

progress in providing every working man and woman safe and healthful working conditions. Survey data are also used to evaluate the effectiveness of the Federal and State occupational safety and health programs and to prioritize the use of resources.

Ira L. Mills,

Departmental Clearance Officer.

[FR Doc. 01-19952 Filed 8-15-01; 8:45 am]

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DEPARTMENT OF LABOR

Office of the Secretary

Submission for OMB Review; Comment Request

July 26, 2001.

The Department of Labor (DOL) has submitted the following public information collection requests (ICRs) to the Office of Management and Budget (OMB) for review and approval in accordance with the Paperwork Reduction Act of 1995 (Pub. L. 104-13,

44 U.S.C. chapter 35). A copy of this ICR, with applicable supporting documentation, may be obtained by calling the Department of Labor. To obtain documentation contact Darrin King at (202) 693-4129 or E-Mail King-Darrin@dol.gov.

Comments should be sent to Office of Information and Regulatory Affairs, Attn: OMB Desk Officer for ESA, Office of Management and Budget, Room 10235, Washington, DC 20503 ((202) 395-7316), within 30 days from the date of this publication in the **Federal Register**.

The OMB is particularly interested in comments which:

- * Evaluate whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information will have practical utility;

- * Evaluate the accuracy of the agency's estimate of the burden of the proposed collection of information, including the validity of the methodology and assumptions used;

- * Enhance the quality, utility, and clarity of the information to be collected; and

- * Minimize the burden of the collection of information on those who are to respond, including through the use of appropriate automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g., permitting electronic submission of responses.

Type of Review: Revision of a currently approved collection.

Agency: Employment Standards Administration (ESA).

Title: Operator Controversion, Operator Response, Operator Response to Schedule for Submission of Additional Evidence, and Operator Response to Notice of Claim.

OMB Number: 1215-0058.

Affected Public: Business or other for-profit and State, Local, or Tribal Government.

Frequency: On occasion.

Annual Respondents: 5,400.

Form	Annual responses	Average response time (hours)	Burden hours
CM-970, CM-970a, and CM-2970a	5,800	.25	1,450
CM-2970	5,000	.16	833
Total	10,800	2,283

Total Annualized Capital/Startup Costs: \$0.

Total Annual Costs (operating/maintaining systems or purchasing services): \$3,996.

Description: The CM-970 and CM-970a are used by most coal mine operators to controvert an initial finding or potential liability for payment of Black Lung benefits under the Black Lung Benefits Act. The CM-2970a is used by most coal mine operators to indicate that additional evidence will be presented to back up their controversion. The CM-2970 is used by most coal mine operators to respond to a notice of claim.

Ira L. Mills,

Department Clearance Officer.

[FR Doc. 01-19953 Filed 8-15-01; 8:45 am]

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NUCLEAR REGULATORY COMMISSION

Advisory Committee on Reactor Safeguards; Revisions

The agenda for the 485th ACRS meeting, scheduled to be held on September 5-8, 2001, has been revised to reflect the changes noted below. Notice of this meeting was previously published in the **Federal Register** on Thursday, August 9, 2001 (66 FR 41911).

Wednesday, September 5, 2001

- The discussion of the power uprate application for the Duane Arnold Energy Center scheduled between 8:35 and 10 a.m. has been canceled due to the unavailability of the NRC staff's safety evaluation report.
- The discussion of the Proposed Resolution of Generic Safety Issue (GSI)-191, "Assessment of Debris Accumulation on PWR Sump Pump Performance" has been rescheduled to Wednesday, September 5, 2001 between 8:35 and 10 a.m.

All other items for September 5, 2001 meeting remain the same as previously

announced in the **Federal Register** on Thursday, August 9, 2001 (66 FR 41911).

Thursday, September 6, 2001

- The discussion of the TRACG best-estimate large-break loss-of-coolant accident code has been rescheduled to Thursday, September 6, 2001 between 10:20 and 12 Noon.
- The discussion of the proposed final revision to Regulatory Guide 1.78 (DG-1089), "Main Control Room Habitability During a Postulated Hazardous Chemical Release," has been rescheduled to 1 and 2 p.m.
- A report by the Chairman of the Thermal-Hydraulic Phenomena Subcommittee on the results of the July 17-18, 2001 meeting held at the Oregon State University has been added and scheduled between 2 and 2:30 p.m.
- The preparation of ACRS reports will start at 2:45 p.m. instead of 3:30 p.m. as previously announced.

All other items for September 6, 2001 meeting remain the same as previously announced in the **Federal Register** on Thursday, August 9, 2001 (66 FR 41911).

For further information contact: Dr. Sher Bahadur (telephone 301-415-0138), between 7:30 a.m. and 4:15 p.m., EDT.

Dated: August 10, 2001.

Annette Vietti-Cook,
Acting Advisory Committee Management Officer.

[FR Doc. 01-20625 Filed 8-15-01; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27431]

Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

August 10, 2001.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements for the proposed transaction(s) summarized below. The applicant(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by September 4, 2001, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After September 4, 2001, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

Progress Energy Inc., et al. (70-9909)

Progress Energy Inc. ("Progress"), a registered holding company formerly known as CP&L Energy Inc., 410 South Wilmington Street, Raleigh, North Carolina 27602, and its wholly-owned public utility subsidiaries, Carolina Power & Light Company ("CP&L") and North Carolina Natural Gas Corporation ("NCNG"), 410 South Wilmington

Street, Raleigh, North Carolina 27602, and Florida Power Corporation ("Florida Power"), One Progress Plaza, St. Petersburg, Florida 33701 (Collectively, the "Utility Subsidiaries"), have filed an application declaration under sections 6(a), 7, 9(a), 10, and 12(b) of the Act and Rules 42, 45 and 54 under the Act.

Progress and the Utility Subsidiaries have proposed certain modifications to financing transactions through September 30, 2003, which were approved by the Commission on December 12, 2000 (HCAR No. 27297) ("December Order"). Progress also requests authority to acquire long-term securities from NCNG, and NCNG requests authority to issue long-term securities to Progress, subject to any required approval from the North Carolina Utilities Commission.

The requested modifications to the December Order specifically include increasing: (1) the aggregate amount of common stock, preferred stock and under preferred securities and debentures that Progress may issue and have outstanding during the approved authorization period from \$3.8 billion to \$5 billion; (2) Progress' short-term debt limit from \$1 billion to \$2.5 billion; (3) Progress' limit for all indebtedness from \$5 billion to \$6 billion; (4) the limit of short-term debt for NCNG from \$125 million to \$400 million; and (5) the borrowing limit for NCNG from the Progress Utility Money Pool from \$125 million to \$400 million.

Progress states that the proposed increases in the authorized limits for long-term equity and debt securities and short-term debt will enable it to complete refinancing the acquisition debt incurred in November 2000 when it purchased all issued and outstanding common stock of Florida Progress, to fund inter-company loans to NCNG, and to facilitate the consolidation of external short-term borrowing facilities maintained by certain of its subsidiaries. The applicants state that any direct borrowings by NCNG from Progress Energy will have interest rates and maturities that are designed to parallel Progress' effective cost of funds.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 01-20626 Filed 8-15-01; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-44662; File No. 4-208]

Intermarket Trading System; Notice of Filing of the Eighteenth Amendment to the ITS Plan Relating to the Pacific Exchange, Inc.'s Implementation of the ARCA Facility

August 8, 2001.

Pursuant to section 11A of the Securities Exchange Act of 1934 ("Act"),¹ and Rule 11A3a3-2 thereunder,² notice is hereby given that on July 24, 2001, the Intermarket Trading System Operating Committee ("ITSOC") submitted to the Securities and Exchange Commission ("Commission") a proposed amendment ("Eighteenth Amendment") to the restated ITS Plan.³ The purpose of the proposed amendment is to: (1) eliminate provisions relating to the PCX's Remote Specialists; and (2) recognize the PCX's implementation of the Archipelago ("ARCA") Facility. The Commission is publishing this notice to solicit comment on the proposed amendment from interested persons.

I. Description of the Amendment

The proposed amendment deletes provisions of the ITS Plan relating to PCX's Remote Specialists.⁴ In addition, the proposed amendment recognizes the PCX's implementation of the ARCA Facility. The proposed amendment defines "ARCA Facility" as the computerized electronic facility for the trading of equity securities at the PCX, through its wholly owned subsidiary, the PCX Equities, Inc. ("PCXE").⁵ The proposed amendment also defines the "ARCA Facility Supervisory Center" as the premises of the PCX at which the

¹ 15 U.S.C. 78k-1.

² 17 CFR 240.11Aa3-2.

³ The ITS is a National Market System ("NMS") plan, which was designed to facilitate intermarket trading in exchange-listed equity securities based on current quotation information emanating from the linked markets. See Securities Exchange Act Release No. 19456 (January 27, 1983), 48 FR 4938 (February 3, 1983).

The ITS Participants include the American Stock Exchange LLC ("Amex"), the Boston Stock Exchange, Inc. ("BSE"), the Chicago Board Options Exchange, Inc. ("CBOE"), the Chicago Stock Exchange, Inc. ("CHX"), the Cincinnati Stock Exchange, Inc. ("CSE"), the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc. ("NYSE"), the Pacific Exchange, Inc. ("PCX"), and the Philadelphia Stock Exchange, Inc. ("PHLX") ("Participants").

⁴ See ITS Plan, Sections 1(33B1) (defining "PCX Coordinating Specialist"), 1(33C) (defining "PCX Regular Specialist"), 1(33D) (defining "PCX Remote Specialist"), and 1(33E) (defining "PCX Registered Specialist").

⁵ See PCXE Rule 7.1(a)(3) (defining term "facilities" or "trading facilities").