

**OFFICE OF PERSONNEL  
MANAGEMENT**
**Proposed Collection; Comment  
Request for Review of a Revised  
Information Collection: Agency  
Generic Survey Plan**

**AGENCY:** Office of Personnel  
Management.

**ACTION:** Notice.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995 (Public Law 104-13, May 22, 1995), this notice announces that the Office of Personnel Management (OPM) intends to submit to the Office of Management and Budget a request for review of a revised information collection. The Agency Generic Survey Plan will be revised to be an umbrella clearance for all OPM customer satisfaction surveys used with OPM programs and services. This Plan satisfies the requirements of Executive Order 12862 and the guidelines set forth in OMB's "Resource Manual for Customer Surveys".

Comments are particularly invited on: Whether this information is necessary for the proper performance of functions of OPM, and whether it will have practical utility; whether our estimate of the public burden of this collection of information is accurate, and based on valid assumptions and methodology; and ways in which we can minimize the burden of the collection of information on those who are to respond, through the use of appropriate technological collection techniques or other forms of information technology.

The surveys completed will include web-based (electronic), paper-based, telephone and focus groups. We estimate approximately 2,276,000 surveys will be completed annually. The time estimate varies from 1 minute to 2 hours to complete with the average being 18 minutes. The annual estimated burden is 751,080 hours.

For copies of this proposal, contact Mary Beth Smith-Toomey on (202) 606-2150, FAX (202) 418-3251 or E-mail to mbtoomey@opm.gov.

**DATES:** Comments on this proposal should be received on or before May 14, 2001.

**ADDRESSES:** Send or deliver comments to—Mary Beth Smith-Toomey, OPM Forms and Reports Officer, Office of the Chief Information Officer, U.S. Office of Personnel Management, 1900 E Street, NW., Room 5415, Washington, DC 20415-7900.

Office of Personnel Management.

**Steven R. Cohen,**

*Acting Director.*

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**SECURITIES AND EXCHANGE  
COMMISSION**

[Rel. No. IA-1931/803-146]

**Bear Creek Inc.; Notice of Application**

March 9, 2001.

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

**ACTION:** Notice of application for exemption under the Investment Advisers Act of 1940 ("Advisers Act")

Applicant: Bear Creek Inc.

*Relevant Advisers Act Sections:*

Exemption requested under section 202(a)(11)(F) from section 202(a)(11).

**SUMMARY OF APPLICATION:** Applicant requests an order declaring it to be a person not within the intent of section 202(a)(11), which defines the term "investment adviser".

**FILING DATES:** The application was filed on December 23, 1999 and amended on November 20, 2000 and March 8, 2001.

*Hearing or Notification of Hearing:* An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the SEC's Secretary and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on April 3, 2001 and should be accompanied by proof service on Applicant, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons may request notification of a hearing by writing to the SEC's Secretary.

**ADDRESSES:** Secretary, SEC, 5th Street, NW., Washington, DC 20549. Applicant, Bear Creek Inc., P.O. Box 4742, 125 Pearl Street, Suite 22, Jackson, Wyoming 83001.

**FOR FURTHER INFORMATION CONTACT:** Marticha L. Cary, Attorney, or Jennifer L. Sawin, Assistant Director, at (202) 942-0716 (Division of Investment Management, Office of Investment Adviser Regulation).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee at the SEC's Public Reference Branch.

**Applicant's Representations**

1. Applicant was organized as a Wyoming corporation in 1998 to serve as the trustee of trusts then in existence, as well as of those formed in the future, created by and for the sole benefit of Charles C. Gates and Hazel G. Rates, their lineal descendants, and the spouses of such descendants (the "Trusts") (Charles C. Gates and Hazel R. Gates with their lineal descendants and the spouses of such descendants, collectively, the "Gates family").

2. Applicant is an investment adviser registered under section 203 of the Adviser Act.

3. Applicant represents that the services it provides to the Trusts include acting as trustee, custodian and executor of the Trusts and performing such other fiduciary services and financial, investment, tax and accounting, and other agency and advisory services for the Trusts as may be deemed appropriate by its board of directors in accordance with applicable law.

4. Applicant represents that the investment-related services that it provides to the Trusts are limited to trust administration, selection of third party sub-advisers, and preparation of quarterly reports. Applicant represents that investment advisory services using its own staff make up only a small portion of its overall activities. Applicant further represents that the investments of the Trusts are managed primarily by third party sub-advisers selected by Applicant's investment committee.

5. Applicant represents that the payments that it receives from the Trusts are, in large part, compensation for the administrative services that it provides. Applicant represents that only a small portion of the payments that it receives from the Trusts is compensation for furnishing investment advice. Applicant further represents that, after payments to third-party sub-advisers, the total income that it receives from the Trusts that is attributable to investment advisory services is likely to be less than 20%.

6. Applicant represents that it does not hold itself out to the public as an investment adviser. Applicant represents that it does not engage in any advertising, attend any investment-related conferences as a vendor, or conduct any marketing activities whatsoever; nor is Applicant listed in any phone book or other directory as an investment adviser.

7. Applicant represents that it has no retail clients and has no plans, now or in the future, to solicit clients from the