

listing of exercise prices in inactive series of certain index options. By reducing the number of listed exercise prices, the proposal may improve the efficiency of quotation dissemination and speedy pricing of index options, thereby helping the PHLX to maintain fair and orderly options markets. The Commission also believes that the proposal should help to eliminate the potential investor confusion associated with wrap-around symbols.¹² The Commission believes that the proposal strikes a reasonable balance between the PHLX's interest in limiting the number of outstanding exercise prices in inactive series and its interest in accommodating the needs of investors. According to the PHLX, market participants generally do not require \$5 exercise price intervals for higher-priced index options, far-term series, and long-term options. In addition, the PHLX notes that there is limited trading volume in far-term series of index options. Thus, the proposed reduction in exercise prices will be concentrated in the series with the least trading interest.

At the same time, the proposal provides the PHLX with the flexibility to accommodate the needs of investors by allowing the Exchange to list exercise prices at \$5 intervals in response to demonstrated customer interest or specialist request.¹³ This flexibility will allow the Exchange to respond to the needs of the marketplace and, in turn, will allow investors to establish options positions that are tailored to meet their investment objectives. The Commission believes that the customer request provision should help to ensure the availability of options series that will provide investors with a means to adequately hedge their portfolios and implement their trading strategies. In addition, the PHLX has stated that the listing of \$25 intervals for far-term series will preserve key trading strategies. The provision of the proposal allowing the PHLX to list exercise prices at wider intervals will provide the Exchange with additional flexibility in the listing of exercise prices.

Finally, the Commission believes that the PHLX will implement the proposal in an orderly manner. Specifically, the

PHLX will begin listing exercise prices at the wider interval following the expiration after Commission approval of the proposed rule change. The PHLX will also delist the far-term series if there is no open interest in the series. In addition, after implementing the proposal, the Exchange will list far-term series at wider intervals until there are less than six months remaining until expiration, when intervening exercise prices will be listed at narrower intervals.

IV. Conclusion

For the foregoing reasons, the Commission finds that the PHLX's proposal is consistent with the requirements of the Act and the rules and regulations thereunder.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,¹⁴ that the proposed rule change (File No. SR-PHLX-95-68) is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁵

Jonathan G. Katz,
Secretary.

[FR Doc. 96-7506 Filed 3-27-96; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-37002; File No. SR-Phlx-96-02]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Relating to the Adoption of Listing and Listing Maintenance Standards for Unit Investment Trusts

March 21, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"), 15 U.S.C. 78s(b)(1), notice is hereby given that on January 29, 1996, the Philadelphia Stock Exchange, Inc. ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. On March 7, 1996, the Exchange submitted to the Commission Amendment No. 1 to the proposed rule change,¹ and on March 18, 1996 the Exchange submitted Amendment No. 2 to the proposed rule change.² The

Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange, pursuant to Rule 19b-4 under the Act,³ proposes to amend Phlx Rule 803 regarding Tier I listing standards in order to add new section (i), which will set forth listing standards for unit investment trusts ("UITs") and amend Phlx Rule 810 to add new subsections (a)(5) and (a)(6), which will set forth listing maintenance standards for UITs.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to add new section (i) to Phlx Rule 803, the Tier I listing criteria, to adopt listing standards applicable to UITs, which are distinct trading components representing discrete interests in the income, capital appreciation potential or other economic characteristics of the securities deposited in a trust. Such a trust may be based upon the securities of individual issuers, upon a portfolio of stocks included in a domestic, broad-based stock market index, or upon a portfolio of domestic money market instruments or other debt securities. A UIT would be defined as any share, unit or other interest in or relating to a unit investment trust, including any component resulting from the

¹² See note 9, *supra*.

¹³ For purposes of the proposal, demonstrated customer interest includes institutional (firm), corporate or customer interest expressed directly to the Exchange or through the customer's floor brokerage unit, but not interest expressed by an ROT with respect to trading for the ROT's own account. The Commission expects the PHLX to monitor the listing of additional strikes in order to ensure that new strikes are added only in response to "customer" requests, as defined in the proposal, or in response to a specialist's request.

¹⁴ 15 U.S.C. § 78s(b)(2).

¹⁵ 17 CFR 200.30-3(a)(12) (1995).

¹ See Letter from Michele R. Weisbaum, Assistant General Counsel, Phlx, to Jon Kroeper, Staff Attorney, SEC, dated March 5, 1996. See *infra* note 4 and text accompanying note 5 for a description of Amendment No. 1.

² See Letter from Michele R. Weisbaum, Associate General Counsel, Phlx, to Jon Kroeper, Staff

Attorney, SEC, dated March 15, 1996. Amendment No. 2 added UIT listing maintenance standards to the proposed rule change. See *infra* text accompanying notes 6 and 7 for a description of Amendment No. 2.

³ 17 CFR 240.19b-4.

subdivision or separation of such an interest.⁴

Pursuant to proposed subsection 803(i)A, UITs based upon securities of individual issuers may be listed on the Exchange under the following requirements. First, the issuer(s) of the security (or securities) held by the trust must have total assets in excess of \$100 million and a net worth in excess of \$10 million. Second, there must be at least one million units held beneficially or of record by 800 round lot holders and the UIT cannot hold in excess of 5% of the outstanding common or capital stock of any single issuer. Third, the stated term of the trust may not be less than three years and the units may not be subject to redemption at the election of the trustees prior to the end of the stated term of the trust.⁵ Fourth, the trustee of the UIT must be a trust company or banking institution and its executive officer cannot be an officer of the issuing sponsor. Fifth, any voting rights conferred by the UIT interests may be divided between the separate components of the units and must be passed through to beneficial holders of the UIT interests and shareholder communications must be forwarded by the trust to the holders of the voting rights, to the extent that the UIT is reimbursed by the issuer for reasonable expenses. Finally, the UIT must sign a listing agreement with the Exchange which requires compliance with all other provisions of the 800 Series of Phlx Rules applicable to listed companies.

Pursuant to proposed subsection 803(i)B, UITs based on stock indexes or debt instruments may be listed on the Exchange under the following requirements. First, the trust must have total assets of at least \$60 million at the time of formation and at least one million shares, units or components that are publicly distributed to at least 400

beneficial or record holders. Second, such UITs cannot have a stated term of less than two years; however, they may be subject to earlier termination if the circumstances under which this may occur are set forth in the trust's governing documents. Third, any voting rights conferred by the UIT interests may be divided between separate components of the units but must be passed through to the beneficial holders of the UIT interests. Fourth, the trustee must be a trust company or banking institution. Finally, the UIT must sign a listing agreement with the Exchange which requires compliance with all other provisions of the 800 Series of Rules applicable to listed companies.⁶

The Exchange also is proposing to adopt listing maintenance standards for UITs under new subsection (a)(5) and (a)(6) to Phlx Rule 810. Proposed Rule 810(a)(5) will permit the Exchange to suspend trading in, or remove from listing, a UIT listed under Rule 803(i)A if the financial condition and/or operating results of the issuer of the securities held by the trust appear to be unsatisfactory, as determined by the existence of one or more of the following criteria: (i) the net tangible assets of the issuer of the securities held by the UIT are not at least \$2 million if the issuer has sustained losses from continuing operations and/or net losses in two of its three most recent fiscal years, or \$4 million if it has such losses in three of its four most recent fiscal years; (ii) the total assets and net worth of the issuer of the securities held by the UIT are less than \$25 million and \$4 million, respectively; (iii) there are less than 400 record and/or beneficial holders of the trust units (or trading components thereof); (iv) less than 300,000 trust units (or trading components thereof) remain outstanding; (v) the issuer of the securities held by the UIT has sold or otherwise disposed of its principal operating assets, or has ceased to be an operating company; (vi) the UIT and/or trustee has failed to comply with the Phlx's listing policies or agreements; or (vii) such other event shall occur or conditions exist which, in the Exchange's opinion, makes further dealings on the Exchange inadvisable.⁷

Proposed Rule 810(a)(6) will permit the Exchange to suspend trading in, or remove from listing, a UIT listed pursuant to Rule 803(i)B if one of the following criteria is met: (i) more than 60 days remain until the termination of the UIT and there are less than 50 record and/or beneficial holders of

shares, units or trading components thereof for 20 or more consecutive trading days; (ii) the UIT and/or trustee has failed to comply with the Phlx's listing policies or agreements; or (iii) such other event has occurred or condition exists which, in the Exchange's opinion, makes further dealings on the Exchange inadvisable.⁸

2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act⁹ in general, and in particular, with Section 6(b)(5) in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, as well as to protect investors and the public interest.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were either solicited or received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) by order approve the proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons making written submissions should file six copies thereof with the

⁴ The Commission notes that prior to listing and trading a UIT based on an index, money market instrument, or debt securities that the Commission has not previously reviewed, the Exchange would have to file a proposed rule change pursuant to Rule 19b-4 under the Act. Such a filing should, among other relevant issues, address any issues arising under the Investment Company Act of 1940 with regard to the listing and trading of a UIT under proposed Rule 803A(i). In addition, the Phlx would be required to adopt appropriate suitability standards for both the trading of any UIT which may be separated into component parts and the component parts themselves.

⁵ Amendment No. 1 amends proposed subsection 803(i)A(3), which deals with the stated term of a UIT, to add the following provisions: (1) a listed trust may have only one termination date; (2) individual trading components of the trust units may have only one termination claim; and, (3) only one UIT may have only one termination claim; and, (3) only one UIT on the securities of a single issuer may be listed at a time.

⁶ See Amendment No. 1, *supra* note 1.

⁷ See Amendment No. 2, *supra* note 2.

⁸ See Amendment No. 2, *supra* note 2.

⁹ 15 U.S.C. 78f(b).

Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. 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 at the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR-Phlx-96-02 and should be submitted by April 18, 1996.

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

Jonathan G. Katz,
Secretary.

[FR Doc. 96-7508 Filed 3-27-96; 8:45 am]

BILLING CODE 8010-01-M

SELECTIVE SERVICE SYSTEM

Forms Submitted to the Office of Management and Budget for Extension of Clearance

The following forms have been submitted to the Office of Management and Budget (OMB) for extension of clearance in compliance with the Paperwork Reduction Act (44 U.S.C. Chapter 35):

SSS-2, 3B, 3C

Title: The Selective Service System Change of Information, Correction/Change Form and Registration Status Forms.

Purpose: To insure the accuracy and completeness of the Selective Service System registration data.

Respondents: Registrants are required to report changes or corrections in data submitted on SSS Form 1.

Frequency: When changes in a registrant's name or address occur.

Burden: The reporting burden is two minutes or less per report.

Copies of the above identified forms can be obtained upon written request to: Selective Service System, Reports Clearance Officer, 1515 Wilson Boulevard, Arlington, Virginia, 22209-2425.

Written comments and recommendations for the proposed

extension of clearance of the forms should be sent within 30 days of publication of this notice, to: Selective Service System, Reports Clearance Officer, 1515 Wilson Boulevard, Arlington, Virginia, 22209-2425.

A copy of the comments should be sent to: Office of Information and Regulatory Affairs, Attention: Desk Officer, Selective Service System, Office of Management and Budget, New Executive Office Building, Room 3235, Washington, DC 20503.

Dated: March 20, 1996.

Gil Coronado,
Director.

[FR Doc. 96-7512 Filed 3-27-96; 8:45 am]

BILLING CODE 8015-01-M

SMALL BUSINESS ADMINISTRATION

Salt Lake City Advisory Council Meeting Public Meeting

The U.S. Small Business Administration, Salt Lake City, Utah District Advisory Council will hold a public meeting on Tuesday, April 23, 1996 at 9:00 a.m. at the Executive Board Room of First Interstate Bank, at 180 South Main Street, Salt Lake City, to discuss matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information, write or call Mr. Stan Nakano, District Director, U.S. Small Business Administration, 125 South State Street, Salt Lake City, Utah 84138, (801) 524-5804.

Dated: March 22, 1996.

Bill Combs,
Associate Administrator for Office of Communication and Public Liaison.

[FR Doc. 96-7533 Filed 3-27-96; 8:45 am]

BILLING CODE 8025-01-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Hellenikon International Airport, Athens, Greece; Notification of Ineffective Security Measures

Pursuant to 49 U.S.C. 44907d(1), on November 22, 1995, I notified the government of the Republic of Greece that I had determined that Hellenikon International Airport, Athens, Greece, did not maintain and carry out effective security measures. Ninety days have elapsed since my determination, and I have found that Hellenikon International Airport still does not maintain and carry out effective security

measures. My determination is based on Federal Aviation Administration assessments which reveal that security measures used at the airport do not meet the standards established by the International Civil Aviation Organization.

Pursuant to 49 U.S.C. 44907d(1), I have directed that a copy of this notice be published in the Federal Register, that my determination be displayed prominently in all U.S. airports regularly being served by scheduled air carrier operations, and that the news media be notified of my determination. In addition, as a result of this determination, all U.S. air carriers and foreign air carriers (and their agents) providing service between the United States and Hellenikon International Airport must provide notice of my determination to any passenger purchasing a ticket for transportation between the United States and Hellenikon International Airport, with such notice to be made by written material included on or with such ticket.

Dated: March 21, 1996.

Federico Peña,
Secretary of Transportation.

[FR Doc. 96-7564 Filed 3-27-96; 8:45 am]

BILLING CODE 4910-62-P

Federal Highway Administration

Environmental Impact Statement; Pitkin County, CO

AGENCY: Federal Highway Administration, (FHWA), Colorado State Department of Transportation (CDOT).

ACTION: Revised notice of intent.

SUMMARY: The FHWA is issuing this revised notice to advise the public that the CDOT is preparing a supplement to the August 1995, Draft Environmental Impact Statement/4(f) Evaluation (DEIS/4(f)) for State Highway 82 Entrance to Aspen Project in Pitkin County, Colorado.

FOR FURTHER INFORMATION CONTACT:

Mr. Ron Sperial, Environmental/Right-of-Way Engineer, Colorado Division, Federal Highway Administration, 555 Zang Street, Lakewood, Colorado 80228, (303) 969-6737, ext. 368
Mr. Ralph Trapani, Project Manager, Colorado Department of Transportation, 202 Centennial Drive, Glenwood Springs, Colorado 81601, (970) 945-7629

SUPPLEMENTARY INFORMATION: On February 23, 1994, a Notice of Intent was published in the Federal Register