

For the Nuclear Regulatory Commission.  
**Andy Campbell,**  
*Acting Director, Division of Site and  
 Environmental Reviews, Office of New  
 Reactors.*  
 [FR Doc. E8-25381 Filed 10-23-08; 8:45 am]  
**BILLING CODE 7590-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Submission for OMB Review; Comment Request

Upon written request, copies available from: U.S. Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension: Rule 30b1-5, SEC File No. 270-520, OMB Control No. 3235-0577.

Notice is hereby given that pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*) ("Act") the U.S. Securities and Exchange Commission ("Commission") has submitted to the Office of Management and Budget ("OMB") a request for extension of the previously approved collection of information discussed below.

The title for the collection of information is "Rule 30b1-5 (17 CFR 270.30b1-5) under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*), Quarterly Filing of Schedule of Portfolio Holdings of Registered Management Investment Companies."

Rule 30b1-5 under the Investment Company Act of 1940 requires registered management investment companies, other than small business investment companies registered on Form N-5, (17 CFR 239.24 and 274.5) to file a quarterly report via the Commission's EDGAR system on Form N-Q (17 CFR 249.332 and 274.130), not more than 60 calendar days after the close of each first and third fiscal quarter, containing their complete portfolio holdings.

The Commission estimates that there are 2,820 management investment companies and series that are governed by the rule. For purposes of this analysis, the burden associated with the requirements of Rule 30b1-5 has been included in the collection of information requirements of Form N-Q, rather than the rule.

The collection of information under rule 30b1-5 is mandatory. The information provided under rule 30b1-5 is not kept confidential. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for the Securities and Exchange Commission, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or e-mail to: [nfraser@omb.eop.gov](mailto:nfraser@omb.eop.gov); and (ii) Lewis W. Walker, Acting Director/CIO, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, VA 22312; or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov). Comments must be submitted to OMB within 30 days of this notice.

Dated: October 20, 2008.

**Florence E. Harmon,**  
*Acting Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 28442; 812-13077]

### Boulder Total Return Fund, Inc., et al.; Notice of Application

October 20, 2008.

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

**ACTION:** Notice of application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 19(b) of the Act and rule 19b-1 under the Act.

**SUMMARY OF APPLICATION:** Applicants request an order to permit certain closed-end investment companies to make periodic distributions of long-term capital gains with respect to their outstanding common stock as frequently as twelve times each year, and as frequently as distributions are specified by or in accordance with the terms of any outstanding preferred stock that such investment companies may issue.

**APPLICANTS:** Boulder Total Return Fund, Inc., Boulder Growth & Income Fund, Inc. and The Denali Fund Inc. (formerly, the Neuberger Berman Real Estate Income Fund) and Stewart West Indies Trading Company, Ltd. (doing business as Stewart Investment Advisers) and Boulder Investment Advisers, LLC (together, the "Advisers").

**FILING DATES:** April 9, 2004, August 11, 2004, December 1, 2006, January 16, 2007 and August 22, 2008.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request

a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on November 14, 2008, and should be accompanied by proof of service on applicants, 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 who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090; Applicants, 2344 Spruce Street, Suite A, Boulder, CO 80302, Attention: Stephen C. Miller, Esq. or Joel L. Terwilliger, Esq.

### FOR FURTHER INFORMATION CONTACT:

Wendy Friedlander, Senior Counsel, at (202) 551-6837, or James M. Curtis, Branch Chief, at (202) 551-6825 (Division of Investment Management, Office of Chief Counsel).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained for a fee at the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549-1520 (telephone (202) 551-5850).

### Applicants' Representations

1. Each fund is a registered closed-end management investment company organized as a Maryland corporation, and each has total return as its primary objective.<sup>1</sup> The common shares issued by each fund are listed on the New York Stock Exchange, and the preferred shares are not listed on any exchange. Applicants believe that the shareholders of the funds are generally conservative, dividend-sensitive investors who desire current income periodically coupled with long-term capital appreciation and may favor a fixed distribution policy.

2. The Advisers are registered under the Investment Advisers Act of 1940 and are responsible for the overall management of the funds. The Advisers

<sup>1</sup> Applicants request that any order issued granting the relief requested in the application also apply to any future closed-end investment company ("future fund") that: (a) Is advised by the Advisers (including any successor in interest) or by any entity controlling, controlled by, or under common control (within the meaning of section 2(a)(9) of the Act) with the Advisers; and (b) complies with the terms and conditions of the requested order. A successor in interest is limited to entities that result from a reorganization into another jurisdiction or a change in the type of business organization.