

link. The availability of video teleconferencing services is not guaranteed.

Dated: April 15, 2009.

Annette L. Vietti Cook,

Secretary of the Commission.

[FR Doc. E9-9101 Filed 4-20-09; 8:45 am]

BILLING CODE 7590-01-P

## NUCLEAR REGULATORY COMMISSION

### Sunshine Federal Register Notice

**AGENCY HOLDING THE MEETINGS:** Nuclear Regulatory Commission.

**DATES:** Weeks of April 20, 27, May 4, 11, 18, 25, 2009.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

#### Week of April 20, 2009

Thursday, April 23, 2009

2 p.m. Briefing on Radioactive Source Security (Public Meeting) (Contact: Kim Lukes, 301-415-6701).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

#### Week of April 27, 2009—Tentative

There are no meetings scheduled for the week of April 27, 2009.

#### Week of May 4, 2009—Tentative

There are no meetings scheduled for the week of May 4, 2009.

#### Week of May 11, 2009—Tentative

Thursday, May 14, 2009

9 a.m. Briefing on the Results of the Agency Action Review Meeting (Public Meeting) (Contact: Shaun Anderson, 301-415-2039).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

#### Week of May 18, 2009—Tentative

There are no meetings scheduled for the week of May 18, 2009.

#### Week of May 25, 2009—Tentative

Wednesday, May 27, 2009

9:30 a.m. Briefing on External Safety Culture (Public Meeting) (Contact: Stewart Magruder, 301-415-8730).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

Wednesday, May 27, 2009:

1:30 p.m. Briefing on Internal Safety Culture (Public Meeting) (Contact: June Cai, 301-415-5192).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

Thursday, May 28, 2009

9:30 a.m. Briefing on Fire Protection Closure Plan (Public Meeting) (Contact: Alex Klein, 301-415-2822).

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

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\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings, call (recording)—(301) 415-1292. Contact person for more information: Rochelle Baval, (301) 415-1651.

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The NRC Commission Meeting Schedule can be found on the Internet at: [www.nrc.gov/about-nrc/policy-making/schedule.html](http://www.nrc.gov/about-nrc/policy-making/schedule.html).

\* \* \* \* \*

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, Rohn Brown, at 301-492-2279, TDD: 301-415-2100, or by e-mail at [rohn.brown@nrc.gov](mailto:rohn.brown@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

\* \* \* \* \*

This notice is distributed electronically to subscribers. If you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969), or send an e-mail to [darlene.wright@nrc.gov](mailto:darlene.wright@nrc.gov).

Dated: April 16, 2009.

Rochelle C. Baval,

Office of the Secretary.

[FR Doc. E9-9196 Filed 4-17-09; 4:15 pm]

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## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28696; 812-13400]

### ProShares Trust, et al.; Notice of Application

April 14, 2009.

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

**ACTION:** Notice of an application to amend a prior order under section 6(c) of the Investment Company Act of 1940 ("Act") granting an exemption from sections 2(a)(32), 5(a)(1), 22(d) and 24(d) of the Act and rule 22c-1 under the Act, and under sections 6(c) and 17(b) of the

Act for an exemption from sections 17(a)(1) and 17(a)(2) of the Act.

**APPLICANTS:** ProShares Trust ("Trust") and ProShare Advisors LLC ("Adviser").

**SUMMARY OF APPLICATION:** Applicants request an order to amend a prior order that permits: (a) Series of an open-end management investment company ("Initial Funds") to issue shares redeemable in large aggregations only ("Creation Unit Aggregations"); (b) secondary market transactions in the shares to occur at negotiated prices; (c) dealers to sell the shares to purchasers in the secondary market unaccompanied by a prospectus, when prospectus delivery is not required by the Securities Act of 1933 ("Securities Act"); and (d) certain affiliated persons of the Initial Funds to deposit securities into, and receive securities from, the Initial Funds in connection with the purchase and redemption of Creation Unit Aggregations ("Prior Order").<sup>1</sup> Applicants seek to amend the Prior Order to: (a) Provide greater operational flexibility to the Funds (defined below); (b) expand the category of Funds designed to correspond to the return of an Underlying Index (defined below) ("Matching Funds") to include Funds that seek to match the performance of an Underlying Index primarily focused on United States equity securities that applies a strategy referred to as 130/30 ("130/30 Funds"); (c) permit Funds that are based on foreign equity securities indices ("Foreign Equity Funds") to pay redemption proceeds under certain circumstances more than seven days after the tender of a Creation Unit Aggregation for redemption, but in any event within a period not to exceed 14 calendar days; (d) delete a condition related to future relief in the Prior Order and permit applicants to offer additional series using underlying securities indices (collectively, "Underlying Indices" or individually, "Underlying Index") different than those permitted under the Prior Order; (e) delete the relief granted in the Prior Order from section 24(d) of the Act and revise the applications on which the Prior Order was issued ("Prior Applications") accordingly; and (f) amend the terms and conditions of the Prior Applications with respect to certain disclosure requirements.

<sup>1</sup> ProShares Trust, et al., Investment Company Act Release Nos. 27323 (May 18, 2006) (notice) and 27394 (June 13, 2006) (order), amended by Investment Company Act Release Nos. 27609 (Dec. 22, 2006) (notice) and 27666 (Jan. 18, 2007) (order) and further amended by Investment Company Act Release Nos. 27975 (Sep. 21, 2007) (notice) and 28014 (Oct. 17, 2007) (order).