

**Schedule Changes***Week of October 4, 2004*

Wednesday, October 6, 2004

1:30 p.m.: Discussion of Security Issues (Closed—Ex. 1). (This meeting was originally scheduled for October 7, 2004, at 2:30 p.m.)

Thursday, October 7, 2004

2:35 p.m.: Affirmation Session (Public Meeting) (Tentative). (This affirmation session was originally scheduled for 9:25 a.m. on October 7, 2004.)

- a. State of Alaska Department of Transportation and Public Facilities (Confirmatory Order Modifying License); appeals of LBP-04-16 by NRS Staff and Licensee (Tentative).
- b. Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-SFSI (Tentative).
- c. USEC, Inc. (Tentative).
- d. Citizen's Awareness Network's (CAN) Motion to dismiss the Yankee Rowe license termination proceeding or to re-notice It (Tentative).
- e. Duke Energy Corp. (Catawba Nuclear Station, Units 1 and 2); Licensing Board's certification of its ruling on "need to know" during discovery (Tentative).
- f. Final Rulemaking to Add New Section 10 CFR 50.69, "Risk-Informed Categorization and Treatment of Structures, Systems and Components for Nuclear Power Reactors" (Tentative).

10:30 a.m.: Discussion of Security Issues (Closed—Ex. 1).

1 p.m.: Discussion of Security Issues (Closed—Ex. 1).

\*The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: Dave Gamberoni, (301) 415-1651.

The NRC Commission Meeting Schedule can be found on the Internet at: [www.nrc.gov/what-we-do/policy-making/schedule.html](http://www.nrc.gov/what-we-do/policy-making/schedule.html).

The NRC provides reasonable accommodation to individuals with disabilities where appropriate. If you need a reasonable accommodation to participate in these public meetings, or need this meeting notice or the transcript or other information from the public meetings in another format (e.g., braille, large print), please notify the NRC's Disability Program Coordinator, August Spector, at (301) 415-7080, TDD: (301) 415-2100, or by e-mail at [aks@nrc.gov](mailto:aks@nrc.gov). Determinations on requests for reasonable accommodation will be made on a case-by-case basis.

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555, (301) 415-1969. In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: October 5, 2004.

**Dave Gamberoni,**

*Office of the Secretary.*

[FR Doc. 04-22783 Filed 10-6-04; 9:41 am]

**BILLING CODE 7590-01-M**

## **SECURITIES AND EXCHANGE COMMISSION**

### **Issuer Delisting; Notice of Application of Internacional de Ceramica, S.A. de C.V. To Withdraw its American Depositary Shares (Each American Depositary Share Representing Five Limited Voting Units), Limited Voting Units (Which Consist of One Series D and One Series L Share), Series D Shares, No Par Value, and Series L Shares, No Par Value from Listing and Registration on the New York Stock Exchange, Inc. File No. 333-12776**

October 4, 2004

On September 14, 2004, Internacional de Ceramica, S.A. de C.V., a Mexican corporation ("Issuer"), has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 12d2-2(d) thereunder,<sup>2</sup> to withdraw its American Depositary Shares (Each American Depositary Share Representing Five Limited Voting Units), Limited Voting Units (which consist of one Series D and one Series L Shares), Series D Shares, no par value, and Series L Shares, no par value ("Securities"), from listing and registration on the New York Stock Exchange, Inc. ("NYSE" or "Exchange").

The Board of Directors ("Board") of the Issuer approved a resolution on September 8, 2004 to withdraw the Issuer's Securities from listing on the NYSE. The Board stated that following reasons factored into its decision to withdraw the Issuer's Securities from the Exchange: (i) The dramatically increasing costs associated with the preparation and filing of the Issuer's

periodic reports with the Commission and other expenses related to listing the Securities on the NYSE; (ii) the limited number of registered holders resident in the United States; (iii) the lack of analyst coverage and minimal liquidity in trading of the Securities; (iv) the infrequent trading of the Securities on the NYSE and the likelihood that such trading volume would not increase materially in the foreseeable future; (v) the costs associated with the continued listing of Securities are disproportionately high, given the limited trading volume; (vi) the limited voting units underlying the Securities will continue to be listed and traded on the Bolsa Mexicana de Valores, S.A. de C.V. ("Bolsa"); (vii) the belief of the Issuer that concentration of its Securities on the Bolsa alone rather than on two different trading markets will improve liquidity in and trading of its Securities; and (viii) the benefits associated with maintaining listing and registration in the United States are outweighed by the costs of maintaining the listing and registration.

The Issuer stated in its application that it has complied with all the applicable laws in effect in Mexico, in which it is incorporated, and with the NYSE's rules governing an issuer's voluntary withdrawal of a security from listing and registration. The Issuer stated in its application that it has met the requirements of the NYSE rules governing an issuer's voluntary withdrawal of a security from listing and registration.

The Issuer's application relates solely to the Securities' withdrawal from listing on the NYSE and from registration under section 12(b) of the Act,<sup>3</sup> and shall not affect its obligation to be registered under section 12(g) of the Act.<sup>4</sup>

Any interested person may, on or before October 27, 2004, comment on the facts bearing upon whether the application has been made in accordance with the rules of the NYSE, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

#### *Electronic Comments*

- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 333-12776 or;

#### *Paper Comments*

- Send paper comments in triplicate to Jonathan G. Katz, Secretary,

<sup>1</sup> 15 U.S.C. 78l(d).

<sup>2</sup> 17 CFR 240.12d2-2(d).

<sup>3</sup> 15 U.S.C. 78l(b).

<sup>4</sup> 15 U.S.C. 78l(g).

Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number 1-11863. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room, 450 Fifth Street, NW., Washington, DC 20549. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>5</sup>

**Jonathan G. Katz,**  
*Secretary.*

[FR Doc. E4-2554 Filed 10-7-04; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meetings

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Pub. L. 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of October 11, 2004:

An open meeting will be held on Wednesday, October 13, 2004 at 10 a.m., in Room 1C30, the William O. Douglas Meeting Room, and a closed meeting will be held on Thursday, October 14, 2004 at 10 a.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the closed meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (4), (5), (7), (8), (9)(B), and (10) and 17 CFR 200.402(a)(3), (4), (5), (7), (8), 9(ii) and (10), permit

consideration of the scheduled matters at the closed meeting.

Commissioner Campos, as duty officer, voted to consider the items listed for the closed meeting in closed session.

The subject matter of the open meeting scheduled for Wednesday, October 13, 2004 will be:

The Commission will consider whether to propose amendments to Regulation M (the anti-manipulation rule concerning securities offerings) under the Securities Exchange Act of 1934.

For further information, please contact Denise Landers, Joan Collopy, Elizabeth Sandoe or Elizabeth Marino at (202) 942-0772.

The subject matter of the closed meeting scheduled for Thursday, October 14, 2004 will be:

Formal orders of investigations;  
Institution and settlement of injunctive actions;  
Institution and settlement of administrative proceedings of an enforcement nature;  
Adjudicatory matters;  
Regulatory matters regarding financial institutions; and  
Amicus consideration.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 942-7070.

Dated: October 6, 2004.

**Jonathan G. Katz,**  
*Secretary.*

[FR Doc. 04-22814 Filed 10-6-04; 11:14 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-50484; File No. SR-CBOE-2003-33]

### Self-Regulatory Organizations; Order Granting Approval of Proposed Rule Change and Amendment No. 1 Thereto by the Chicago Board Options Exchange, Inc., and Notice of Filing and Order Granting Accelerated Approval to Amendments No. 2, 3 and 4 Relating to Non-Member Market Maker Transaction Fees

October 1, 2004.

#### I. Introduction

On July 30, 2003, the Chicago Board Options Exchange, Inc. ("CBOE" or "Exchange") submitted to 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 increase the transaction fee for non-member market fees by \$0.02 per contract. On November 13, 2003, CBOE filed Amendment No. 1 to the proposed rule change via facsimile.<sup>3</sup> The proposed rule change, as amended, was published in the **Federal Register** for notice and comment on November 28, 2003.<sup>4</sup> The Commission received one comment on the proposal.<sup>5</sup> On March 5, 2004, CBOE filed Amendment No. 2 to the proposed rule change.<sup>6</sup> On April 22, 2004, CBOE filed Amendment No. 3 to the proposed rule change.<sup>7</sup> On August 20, 2004, CBOE filed Amendment No. 4 to the proposed rule change.<sup>8</sup>

This order approves the proposed rule change as modified by Amendment No. 1. In addition, the Commission is approving on an accelerated basis, and is soliciting comments on, Amendments No. 2, 3 and 4 to the proposed rule change.

#### II. Description

The Exchange is proposing to change its Fee Schedule to increase transaction fees for orders originating from non-member market makers by \$0.02 per contract. In its proposed rule change, CBOE explained that currently the Exchange charges transaction fees for orders executed on behalf of non-member market makers that are equal to member market maker and member firm rates for equity and QQQ options and

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> See letter from Christopher R. Hill, Attorney II, Office of Enforcement, Legal Department, CBOE, to Leah Mesfin, Special Counsel, Division of Market Regulation ("Division"), Commission, dated November 13, 2003 ("Amendment No. 1"). In Amendment No. 1, CBOE revised its statement of the purpose of the proposed rule change to modify its argument in support of the proposal.

<sup>4</sup> See Securities Exchange Act Release No. 48815 (November 20, 2003), 68 FR 66908.

<sup>5</sup> See letter from Michael J. Simon, Senior Vice President and Secretary, International Stock Exchange, Inc. ("ISE"), to Jonathan G. Katz, Secretary, Commission, dated December 19, 2003.

<sup>6</sup> See letter from Christopher R. Hill, Attorney II, Office of Enforcement, Legal Department, CBOE, to Nancy Sanow, Assistant Director, Division, Commission, dated March 5, 2004 ("Amendment No. 2"). In Amendment No. 2, CBOE replaced the rule text to more clearly indicate the changes to be made to the Exchange's Fee Schedule.

<sup>7</sup> See letter from Christopher R. Hill, Attorney II, Office of Enforcement, Legal Department, CBOE, to Nancy Sanow, Assistant Director, Division, Commission, dated April 21, 2004 ("Amendment No. 3"). In Amendment No. 3, CBOE revised the rule text to clarify that the proposed fee increase would not apply to Linkage orders.

<sup>8</sup> See letter from Jaime Galvin, Attorney, Legal Division, CBOE, to Jennifer Colihan, Special Counsel, Division, Commission, dated August 19, 2004 ("Amendment No. 4"). In Amendment No. 4, CBOE replaced the rule text to reflect recent changes made to the Exchange's Fee Schedule.

<sup>5</sup> 17 CFR 200.30-3(a)(1).