC File No. 270-340.

Form F-X, OMB Control No. 3235-0379, SEC File No. 270-336.

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 12d1-3 (17 CFR 240.12d1-3) requires a certification that a security has been approved by an exchange for listing and registration pursuant to Section 12(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78l(d)) to be filed with the Commission. The information required under Rule 12d1-3 must be filed with the Commission and is publicly available. We estimate that it

takes one-half hour per response to provide the information required under Rule 12d1-3 and that the information is filed by 688 respondents for a total annual reporting burden of 344 hours (.5 hours per response × 688 responses).

Schedule 13E-4F (17 CFR 240.13e-102) may be used by any foreign private issuer if: (1) The issuer is incorporated or organized under the laws of Canada; (2) the issuer is making a cash tender or exchange offer for the issuer's own securities; and (3) less than 40 percent of the class of such issuer's securities outstanding that is the subject of the tender offer is held by U.S. holders. The information collected must be filed with the Commission and is publicly available. We estimate that it takes 2 hours per response to prepare Schedule 13E-4F and that the information is filed by 3 respondents for a total annual reporting burden of 6 hours (2 hours per response × 3 responses).

Form F-X (17 CFR 239.42) is used to appoint an agent for service of process by Canadian issuers registering securities on Form F-7, F-8, F-9 or F-10 or filing periodic reports on Form 40-F under the Exchange Act of 1934 (15 U.S.C. 78a *et seq.*). The information collected must be filed with the Commission and is publicly available. We estimate that it takes 2 hours per response to prepare Form F-X and that the information is filed by 129 respondents for a total annual reporting burden of 258 hours (2 hours per response × 129 responses).

Written comments are invited on: (a) Whether these proposed collections of information are necessary for the performance of the functions of the agency, including whether the information will have practical utility; (b) the accuracy of the agency's estimate of the burden imposed by the collections of information; (c) ways to enhance the quality, utility, and clarity of the information 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 comment to R. Corey Booth, Director/Chief Information Officer, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, Virginia 22312; or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: September 28, 2006.

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. E6-16849 Filed 10-11-06; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54565; File No. SR-Amex-2006-84]

### Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to a Suspension of Transaction Charges for Specialist Orders in the Nasdaq-100 Tracking Stockup® (QQQQ)

October 3, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on September 8, 2006, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II and III below, which Items have been prepared by the Amex. The Amex has designated this proposal as one establishing or changing a member due, fee, or other charge imposed by a self-regulatory organization pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the proposal effective upon filing with the Commission. 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 the Amex Exchange Traded Funds and Trust Issued Receipts Fee Schedule to suspend transaction charges for specialist orders in connection with the trading of the Nasdaq-100 Index Tracking Stock® (Symbol: QQQQ) from September 8, 2006 through December 31, 2006. The text of the proposed rule change is available on the Amex's Web site at <http://www.amex.com>, at the principal office of the Exchange, and at the Commission's Public Reference Room.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

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

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

## 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 Amex included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposal. The text of these 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 aspects 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 proposes to suspend transaction charges for specialist orders in the Nasdaq-100 Index Tracking Stocks<sup>®</sup> (QQQQ) from September 8, 2006 through December 31, 2006. Previously, the Amex suspended the transaction charges of specialist orders in connection with the QQQQ through August 31, 2006.<sup>5</sup>

Currently, specialist orders are charged \$0.0034 (\$0.34 per 100 shares), capped at \$300 per trade (88,235 shares). Effective December 1, 2004, the Nasdaq-100 Index Tracking Stock<sup>®</sup> (formerly "QQQ") transferred its listing from the Amex to the Nasdaq Stock Market, Inc. It now trades on Nasdaq under the symbol QQQQ. After the transfer, the Amex began trading QQQQ on an unlisted trading privileges basis.

The Exchange believes that the proposed suspension of transaction fees for specialist orders in connection with the QQQQ is consistent with Section 6(b)(4) of the Act.<sup>6</sup> Specifically, the Exchange believes that the proposal provides for an equitable allocation of reasonable fees among Exchange members largely based on the fact that a specialist has greater obligations than other members and is also subject to other Exchange fees, in addition to transaction fees.

For example, specialists are subject to a variety of Exchange fees other than transaction charges; the Exchange imposes floor fees solely on specialists such as a floor clerk fee, a floor facility

fee, a post fee, and registration fee.<sup>7</sup> In addition, for those members on the floor of the Exchange, a technology fee and membership fees are also charged by the Exchange.<sup>8</sup> Certain market participants, such as customers, non-member broker-dealers, market-makers and member broker-dealers are not subject to the majority of these fees.

In addition, specialists have certain obligations under Exchange rules as well as the Act that do not exist for other market participants. For example, pursuant to Amex Rule 170, a specialist must maintain a fair and orderly market in his or her assigned securities. Other members of the Exchange as well as non-member market participants do not have this obligation. To adequately "make a market" in assigned securities, a specialist unit must be sufficiently staffed<sup>9</sup> and have adequate technology resources to handle the volume of orders (especially in the QQQQ) that are sent to the Exchange. As a result, the Exchange believes that the proposed suspension of transaction charges for specialist orders in the QQQQ is reasonable and equitable given the obligations that specialists must adhere to in making markets.

Further, the Exchange submits that the fee suspension will provide greater incentive to the specialist to continue to provide market liquidity, rendering the Exchange an attractive venue for market participants to execute orders.

#### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act<sup>10</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>11</sup> in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using facilities.

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

The Exchange believes that the proposed rule change does not impose any burden on competition that is not

necessary or appropriate in furtherance of the purposes of the Act.

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

No written comments were solicited or received with respect to the proposed rule change.

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

The foregoing proposed rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act,<sup>12</sup> and paragraph (f)(2) of Rule 19b-4 thereunder<sup>13</sup> because it establishes or changes a member due, fee, or other charge. 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 Number SR-Amex-2006-84 on the subject line.

### Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Amex-2006-84. 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

<sup>5</sup> See Securities Exchange Act Release No. 54227 (July 27, 2006), 71 FR 44055 (August 3, 2006) (SR-Amex-2006-65).

<sup>6</sup> 15 U.S.C. 78f(b)(4). Section 6(b)(4) of the Act requires that the rules of a national securities exchange provide for the equitable allocation of reasonable dues, fees, and other charges among its members and issuers and other persons using its facilities.

<sup>7</sup> The floor clerk, floor facility, post and registration fees on an annual basis are \$900, \$2,400, \$1,000 and \$800, respectively.

<sup>8</sup> A technology fee of \$6,000 per year is assessed on all specialists and other floor participants at the Exchange. Annual membership dues of \$1,500 must be paid by all members while annual membership fees are payable depending on the type of membership and circumstances. Non-members are not subject to these fees.

<sup>9</sup> See Securities Exchange Act Release No. 53386 (February 28, 2006), 71 FR 11250 (March 6, 2006) (SR-Amex-2005-110).

<sup>10</sup> 15 U.S.C. 78f(b).

<sup>11</sup> 15 U.S.C. 78f(b)(4).

<sup>12</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>13</sup> 17 CFR 240.19b-4(f)(2).

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 also will be available for inspection and copying at the Amex. 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 Number SR-Amex-2006-84 and should be submitted on or before November 2, 2006.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>14</sup>

J. Lynn Taylor,

Assistant Secretary.

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-54563; File No. SR-CBOE-2006-78]

### Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the Exchange and Regulatory Bulletin Annual Subscription Fee

October 3, 2006.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934, ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on September 22, 2006, the Chicago Board Options Exchange, Incorporated ("CBOE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, and II below, which Items have been prepared by the Exchange. CBOE 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<sup>3</sup> and Rule 19b-4(f)(2) thereunder,<sup>4</sup> which renders the

proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

#### 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 amend the Exchange and Regulatory

Bulletin annual subscription fee. The text of the proposed rule change is set forth below. Proposed new language is *italicized*; proposed deletions are in [brackets].

\* \* \* \* \*

#### CHICAGO BOARD OPTIONS EXCHANGE, INC.

##### FEES SCHEDULE

1.-4. Unchanged.

Footnotes: (1)-(16) Unchanged.

5.-14. Unchanged.

15. MISCELLANEOUS:

Periodic license or royalty fees for DPM-traded products—CBOE costs passed-through to DPM (12)

Member Death Benefit (calculated @ \$50,000 divided by number of members assessed)

Trading Floor Printer Maintenance (Per Month) \$75

Exchange Bulletin Subscription (Annual) \$200 [paper] *per hard copy subscription*; no charge for electronic delivery

Late Payment Penalty (Assessed to balances over 30 days old, per month, compounded) prime rate

Market Maker Failure to Change Appointment or Failure to meet in-person Trading Requirements (allowed 1 warning letter before fee) \$250 per quarter

ABIL Brokerage Billing \$.005 per contract, minimum \$50, maximum \$200 per month

ORS Analysis, Floor Efficiency Project or Market Penetration Reports \$100 per month

Ad Hoc Information Services Requests Production Costs

DPM requests for post modifications/equipment CBOE costs passed-through

Crowd Space Dispute Resolution Hearing Fee (per hearing, per member) \* \$1,000

\* The Crowd Space Dispute Resolution Hearing Fee is \$1,000 per hearing for each party to the dispute and will escalate under certain circumstances pursuant to CBOE Rule 24.21(e). After the hearing is held and all rights of appeal are exhausted, the prevailing party in dispute shall obtain a refund of the Hearing Fee from the Exchange.

Remainder of Fees Schedule—Unchanged.

#### 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 Exchange 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 these statements may be examined at the places specified in Item IV below. The CBOE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

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

###### 1. Purpose

The Exchange states that the Exchange and Regulatory Bulletin ("Bulletin") is a weekly publication of the Exchange that contains Exchange notices of a regulatory, administrative, operational and informational nature. Currently, the Exchange provides each member with either an e-mail or a hard copy subscription to the Bulletin free of charge. Non-members, and members who wish to receive additional hard copy subscriptions, are charged \$200 annually per hard copy subscription. There is no charge for e-mail delivery of the Bulletin.

In order to encourage even greater use of electronic delivery, the Exchange proposes to eliminate the complimentary hard copy subscription for members and assess a fee of \$200 per year for each hard copy subscription to the Bulletin.

The Exchange intends to implement the revised fee effective October 1, 2006.

###### 2. Statutory Basis.

The Exchange believes that 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 an equitable allocation of reasonable dues, fees, and other charges among Exchange members and other persons using its facilities.

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

The Exchange believes that the proposed rule change will not impose any burden on competition that is not

<sup>14</sup> 17 CFR 200.30-3(a)(12).

<sup>15</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

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

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

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

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