

Commission will approve an application for the indirect transfer of a license, if the Commission determines that the proposed acquisition will not affect the qualifications of the licensee to hold the license, and that the transfer is otherwise consistent with applicable provisions of law, regulations, and orders issued by the Commission pursuant thereto.

Before issuance of the proposed conforming license amendments, the Commission will have made findings required by the Atomic Energy Act of 1954, as amended (the Act), and the Commission's regulations.

As provided in 10 CFR 2.1315, unless otherwise determined by the Commission with regard to a specific application, the Commission has determined that any amendment to the license of a utilization facility which does no more than conform the license to reflect the transfer action involves no significant hazards consideration. No contrary determination has been made with respect to this specific license amendment application. In light of the generic determination reflected in 10 CFR 2.1315, no public comments with respect to significant hazards considerations are being solicited, notwithstanding the general comment procedures contained in 10 CFR 50.91.

The filing of requests for hearing and petitions for leave to intervene, and written comments with regard to the license transfer application, are discussed below.

Within 20 days from the date of publication of this notice, any person whose interest may be affected by the Commission's action on the application may request a hearing and, if not the applicant, may petition for leave to intervene in a hearing proceeding on the Commission's action. Requests for a hearing and petitions for leave to intervene should be filed in accordance with the Commission's rules of practice set forth in Subpart C "Rules of General Applicability: Hearing Requests, Petitions to Intervene, Availability of Documents, Selection of Specific Hearing Procedures, Presiding Officer Powers, and General Hearing Management for NRC Adjudicatory Hearings," of 10 CFR Part 2. In particular, such requests and petitions must comply with the requirements set forth in 10 CFR 2.309. Untimely requests and petitions may be denied, as provided in 10 CFR 2.309(c)(1), unless good cause for failure to file on time is established. In addition, an untimely request or petition should address the factors that the Commission will also consider, in reviewing untimely

requests or petitions, set forth in 10 CFR 2.309(c)(1)(i)-(viii).

Requests for a hearing and petitions for leave to intervene should be served upon counsel for TXU Generation Company LP, Mr. Timothy Matthews at Morgan, Lewis & Bockius, LLP, 1111 Pennsylvania Avenue, NW., Washington, DC 20004 (tel: 202-739-5527, fax: 202-793-3001, e-mail: [tmattthews@morganlewis.com](mailto:tmattthews@morganlewis.com)), and counsel for Texas Energy LP, Dr. Richard A. Meserve at Covington & Burling LLP, 1201 Pennsylvania Ave. NW., Washington, DC 20004 (tel: 202-662-5304, fax: 202-662-5304, fax: 202-778-5304, e-mail: [rmeserve@cov.com](mailto:rmeserve@cov.com)); the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001 (e-mail address for filings regarding license transfer cases only: [OGCLT@NRC.gov](mailto:OGCLT@NRC.gov)); and the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, in accordance with 10 CFR 2.302 and 2.305.

The Commission will issue a notice or order granting or denying a hearing request or intervention petition, designating the issues for any hearing that will be held and designating the Presiding Officer. A notice granting a hearing will be published in the **Federal Register** and served on the parties to the hearing.

As an alternative to requests for hearing and petitions to intervene, within 30 days from the date of publication of this notice, persons may submit written comments regarding the license transfer application, as provided for in 10 CFR 2.1305. The Commission will consider and, if appropriate, respond to these comments, but such comments will not otherwise constitute part of the decisional record. Comments should be submitted to the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555-0001, Attention: Rulemakings and Adjudications Staff, and should cite the publication date and page number of this **Federal Register** notice.

For further details with respect to this action, see the application dated April 18, 2007, available for public inspection at the Commission's Public Document Room (PDR), located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible electronically from the Agencywide Documents Access and Management System's (ADAMS) Public Electronic Reading Room on the Internet at the NRC Web site, <http://www.nrc.gov/reading-rm/adams.html>.

Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS should contact the NRC PDR Reference staff by telephone at 1-800-397-4209, or 301-415-4737 or by e-mail to [pdr@nrc.gov](mailto:pdr@nrc.gov).

Dated at Rockville, Maryland this 7th day of June, 2007.

For the Nuclear Regulatory Commission.

**Mohan C. Thadani,**

*Senior Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

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## PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY

### Senior Executive Service Performance Review Board Membership

**AGENCY:** Office of Inspector General, Department of the Interior.

**ACTION:** Notice; corrections.

**SUMMARY:** The Office of Inspector General, Department of the Interior, published a document in the **Federal Register** of December 5, 2006, concerning the membership of the Senior Executive Service Performance Review Board for the President's Council on Integrity and Efficiency. The document should also have included the Executive Council on Integrity and Efficiency.

**FOR FURTHER INFORMATION CONTACT:** Eric M. Lippold, 703-487-5371 Corrections.

In the **Federal Register** of December 5, 2006, in FR Doc. E6-20548, on page 70570, in the third column, correct the "Heading" caption to read:

PRESIDENT'S COUNCIL ON INTEGRITY AND EFFICIENCY EXECUTIVE COUNCIL ON INTEGRITY AND EFFICIENCY.

In the **Federal Register** of December 5, 2006, in FR Doc. E6-20548, on page 70570, in the third column, correct the "Summary" caption to read:

**SUMMARY:** This notice sets forth the names and titles of the current membership of the President's Council on Integrity and Efficiency (PCIE) and Executive Council on Integrity and Efficiency (ECIE) Performance Review Board as of October 2, 2006.

In the **Federal Register** of December 5, 2006, in FR Doc. E6-20548, on page 70570, in the third column, correct the "Supplementary Information" caption to read:

### I. Background

The Inspector General Act of 1978, as amended, created the Offices of Inspectors

General as independent and objective units to conduct and supervise audits and investigations relating to Federal programs and operations. Executive Order 12301 (March 26, 1981) established the President's Council on Integrity and Efficiency (PCIE). On May 11, 1992, Executive Order 12805 reaffirmed the PCIE and also established the Executive Council on Integrity and Efficiency (ECIE). Both councils are interagency committees chaired by the Office of Management and Budget's Deputy Director for Management. Their mission is to coordinate and enhance governmental efforts to promote integrity and efficiency and to detect and prevent fraud, waste, and abuse in Federal programs. The PCIE is comprised principally of the 29 Presidential appointed Inspectors General (IGs), ECIE members include the 32 Inspectors General appointed by their respective agency heads.

## II. PCIE/ECIE Performance Review Board

Under 5 U.S.C. 4314(c)(1)–(5), and in accordance with regulations prescribed by the Office of Personnel Management, each agency is required to establish one or more Senior Executive Service (SES) performance review boards. The purpose of these boards is to review and evaluate the initial appraisal of a senior executive's performance by the supervisor, along with any recommendations to the appointing authority relative to the performance of the senior executive. The current members of the PCIE/ECIE Performance Review Board, as of October 2, 2006, are as follows:

**Renee M. Pettis,**

*Assistant Inspector General for Management.*  
[FR Doc. E7–11377 Filed 6–12–07; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–55875; File No. SR–Amex–2006–170]

### Self-Regulatory Organizations; American Stock Exchange LLC; Order Granting Accelerated Approval of a Proposed Rule Change, as Modified by Amendment Nos. 1, 2, 3, and 4 Thereto, Relating to Procedures for At-Risk Cross Transactions

June 7, 2007.

#### I. Introduction

On February 17, 2006, the American Stock Exchange LLC (“Amex” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”) <sup>1</sup> and Rule 19b–4 thereunder, <sup>2</sup> a proposed rule change to adopt a new crossing procedure, the “at-risk cross,” as an alternative to the

Exchange's existing facilitation cross procedure. On November 9, 2006, the Exchange filed Amendment No. 1 to the proposed rule change, and on December 1, 2006, the Exchange filed Amendment No. 2 to the proposed rule change. The proposed rule change, as modified by Amendment Nos. 1 and 2, was published for comment in the **Federal Register** on January 17, 2007.<sup>3</sup> On March 28, 2007, the Exchange filed Amendment No. 3 to the proposed rule change, and on May 3, 2007, the Exchange filed Amendment No. 4 to the proposed rule change. Amendment Nos. 3 and 4 to the proposed rule change were published for comment in the **Federal Register** on May 14, 2007 for a 15-day comment period.<sup>4</sup> The comment period ended on May 29, 2007. The Commission received no comments on the proposal. This order grants accelerated approval to the proposed rule change, as modified by Amendment Nos. 1, 2, 3, and 4.

#### II. Description of the Proposal

The Exchange proposes to adopt an “at-risk cross” procedure for equity options by adding Commentary .03 to Amex Rule 950–ANTE(d). This new “at risk cross” procedure would supplement the existing facilitation cross procedure set forth in Commentary .02 to Amex Rule 950–ANTE(d).<sup>5</sup> The proposed at-risk crossing procedure would permit a floor broker, after satisfying all public customer orders, to execute a cross that is at-risk to the market on behalf of a member organization trading against its own customer's order between the quoted market, once priority has been established.

The at-risk cross transaction procedure would be available for use only by floor brokers attempting to cross an order of a public customer against an order from the same member organization, and the minimum eligible order size for the at-risk cross transaction would be 50 contracts. A floor broker attempting to execute an order as an at-risk cross would be required first to request bids and offers

from the trading crowd for all components of the public customer order.<sup>6</sup> After the trading crowd has provided a quote, the floor broker would then represent the customer order to the trading crowd, indicating that it is a customer order and providing the order's size, side of the market, and a price, giving the customer the opportunity for price improvement.

After the trading crowd has provided a quote in response to the customer order, the proposed rule would permit the floor broker to improve the trading crowd's quote on behalf of the member organization and thereby establish priority over the trading crowd at this new price.<sup>7</sup> The bid or offer on behalf of the member organization would be required to be one minimum price variation (“MPV”) away from the customer order. The floor broker could then attempt to consummate a cross transaction with the customer at that price. However, the cross transaction would be “at risk” to the market, because the trading crowd would still have the ability to break up the cross before its consummation, either by trading with the customer order at the customer's price or trading with the member organization's order at its attempted cross price.

Under the Exchange's existing facilitation crossing procedures, a member firm seeking to facilitate its own public customer's order is entitled to participate in the firm's proprietary account as the contra-side of that order up to 40 percent of the remaining contracts (the “Member Firm Guarantee”), provided that the order trades at a price that matches or improves the market, after public customer orders on the specialist's book or customer orders represented by a floor broker in the crowd have been filled.<sup>8</sup> Under the proposed at-risk crossing procedure, the floor broker on behalf of the member firm effectively would relinquish the Member Firm Guarantee in an attempt to cross the entire order.

#### III. Discussion

After careful review, the Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules

<sup>3</sup> See Securities Exchange Act Release No. 55068 (January 9, 2007), 72 FR 2044 (“Notice”).

<sup>4</sup> See Securities Exchange Act Release No. 55719 (May 3, 2007), 72 FR 27155 (“Notice of Amendment Nos. 3 and 4”).

<sup>5</sup> Commentary .02(c) to Amex Rule 950–ANTE(d) sets forth the facilitation cross procedures for options trading generally. Commentary .02(d) to Amex Rule 950–ANTE(d) sets forth conditions and procedures by which a member firm facilitating its own public customer's order is entitled to participate from its proprietary account as the contra-side of that order to the extent of 40 percent of the contracts remaining after public customers have been satisfied, provided the order trades at or between the quoted market.

<sup>6</sup> The floor broker would be required to disclose on the order ticket for the public customer order all the terms of the order, including, if applicable, any contingency involving other options, underlying securities, or related securities.

<sup>7</sup> At this point, the floor broker may alternatively decide to follow the procedures of Commentary .02(d) to Amex Rule 950–ANTE(d).

<sup>8</sup> See Commentary .02(d)(1) to Amex Rule 950–ANTE(d).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b–4.