

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-57113; File No. SR-CTA-2007-02]

### Consolidated Tape Association; Order Approving the Eleventh Substantive Amendment to the Second Restatement of the Consolidated Tape Association Plan

January 8, 2008.

#### I. Introduction

On November 5, 2007, the Consolidated Tape Association (“CTA”) Plan Participants (“Participants”)<sup>1</sup> filed with the Securities and Exchange Commission (“SEC” or “Commission”) pursuant to section 11A of the Securities Exchange Act of 1934 (“Act”),<sup>2</sup> and Rule 608 thereunder,<sup>3</sup> a proposal to amend the Second Restatement of the CTA Plan (the “Plan”) to permit Participants to report to the Processor under the CTA Plan the actual number of shares for each transaction (exclusive of odd-lots), rather than to report the number of round lots for each transaction. The proposed Plan amendment was published for comment in the **Federal Register** on December 12, 2007.<sup>4</sup> No comment letters were received in response to the Notice. This order approves the proposed Plan amendment.

#### II. Description of the Proposal

The Plan currently requires Participants to include in their transaction reports to the CTA Plan’s processor the stock symbol of the Eligible Security, the price at which the transaction was executed, and the volume, in round lots, involved in the transaction.

The Eleventh Substantive Amendment proposes to replace the requirement that Participant report each transaction’s volume in round lots with a requirement that each Participant report the actual number of shares for each transaction, exclusive of odd lots. The Participants believe that it remains

<sup>1</sup> Each Participant executed the proposed amendment. The Participants are the American Stock Exchange LLC; Boston Stock Exchange, Inc.; Chicago Board Options Exchange, Inc.; Chicago Stock Exchange, Inc.; International Securities Exchange, LLC; The NASDAQ Stock Market LLC; National Association of Securities Dealers, Inc. (n/k/a the Financial Industry Regulatory Authority); National Stock Exchange, Inc.; New York Stock Exchange LLC; NYSE Arca, Inc.; and Philadelphia Stock Exchange, Inc.

<sup>2</sup> 15 U.S.C. 78k-1.

<sup>3</sup> 17 CFR 242.608.

<sup>4</sup> See Securities Exchange Act Release No. 56904 (December 5, 2007), 72 FR 70621 (“Notice”).

appropriate to exclude odd lots from CTA trade reporting because the small size of odd-lot trades adds little to marketplace transparency and because the number of odd-lot trades would clutter data feeds and make it more difficult for investors to obtain a true view of the markets for Eligible Securities.

The Participants propose to implement the change soon after receipt of Commission approval of the Amendment.

#### III. Discussion

The Commission finds that the proposed CTA Plan amendment is consistent with the Act and the rules and regulations thereunder.<sup>5</sup> Specifically, the Commission finds that the amendment to report transactions in the actual number of shares traded is consistent with Rule 608(b)(2)<sup>6</sup> of the Act in that it is necessary for the protection of investors, the maintenance of fair and orderly markets, and to remove impediments to a national market system.

The proposed amendment would add greater transparency to the market place. Thus, the proposed amendment is consistent with, and would further, one of the principal objectives for the national market system set forth in section 11A(a)(1)(C)(iii)<sup>7</sup> of the Act—increasing the availability of market information to broker-dealers and investors.

#### IV. Conclusion

*It is therefore ordered*, pursuant to section 11A of the Act,<sup>8</sup> and the rules thereunder, that the proposed amendment to the CTA Plan (SR-CTA-2007-02) is approved.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>9</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E8-528 Filed 1-14-08; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting; Federal Register Citation of Previous Announcement: [to be published]

**STATUS:** Open Meeting.

<sup>5</sup> The Commission has considered the proposed amendment’s impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>6</sup> 17 CFR 242.608(b)(2).

<sup>7</sup> 15 U.S.C. 78k-1(a)(1)(C)(iii).

<sup>8</sup> 15 U.S.C. 78k-1.

<sup>9</sup> 17 CFR 200.30-3(a)(27).

**PLACE:** 100 F Street, NE., L-002, Auditorium, Washington, DC.

**ANNOUNCEMENT OF ADDITIONAL MEETING:** Open Meeting.

The Commission has scheduled an Open Meeting for Wednesday, January 16, 2008 at 10 a.m., in the Auditorium, Room L-002.

The subject matter of the January 16, 2008 Open Meeting will be:

The Commission will consider whether to approve a proposed rule change submitted by the Chicago Board Options Exchange, Incorporated (“CBOE”) to interpret the “Exercise Right” in Article Fifth(b) of CBOE’s Certificate of Incorporation (File No. SR-CBOE-2006-106).

Commissioner Nazareth, as duty officer, determined that no earlier notice of the Open Meeting was possible.

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) 551-5400.

Dated: January 11, 2008.

**Nancy M. Morris,**

*Secretary.*

[FR Doc. E8-641 Filed 1-14-08; 8:45 am]

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## SMALL BUSINESS ADMINISTRATION

[Disaster Declaration # 11148 and # 11149]

### Nevada Disaster # NV-00008

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a Notice of the Presidential declaration of a major disaster for the State of Nevada (FEMA-1738-DR), dated 01/08/2008.

*Incident:* Severe Winter Storms and Flooding.

*Incident Period:* 01/05/2008 and continuing.

*Effective Date:* 01/08/2008.

*Physical Loan Application Deadline Date:* 03/10/2008.

*Economic Injury (EIDL) Loan Application Deadline Date:* 10/08/2008.

**ADDRESSES:** Submit completed loan applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.