

effective market operations.”¹³¹ Congress instructed the Commission to seek to “enhance competition and to allow economic forces, interacting with a fair regulatory field, to arrive at appropriate variation in practices and services.”¹³²

The Commission believes that the proposal incorporates features that will provide investors with the opportunity to receive economically efficient execution of their securities transactions and to promote fair and orderly markets.¹³³ In addition to the features noted above, the Commission notes that a significant feature of the Arca Book is that it potentially provides an opportunity for investors’ orders to be executed without the participation of a market maker. The Commission also believes that the real-time dissemination of the Arca Book to the public via the internet will provide valuable information to all market participants and is reasonably designed to promote price discovery. Finally, the Commission believes that ArcaEx’s routing technology and link to ITS will allow investor orders efficiently to reach other markets with better prices. Therefore, Commission finds that the PCX’s proposal is consistent with section 11A of the Act.

VI. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning Amendment Nos. 4 and 5, including whether Amendment Nos. 4 and 5 are consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-0609. 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 PCX. All submissions should refer to Amendment Nos. 4 and 5 of File No. SR-PCX-2000-

25 and should be submitted by November 23, 2001.

VII. Order Granting Approval

The original rule proposal was noticed for public comment in November 2000. Amendment No. 4 makes technical corrections to the rules and adds a provision with respect to the status of the books and records of Archipelago Holdings LLC. Amendment No. 5 is directly responsive to questions raised by commenters regarding the status of Wave. The Commission believes that it has received and fully considered substantial, meaningful comments with respect to the PCX’s proposal, as amended, and that Amendment Nos. 4 and 5 do not raise issues that warrant further delay.¹³⁴ Accordingly, pursuant to section 19(b)(2) of the Act,¹³⁵ the Commission finds good cause to approve Amendment Nos. 4 and 5 prior to the thirtieth day after notice of the Amendments is published in the **Federal Register**.

It is therefore ordered, pursuant to section 19(b)(2) of the Act,¹³⁶ that Amendment Nos. 4 and 5 to the PCX’s proposed rule change are hereby granted accelerated approval; and

It is also ordered, pursuant to section 19(b)(2) of the Act,¹³⁷ that the proposed rule change (File No. SR-PCX-00-25), as amended, is hereby approved.

By the Commission.

Margaret H. McFarland,

Deputy Secretary.

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-44991; File No. SR-PHLX-2001-74]

Self-Regulatory Organizations; Order Approving Proposed Rule Change by the Philadelphia Stock Exchange, Inc. To Amend Phlx By-Law Article XII, Section 12-4 and Article XV, Sections 15-1 and 15-2

October 26, 2001.

On August 7, 2001, the Philadelphia Stock Exchange, Inc. (“Phlx” or “Exchange”) submitted to the Securities and Exchange Commission (“Commission”), pursuant to section 19(b)(1) of the Securities Exchange Act

of 1934 (“Act”),¹ and rule 19b-4 thereunder,² a proposed rule change that would: (i) Amend Phlx By-Law Article XII, section 12-4 and Article XV sections 15-1 and 15-2 to reduce the current 14-day posting period for membership and foreign currency options participation transfers to seven days,³ (ii) change the notice of posting from the Exchange bulletin board to the Phlx website while retaining publication in the Secretary’s Weekly Bulletin; and (iii) allow the Chairman or his designate to reduce the posting period as deemed appropriate upon determination that such action is in the best interests of the Exchange. The **Federal Register** published the proposed rule change for comment on September 26, 2001.⁴ The Commission received no comments on the proposal.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange⁵ and, in particular, the requirements of section 6 of the Act⁶ and the rules and regulations thereunder. The Commission finds that the proposed rule change is consistent with section 6(b)(5) of the Act⁷ and believes that the proposed rules should continue to provide members with sufficient notice of proposed transfers of memberships or foreign currency options participations to allow for the submission of information concerning an applicant’s qualifications and fitness for membership. Therefore, the Commission finds the proposed rule change is designed to promote just and equitable principles of trade, to prevent fraudulent and manipulative acts and,

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ As required by Exchange By-Law Article, XXII, section 22-2, the Exchange issued notice of the proposed By-Law amendments to Articles XII and XV to its membership on April 11, 2001 and July 10, 2001, respectively. The Exchange represents that it did not receive a request from 17 or more members for a special meeting of the Exchange to consider the proposed amendment. As a result, the Board approved the proposed amendment to By-Law Article XII on May 16, 2001, and approved the proposed amendment to By-Law Article XV on August 1, 2001. Telephone conversation between Murray L. Ross, Vice President and Secretary, Phlx, Florence Harmon, Senior Special Counsel, Division of Market Regulation (“Division”) Commission, and Sonia Patton, Special Counsel, Division, Commission (September 13, 2001).

⁴ Securities Exchange Act Release No. 44819 (September 19, 2001), 66 FR 49242.

⁵ In approving this proposed rule change, the Commission notes that it has considered the proposed rule’s impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

⁶ 15 U.S.C. 78f.

⁷ 15 U.S.C. 78f(b)(5).

¹³¹ *Id.*

¹³² See S. Rep. No. 94-75, 94th Cong., 1st Sess. 7 (1975) at p. 8.

¹³³ 15 U.S.C. 78k-1.

¹³⁴ See also discussion at text accompanying note 76, *supra*.

¹³⁵ 15 U.S.C. 78s(b)(2).

¹³⁶ *Id.*

¹³⁷ *Id.*

in general, to protect investors and the public interest.

It Is Therefore Ordered, pursuant to section 19(b)(2) of the Act,⁸ that the proposed rule change (SR-Phlx-2001-74) be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁹

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01-27442 Filed 10-31-01; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Coast Guard

[USCG 2001-10855]

Collection of Information Under Review by Office of Management and Budget (OMB): OMB Control Number 2115-0636

AGENCY: Coast Guard, DOT.

ACTION: Request for comments.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995, the Coast Guard intends to seek the approval of OMB for the renewal of one Information Collection Request (ICR). The ICR concerns the survey of "customers" of the International Ice Patrol run by the Coast Guard. Before submitting the ICR to OMB, the Coast Guard is requesting comments on it.

DATES: Comments must reach the Coast Guard on or before December 31, 2001.

ADDRESSES: You may mail comments to the Docket Management System (DMS) [USCG 2001-10855], U.S. Department of Transportation (DOT), room PL-401, 400 Seventh Street SW., Washington, DC 20590-0001, or deliver them to room PL-401, located on the Plaza Level of the Nassif Building at the same address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. The telephone number is 202-366-9329.

The DMS maintains the public docket for this request. Comments will become part of this docket and will be available for inspection or copying in room PL-401, located on the Plaza Level of the Nassif Building at the above address between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays. You may also access this docket on the Internet at <http://dms.dot.gov>.

Copies of the complete ICR are available through this docket on the Internet at <http://dms.dot.gov> and also

from Commandant (G-CIM-2), U.S. Coast Guard Headquarters, room 6106 (Attn: Barbara Davis), 2100 Second Street SW., Washington, DC 20593-0001. The telephone number is 202-267-2326.

FOR FURTHER INFORMATION CONTACT: Barbara Davis, Office of Information Management, 202-267-2326, for questions on this document; or Dorothy Beard, Chief, Documentary Services Division, U.S. Department of Transportation, 202-366-5149, for questions on the docket.

Request for Comments

The Coast Guard encourages interested persons to submit written comments. Persons submitting comments should include their names and addresses, identify this document [USCG 2001-10855], and give the reason for the comments. Please submit all comments and attachments in an unbound format no larger than 8½ by 11 inches, suitable for copying and electronic filing. Persons wanting acknowledgment of receipt of comments should enclose stamped self-addressed postcards or envelopes.

Information Collection Request

1. *Title:* Survey of Customers of the International Ice Patrol (IIP) Run by the Coast Guard.

OMB Control Number: 2115-0636.

Summary: The Coast Guard will use the information obtained from direct customers to measure satisfaction with current services and determine whether added services are necessary.

Need: The IIP monitors the extent of danger due to icebergs near the Grand Banks of Newfoundland and warns the maritime community of the danger by broadcasting the southeastern, southern, and southwestern limits of all known ice in two message bulletins and one radiofacsimile chart each day. Executive Order 12862 requires us to evaluate our services and assess our customers' satisfaction.

Respondents: Masters, crewmembers, scientists, or other persons that use the bulletins or charts of the IIP.

Frequency: Annual.

Burden Estimate: The estimated burden is 125 hours a year.

Dated: October 17, 2001.

V.S. Crea,

Director of Information and Technology.

[FR Doc. 01-27477 Filed 10-31-01; 8:45 am]

BILLING CODE 4910-15-U

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Aviation Insurance Incremental Premium Reimbursement

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice.

SUMMARY: The Air Transportation System Safety and Stabilization Act of September 22, 2001 authorized the FAA to reimburse qualifying air carriers for the difference in insurance premiums paid as a result of increases resulting from the premium increases experienced after the September 11 New York City terrorists attacks. The FAA will provide stabilizing reimbursement payments to aid the carrier's financial recovery. The FAA is publishing the contents of a letter it has distributed and notice of the internet web access which explains the process for a carrier to apply for reimbursement.

FOR FURTHER INFORMATION CONTACT: Ms. Nan Shellabarger, Office of Aviation Policy and Plans, APO-2, Federal Aviation Administration, 800 Independence Ave., SW., Washington, DC 20591, telephone: (202) 267-3275.

SUPPLEMENTARY INFORMATION: Pursuant to section 201(b)(1) of the Air Transportation System Safety and Stabilization Act, (Pub. L. No. 107-42, 115 Stat. 230, Sept. 22, 2001), the Federal Aviation Administration's Aviation Insurance Program hereby offers to partially reimburse your company for the increases in the war risk insurance premiums above that paid by your company for comparable operations during the period beginning on September 4, 2001, and ending on September 10, 2001. This offer is subject to final funding availability.

The attached letter and application can also be viewed on the web at: <http://api/hq.faa.gov/911/policies/inscover.html>.

Issued in Washington, DC, on October 29, 2001.

John M. Rodgers,

Director, Office of Aviation Policy and Plans.

Date: October 26, 2001

TO: U.S. Air Carriers

Aviation Insurance Incremental Premium Reimbursement

Dear Air Carrier Insurance Representative: Pursuant to section 201(b)(1) of the Air Transportation System Safety and Stabilization Act, (Pub. L. No. 107-42, 115 Stat. 230, Sept. 22, 2001), the Federal Aviation Administration's Aviation Insurance Program hereby offers to partially reimburse your company for the increases in the war risk insurance premiums above that

⁸ 15 U.S.C. 78s(b)(2).

⁹ 17 CFR 200.30-3(a)(12).