# SEC NEWS DIGEST

#### **Issue 2001-44**

#### March 6, 2001

#### **COMMISSION ANNOUNCEMENTS**

# ADDITIONAL PUBLIC APPEARANCE OF SENIOR COMMISSION OFFICIAL – MARCH 2001

The following is an additional public appearance of an SEC senior official scheduled for March 2001. For additional information on events hosted by groups other than the Commission, please call the contact number listed. As events are subject to change, please confirm them with the SEC's Office of Public Affairs or the sponsoring organizations.

When Wednesday, March 14 Who: Lynn Turner, Chief Accountant, Office of the Chief Accountant What: Accounting Irregularities II Where: McLean, VA Contact. Robin Kestenbaum (212) 458-1716

### INVESTMENT COMPANY ACT RELEASES

#### ADVANTUS BOND FUND, INC., ET AL.

A notice has been issued giving interested persons until March 27 to request a hearing on application filed by Advantus Bond Fund, Inc., et al for an order under Section 17(d) of the Investment Company Act and Rule 17d-1 under the Act. The order permits certain registered open-end investment companies to deposit their uninvested cash balances and their cash collateral in one or more joint accounts to be used to enter into short-term investments. (Rel. IC-24883 - March 2)

## BARR ROSENBERG SERIES TRUST; AXA ROSENBERG INVESTMENT MANAGEMENT LLC, AND AXA ROSENBERG GROUP LLC

A notice has been issued giving interested persons until March 23 to request a hearing on an application filed by Barr Rosenberg Series Trust; AXA Rosenberg Investment Management LLC, and AXA Rosenberg Group LLC, for an order exempting applicants from Section 17(a) of the Investment Company Act. The order would permit a series of a registered open-end management investment company to acquire all of the assets, subject to the liabilities, of another series of the investment company. Because of certain affiliations, applicants may not rely on Rule 17a-8 under the Act. (Rel. IC-24884 - March 2)

#### **GLOBAL HIGH INCOME DOLLAR FUND INC.**

A notice has been issued giving interested persons until March 27 to request a hearing on an application filed by Global High Income Dollar Fund Inc. (Fund) for an order granting an exemption from Section 19(b) of the Investment Company Act and Rule 19b-1 under the Act to permit the Fund to make up to twelve distributions of net long-term capital gains in any one taxable year, so long as the Fund maintains in effect a distribution policy with respect to its common stock calling for monthly distributions of a fixed percentage of its net asset value (Rel. IC-24885 – March 2)

#### HOLDING COMPANY ACT RELEASES

#### **DOMINION RESOURCES, INC.**

A notice has been issued giving interested persons until March 27 to request a hearing on a proposal by Dominion Resources, Inc., (DRI), a registered holding company. DRI proposes (1) to increase its total capitalization by \$6,000,000,000 by way of the issuance of equity, preferred and debt securities; (2) to increase DRI's aggregate guarantee authorization to \$9,600,000,000; (3) to increase the amount DRI may invest in exempt wholesale generators and foreign utility companies; (4) to extend DRI's existing authorization to refinance outstanding obligations; (5) to extend the financing authority previously granted the subsidiaries of DRI; (6) to enter into a Tax Allocation Agreement with its subsidiaries; (7) to form financing conduits to facilitate financing; (8) to form a subsidiary to manage and exploit DRI's non-utility real estate; and (9) to enter into interest rate hedging transactions with respect to outstanding indebtedness. (Rel. 35-27352)

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#### CONNECTICUT LIGHT AND POWER COMPANY

A notice has been issued giving interested persons until March 27 to request a hearing on a proposal by Connecticut Light and Power Company (CLP), an electric utility subsidiary company of Northeast Utilities, a registered holding company. CLP requests authority to increase the amount of transition bonds it may issue due to an agreement with the state of Connecticut relating to electricity market restructuring laws. (Rel. 35-27352)

#### ALLEGHENY ENERGY, INC., ET AL.

A notice has been issued giving interested persons until March 27 to request a hearing on acquisition and financing proposals by Allegheny Energy, Inc., a registered holding company, and its wholly owned utility subsidiary Allegheny Energy Supply Company, LLC (AE Supply) that relate to the purchase by AE Supply of five limited liability companies from Enron North America Corp., an unregulated company. (Rel. 35-27352)

#### AGL RESOURCES, INC.

A notice has been issued giving interested persons until March 27 to request a hearing on a proposal by AGL Resources, Inc., a registered holding company, to acquire a captive insurance company subsidiary. (Rel. 35-27352)

#### ENTERGY CORPORATION, ET AL.

A supplemental notice has been issued modifying a notice issued by the Commission on February 16, 2001, (HCAR No. 27347) and giving interested persons until March 27 to request a hearing on a proposal by Entergy Corporation, a registered holding company, Entergy's public utility subsidiary companies, Entergy Arkansas, Inc., Entergy Gulf States, Inc., Entergy Louisiana Inc, Entergy Mississippi, Inc., and Entergy New Orleans, Inc. (New Orleans), and its nonutility subsidiaries, Entergy Services, Inc. and System Fuels, Inc. The notice is amended to state that New Orleans requests an increase in its short-term borrowing authority by \$65 million, for a total of \$100 million. (Rel. 35-27352)

#### GPU, INC.

A notice has been issued giving interested persons until March 27 to request a hearing on a proposal by GPU, Inc., a registered public-utility holding company, to guarantee the obligations of MYR, its wholly owned nonutility subsidiary, under a revolving credit facility between MYR and Bank One, N.A. (Rel. 35-27352)

#### SELF-REGULATORY ORGANIZATIONS

#### **ACCELERATED APPROVAL OF PROPOSED RULE CHANGE**

The Commission granted accelerated approval to a proposed rule change filed by the <u>National Association of Securities Dealers</u> (SR-NASD-01-09) changing the minimum increment regarding trading ahead of customer limit orders and short sales on a pilot basis ending on Friday, March 1, 2002. The proposed rule change will also provide alternative reporting examples for securities trading in decimals. (Rel. 34-44030)

#### **APPROVAL OF PROPOSED RULE CHANGE**

The Commission approved a proposed rule change filed by the <u>National Securities</u> <u>Clearing Corporation</u> (SR-NSCC-00-10) that allows NSCC to process securities with a wider range of reorganization related features. Publication of the notice in the <u>Federal</u> <u>Register</u> is expected during the week of March 5. (Rel. 34-44031)

#### **PROPOSED RULE CHANGE**

A proposed rule change (SR-NYSE-00-30) was filed by the <u>New York Stock Exchange</u> pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934. The rule change would permit specialists to make certain destabilizing transactions for their own accounts without Floor Official approval to bring the price of a list foreign security into parity with the price of the foreign ordinary security. Publication of the notice in the <u>Federal Register</u> is expected during the week of March 5. (Rel. 34-44033)

#### SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows. Form, Name, Address and Phone Number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter or depositor (if applicable); File number and date filed; Assigned Branch; and a designation if the statement is a New Issue.

Registration statements may be obtained in person or by writing to the Commission's Public Reference Branch at 450 Fifth Street, N.W. Washington, D.C. 20549 or at the following e-mail box address: cpublicinfo@sec>. In most cases, this information is also available on the Commission's website: <www.sec.gov>.

S-8 FROZEN FOOD EXPRESS INDUSTRIES INC, 1145 EMPIRE CENTRAL PLACE, DALLAS, TX 75247 (214) 630-8090 - 500,000 (\$890,750) COMMON STOCK. (FILE 333-56248 - FEB. 27) (BR. 5) SB-2 INSTANET INC, 26 WEST DRY CREEK CIRCLE SUITE 600, LITTLEXON, CO 80120 (303) 794-9450 - 1,850,000 (\$1,850,000) COMMON STOCK. (FILE 333-56250 FEB. 27) (BR. 9 - NEW ISSUE)

S-8 AFFILIATED RESOURCES CORP, 3050 POST OAK BLVD, STE 1080, HOUSTON, TX 77056 (281) 334-0405 - 1,558,125 (\$155,812.50) COMMON STOCK. (FILE 333-56252 - FEB. 27) (BR. 9)

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SB-2 DEMEGEN INC, 1051 BRINTON ROAD, PITTSBURGH, PA 15221 (412) 241-2150
16,251,314 (\$6,466,644) COMMON STOCK. (FILE 333-56254 - FEB. 27) (BR.
1)

S-8 VINA TECHNOLOGIES INC, 39745 EUREKA DRIVE, NEWARK, CA 94560 (510) 492-0800 - 855,816 (\$1,499,988.70) COMMON STOCK. (FILE 333-56256

FEB. 27) (BR. 7)

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- S-3 KEYCORP /NEW/, 127 PUBLIC SQ, CLEVELAND, OH 44114 (216) 689-6300 -370,830 (\$9,485,831.40) COMMON STOCK. (FILE 333-56258 - FEB. 27) (BR. 7)
  - S-8 VINA TECHNOLOGIES INC, 39745 EUREKA DRIVE, NEWARK, CA 94560
    (510) 492-0800 666,875 (\$3,272,754) COMMON STOCK. (FILE 333-56260 FEB. 27) (BR. 7)
  - SB-2 DML SERVICES INC, 299 CANNERY ROW, MONTEREY, CA 93940 (831) 394-2670
    - 600,000 (\$300,000) COMMON STOCK. (FILE 333-56262 FEB. 27) (BR. 9 NEW ISSUE)

S-8 VERTICA SOFTWARE INC/CA, 5801 C'RISTIE AVENUE SUITE 390, 510-595-3333, EMERVILLE, CA 94608 (510) 595-3333 - 3,000,000 (\$885,000) COMMON STOCK. (FILE 333-56264 - FEB. 27) (BR. 5)

- S-4 HARRAHS ENTERTAINMENT INC, ONE HARRAHS COURT, LAS VEGAS, NV 89119
  (901) 762-8600 500,000,000 (\$500,000,000) STRAIGHT BONDS. (FILE
  333-56266 FEB. 27) (BR. 5)
- SB-2 PHON NET COM INC, 750 WEST PENDER ST STE 600, VANCOUVER BRITISH COLUMBIA, V6C 2T7, (250) 658-0627 - 3,132,011 (\$321,221)

COMMON STOCK. (FILE 333-56268 - FEB. 27) (BR. 9)

S-8 SNOWBALL COM INC, 250 EXECUTIVE PARK BLVD, STE 4000, SAN FRANCISCO, CA 94134 (415) 508-2000 - 2,254,182 (\$811,506) COMMON STOCK. (FILE 333-56270

- FEB. 27) (BR. 6)

- S-8 AVIGEN INC \DE, 1201 HARBOR BAY PARKWAY, SUITE 1000, ALAMEDA, CA 94502
  - (510) 748-7150 700,000 (\$10,178,000) COMMON STOCK. (FILE 333-56274 FEB. 27) (BR. 1)
  - S-8 VICINITY CORP, 1135 A SAN ANTONIO ROAD, 415-237-0300, PALO ALTO, CA 94303 - 600,000 (\$1,410,000) COMMON STOCK. (FILE 333-56276 - FEB. 27) (BR. 6)
- S-8 VICINITY CORP, 1135 A SAN ANTONIO ROAD, 415-237-0300, PALO ALTO, CA 94303 - 1,400,000 (\$3,290,000) COMMON STOCK. (FILE 333-56278 - FEB. 27)

(BR. 6)

S-8 NEXTEL INTERNATIONAL INC, 10700 FARKRIDGE BLVD, SUITE 600, RESTON, VA 20191 (703) 433-4000 - 30,000,000 (\$128,759,228) COMMON STOCK. (FILE 333-56280 - FEB. 27) (BR. 7) S-8 NEXTEL INTERNATIONAL INC, 10700 PARKRIDGE BLVD, SUITE 600, RESTON,

VA 20191 (703) 433-4000 - 12,296,877 (\$43,899,851) COMMON STOCK. (FILE 333-56282 - FEB. 27) (BR. 7)

S-8 ARTHROCARE CORP, 595 N PASTORIA AVE, SUNNYVALE, CA 94086 (408) 736-0224 - 1,650,000 (\$28,875,000) COMMON STOCK. (FILE 333-56284 - FEB. 27) (BR. 5)