

with respect to quotations for and transactions in securities. Quotations for and last-sale information regarding the Shares are disseminated through the facilities of the CTA and the Consolidated Quotation System. In addition, Amex will calculate and disseminate the IIV per Share for each Fund through the facilities of the Consolidated Tape Association at least every 15 seconds throughout the trading hours for the Shares. The value of each Underlying Index will also be updated intra-day on a real-time basis as its individual component securities change in price and will be disseminated at least every 15 seconds throughout the trading hours for the Shares. Finally, the Trust's Web site provides various information for each Fund's Shares.

The Commission also believes that the proposal appears reasonably designed to preclude trading of the Shares when transparency is impaired. Trading in the Shares will be subject to Nasdaq Rule 4120(b), which provides that, if the listing market halts trading when the IIV or value of the underlying index is not being calculated or disseminated, the Exchange also would halt trading.

In support of this proposal, the Exchange has made the following additional representations:

1. The Exchange's surveillance procedures are adequate to properly monitor Exchange trading of the Shares in all trading sessions and to deter and detect violations of Exchange rules.

2. Prior to the commencement of trading, the Exchange would inform its members in an Information Bulletin of the special characteristics and risks associated with trading the Shares.

3. The Information Bulletin also would discuss the requirement that members deliver a prospectus to investors purchasing newly issued Shares prior to or concurrently with the confirmation of a transaction.

This approval order is based on the Exchange's representations.

The Commission notes that, if the Shares should be delisted by the listing exchange, the Exchange would no longer have authority to trade the Shares pursuant to this order.

The Commission finds good cause for approving this proposal before the thirtieth day after the publication of notice thereof in the **Federal Register**. As noted above, the Commission previously found that the listing and trading of the Shares on Amex is consistent with the Act. The Commission presently is not aware of any regulatory issue that should cause it to revisit that finding or would preclude the trading of the Shares on the

Exchange pursuant to UTP. Therefore, accelerating approval of this proposal should benefit investors by creating, without undue delay, additional competition in the market for the Shares.

V. Conclusion

It is therefore ordered, pursuant to section 19(b)(2) of the Act,²¹ that the proposed rule change (SR-NASDAQ-2007-097) be, and it hereby is, approved on an accelerated basis.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.²²

Florence E. Harmon,

Deputy Secretary.

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BILLING CODE 8011-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Application of Taga Air Charter Service, Inc. for Commuter Air Carrier Authorization

AGENCY: Department of Transportation.

ACTION: Notice of Order to Show Cause (Order 2007-12-11), Docket DOT-OST-2006-25577.

SUMMARY: The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding that Taga Air Charter Service, Inc., is not a U.S. citizen, as defined in 49 U.S.C. 40102(a)(15), and that its application for Commuter Air Carrier Authorization under section 41738 of the Statute is denied. In addition, we propose to cancel its existing air taxi registration pursuant to 49 U.S.C. 40109(f) and 14 CFR part 298.

DATES: Persons wishing to file objections should do so no later than January 22, 2008.

ADDRESSES: Objections and answers to objections should be filed in Docket DOT-OST-2006-25577, and addressed to U.S. Department of Transportation, Docket Operations, West Building Ground Floor, (M-30, Room W12-140) 1200 New Jersey Avenue, SE., Washington, DC 20590, and should be served upon the parties listed in Attachment A to the order.

FOR FURTHER INFORMATION CONTACT: Ronâle Taylor, Air Carrier Fitness Division (X-56, West Building, 8th Floor), U.S. Department of Transportation, 1200 New Jersey

Avenue, SE., Washington, DC 20590, (202) 366-9721.

Dated: December 17, 2007.

Andrew B. Steinberg,

Assistant Secretary for Aviation and International Affairs.

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BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

Alternatives Analysis/Environmental Impact Statement for Rapid Transit in Utah County, UT

AGENCY: Federal Transit Administration (FTA), U.S. Department of Transportation (DOT).

ACTION: Notice of Intent To Prepare an Alternatives Analysis/Environmental Impact Statement.

SUMMARY: The Federal Transit Administration (FTA), Utah Transit Authority (UTA), and Mountainland Association of Governments (MAG) intend to prepare an Alternatives Analysis/Environmental Impact Statement (AA/EIS) for potential high-capacity fixed-guideway transit improvements and roadway infrastructure improvements in Utah County, Utah. The project's purposes are to serve transit markets along the corridor including two universities (Brigham Young University and Utah Valley State College), existing and planned student housing, retail malls, several employment centers, historic downtown Provo, and two major regional intermodal centers; provide circulation and distribution for future transit projects including commuter rail; and to accommodate future travel demand while maintaining efficient traffic flow. The project termini are the planned Orem intermodal center near Utah Valley State College (UVSC) on the north and a location near the Provo Towne Center Mall and East Bay Business Complex (Novell Campus) on the south. The general location of the corridor is on or near University Parkway and University Avenue in Utah County and length of the project is approximately 9 miles. The timeframe for the environmental review process is from January 2008 to January 2010.

The AA/EIS will be prepared in accordance with section 102(2)(c) of the National Environmental Policy Act of 1969 (NEPA) and pursuant to the Council on the Environmental Quality's regulations (40 CFR parts 1500-1508), FTA/FHWA joint regulations (23 CFR 771) as well as provisions of the Safe,

²¹ 15 U.S.C. 78s(b)(2).

²² 17 CFR 200.30-3(a)(12).