

cap and appears in other applicable sections of the Exchange's fee schedule, more consistent. In addition, the Exchange proposes to include non-substantive disclaimer language relating to the trading of certain licensed products on the Exchange in its \$60,000 Cap Schedule.

## 2. Statutory Basis

The Exchange believes that the proposed rule change, as amended, is consistent with Section 6(b) of the Act<sup>15</sup> in general, and furthers the objectives of Section 6(b)(4) of the Act<sup>16</sup> in particular, in that it is an equitable allocation of reasonable dues, fees, and other charges among Exchange members.

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

The Phlx believes that the proposed rule change would impose no 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*

The Exchange did not solicit or receive any written comments with respect to the proposal.

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

The foregoing proposed rule change, as amended, has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>17</sup> and Rule 19b-4(f)(2)<sup>18</sup> thereunder. Accordingly, the proposal is effective upon filing with the Commission. At any time within 60 days of the filing of the amended 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.<sup>19</sup>

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, 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-Phlx-2005-40 on the subject line.

### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, Station Place, 100 F Street NE., Washington, DC 20549-9303.

All submissions should refer to File Number SR-Phlx-2005-40. 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 also will be available for inspection and copying at the principal office of the Exchange. 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-Phlx-2005-40 and should be submitted on or before August 15, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>20</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. E5-3945 Filed 7-22-05; 8:45 am]

BILLING CODE 8010-01-P

## DEPARTMENT OF STATE

### [Public Notice 5139]

### **Culturally Significant Objects Imported for Exhibition; Determinations: "David Milne Watercolors: Painting Toward the Light"**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "David Milne Watercolors: Painting Toward the Light," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign lenders. I also determine that the exhibition or display of the exhibit objects at The Metropolitan Museum of Art, New York, NY from on or about November 7, 2005 to on or about January 29, 2006, and at possible additional venues yet to be determined, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, Department of State, (telephone: (202) 453-8048). The address is Department of State, SA-44, 301 4th Street, SW., Room 700, Washington, DC 20547-0001.

Dated: July 18, 2005.

**C. Miller Crouch,**

*Principal Deputy Assistant Secretary for Educational and Cultural Affairs Department of State.*

[FR Doc. 05-14611 Filed 7-22-05; 8:45 am]

BILLING CODE 4710-08-P

## DEPARTMENT OF STATE

### [Public Notice 5140]

### **Culturally Significant Objects Imported for Exhibition Determinations: "Monumental Sculpture in Florence: Ghiberti, Nanni di Banco, and Verrocchio"**

**SUMMARY:** Notice is hereby given of the following determinations: Pursuant to

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

<sup>16</sup> 15 U.S.C. 78f(b)(4).

<sup>17</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>18</sup> 17 CFR 240.19b-4(f)(2).

<sup>19</sup> See *supra* note 3.

<sup>20</sup> 17 CFR 200.30-3(a)(12).

the authority vested in me by the Act of October 19, 1965 (79 Stat. 985; 22 U.S.C. 2459), Executive Order 12047 of March 27, 1978, the Foreign Affairs Reform and Restructuring Act of 1998 (112 Stat. 2681, *et seq.*; 22 U.S.C. 6501 note, *et seq.*), Delegation of Authority No. 234 of October 1, 1999, and Delegation of Authority No. 236 of October 19, 1999, as amended, and Delegation of Authority No. 257 of April 15, 2003 [68 FR 19875], I hereby determine that the objects to be included in the exhibition "Monumental Sculpture in Florence: Ghiberti, Nanni di Banco, and Verrocchio," imported from abroad for temporary exhibition within the United States, are of cultural significance. The objects are imported pursuant to a loan agreement with the foreign lender. I also determine that the exhibition or display of the exhibit objects at the National Gallery of Art, Washington, DC from on or about September 18, 2005 to on or about February 26, 2006 and at possible additional venues yet to be determined, is in the national interest. Public Notice of these determinations is ordered to be published in the **Federal Register**.

**FOR FURTHER INFORMATION CONTACT:** For further information, including a list of the exhibit objects, contact Carol B. Epstein, Attorney-Adviser, Office of the Legal Adviser, Department of State, (telephone: 202/453-8048). The address is Department of State, SA-44, 301 4th Street, S.W., Room 700, Washington, DC 20547-0001.

Dated: July 18, 2005.

**C. Miller Crouch,**

*Principal Deputy Assistant Secretary for Educational and Cultural Affairs, Department of State.*

[FR Doc. 05-14612 Filed 7-22-05; 8:45 am]

**BILLING CODE 4710-08-P**

## TENNESSEE VALLEY AUTHORITY

### Sunshine Act Notice

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** 70 FR 41472 (July 19, 2005).

**PREVIOUSLY ANNOUNCED TIME AND DATE OF MEETING:** 9 a.m. (e.d.t.), Friday, July 22, 2005.

**PREVIOUSLY ANNOUNCED PLACE OF MEETING:** TVA Knoxville West Tower Auditorium, 400 West Summit Hill Drive, Knoxville, Tennessee.

**CHANGES IN THE MEETING:** The TVA Board of Directors has approved the addition of the following items to the previously announced agenda:

### C—Energy

C4. Contract with Cameco, Inc., for purchase of uranium concentrates and uranium conversion.

C5. Contract with ConverDyn for purchase of uranium conversion services.

**FOR FURTHER INFORMATION CONTACT:** Please call TVA Medical relations at (865) 632-6000, Knoxville, Tennessee. Information is also available through TVA's Washington Office at (202) 898-2999.

**Maureen H. Dunn,**

*General Counsel and Secretary of Corporation.*

[FR Doc. 05-14678 Filed 7-21-05; 10:30 am]

**BILLING CODE 8120-08-M**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

**Notice of Intent To Rule on Application 05-05-C-00-JFK, EWR, LGA To Impose and Use the Revenue From a Passenger Facility Charge (PFC) at John F. Kennedy International Airport (JFK), NY; Newark International Airport (EWR), NJ; and LaGuardia Airport (LGA), NY**

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

**ACTION:** Notice of intent to rule on application.

**SUMMARY:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at John F. Kennedy International Airport (JFK), Newark International Airport (EWR), and LaGuardia Airport (LGA) under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

**DATES:** Comments must be received on or before August 24, 2005.

**ADDRESSES:** Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Airports Division, Planning and Programming Branch, AEA-610; 1 Aviation Plaza, Jamaica, New York 11430.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Paul Blanco, Chief Financial Officer of the Port Authority of New York and New Jersey at the following address: 225 Park Avenue South, 9th Floor; New York, New York 10003.

Air carriers and foreign air carriers may submit copies of written comments

previously provided to the Port Authority of New York and New Jersey under section 158.23 part 158.

**FOR FURTHER INFORMATION CONTACT:** Eastern Region, Airports Division, Planning and Programming Branch, Eleanor Schifflin, Passenger Facility Charge Team Lead at the above FAA address (office phone (718) 553-3354). The application may be reviewed in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA proposes to rule and invites public comment on the application to impose and use the revenue from a PFC at John F. Kennedy International Airport (JFK), Newark International Airport (EWR), and LaGuardia Airport (LGA) under the provisions of the 49 U.S.C. 40117 and part 158 of the Federal Aviation Regulations (14 CFR part 158).

On July 19, 2005, the FAA determined that the application to impose and use the revenue from a PFC submitted by Port Authority of New York and New Jersey was substantially complete within the requirements of section 158.25 of part 158. The FAA will approve or disapprove the application, in whole or in part, no later than November 4, 2005.

The following is a brief overview of the application.

*Proposed charge effective date:* January 1, 2008.

*Proposed charge expiration date:* March 2011.

*Level of the proposed PFC:* \$4.50.

*Total estimated PFC revenue:* \$814,016,887.

*Brief Description of Projects at JFK:*

Relocation and Rehabilitation of Taxiway A & Rehabilitation of Taxiway B;  
Construction of Taxiway A Connector;  
Reconstruction and Strengthening of Taxiway A and B Bridges;  
Runway 13L-31R Rehabilitation Project;  
Planning Project for the Rehabilitation and Widening of R/W 13R;  
Perimeter Security Project;  
Infrastructure Study and Preliminary Design to Accommodate a New Terminal;  
Reimbursement for Mandated Security Costs from 9/11/01-9/30/02.

*Description of Projects at LGA:*

Central Terminal Building (CTB)  
Modernization Feasibility Study;  
Central Terminal Building (CTB)  
Modernization Planning & Engineering;  
Runway Rehabilitation Project;  
Perimeter Security Project;  
Crisis Command Center/Police & Airfield Rescue and Firefighting Facility (ARFF);  
Reimbursement for Mandated Security Costs from 9/11/01-9/30/02.

*Description of Projects at EWR:*

Runway Extension Drainage Infrastructure;  
Runway/Taxiway Pavement Rehabilitation Project;