

which the Issuer is incorporated, and by filing the required documents governing the withdrawal of securities from listing and registration on BSE.

The Issuer's application relates solely to withdrawal of the Security from listing on BSE 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 December 5, 2005, comment on the facts bearing upon whether the application has been made in accordance with the rules of BSE, 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*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/delist.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include the File Number 1-08366; or

#### *Paper Comments*

• Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549-9303. All submissions should refer to File Number 1-08366. 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. 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. E5-6265 Filed 11-14-05; 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, Public Law 94-409, that the Securities and Exchange Commission will hold the following meetings during the week of November 14, 2005:

An Open Meeting will be held on Monday, November 14, 2005 at 11 a.m. in Room 10800, and Closed Meetings will be held on Tuesday, November 15, 2005 at 3 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meetings. 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), (5), (7), (9)(B), and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10) permit consideration of the scheduled matters at the Closed Meetings.

Commissioner Campos, as duty officer, voted to consider the items listed for the closed meeting in closed sessions and that no earlier notice thereof was possible.

The subject matter of the Open Meeting scheduled for Monday, November 14, 2005 will be:

The Commission will hear oral argument on an appeal by the Division of Enforcement from the decision of an administrative law judge. The law judge dismissed the Division's charges against William Kissinger, who was formerly a registered representative and office of supervisory jurisdiction principal of registered broker-dealer IFG Network Securities, Inc. ("IFG"), and who was associated with Kissinger Advisory, formerly a registered investment adviser. The Division alleged that Kissinger violated section 17(a) of the Securities Act of 1933, section 10(b) of the Securities Exchange Act of 1934 and Rule 10b-5 thereunder, and that he aided and abetted Kissinger Advisory's violations of Sections 206(1) and 206(2) of the Investment Advisers Act of 1940. The Division maintains that Kissinger failed to disclose material information in connection with his sale of Class B shares of certain

mutual funds to six customers in 1999 and 2000. The law judge also dismissed the Division's charges that IFG and David Ledbetter, IFG's president from 1989 to 2000, had failed reasonably to supervise Kissinger with a view to preventing his violations of the antifraud provisions, as required by Sections 15(b)(4)(E) and 15(b)(6) of the Exchange Act.

Among the issues likely to be argued are whether Kissinger violated the antifraud provisions of the federal securities laws, whether IFG and Ledbetter failed reasonably to supervise Kissinger and, if violations are found, whether it is in the public interest to impose sanctions.

The subject matter of the Closed Meeting scheduled for Tuesday, November 15, 2005 will be:

Report of an investigation.

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: November 9, 2005.

**Jonathan G. Katz,**

*Secretary.*

[FR Doc. 05-22658 Filed 11-9-05; 4:29 pm]

**BILLING CODE 8010-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

### **Sunshine Act Meeting Federal Register Citation of Previous Announcement: [To be published]**

**STATUS:** Closed meeting.

**PLACE:** 100 F Street, NE., Washington, DC.

**ANNOUNCEMENT OF ADDITIONAL MEETING:** Additional meeting.

An additional closed meeting has been scheduled for Thursday, November 17, 2005 at 2:15 p.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), (5), (7), (9)(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10) permit consideration of the scheduled matter at the closed meeting.

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

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

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

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

The subject matter of the closed meeting scheduled for Thursday, November 17, 2005 will be:

Formal orders of investigations; Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings of an enforcement nature; and

Consideration of submission of a confidential request for information.

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: November 10, 2005.

**Jonathan G. Katz,**  
Secretary.

[FR Doc. 05-22720 Filed 11-10-05; 12:52 pm]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-28058]

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

November 7, 2005.

Notice is hereby given that the following filing(s) has/have been made with the Commission under 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 of the proposed transaction(s) summarized below. The application(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 December 2, 2005, to the Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303, 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 December 2, 2005, the application(s)

and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

#### Entergy Corporation, et. al. (70-10335)

Entergy Corporation ("Entergy"), 639 Loyola Avenue, New Orleans, LA 70113, a registered holding company under the Act, and Entergy's direct public utility subsidiary Entergy New Orleans, Inc. ("New Orleans"), 1600 Perdido Building, New Orleans, LA, 70112, have filed a declaration/application ("Declaration") under sections 6(a), 7, 9(a), 10 and 12(b) of the Act and rule 45 under the Act.

#### I. Background

New Orleans serves approximately 190,000 electric and 147,000 gas customers in Orleans parish, including the City of New Orleans, Louisiana ("City"). On September 23, 2005, New Orleans filed a petition ("Voluntary Petition") for relief under Chapter 11 of the United States Bankruptcy Code ("Bankruptcy Code") in the United States Bankruptcy Court for the Eastern District of Louisiana ("Bankruptcy Court"). The Voluntary Petition was precipitated by the unanticipated and devastating impact of Hurricane Katrina, which destroyed substantial portions of New Orleans' facilities, disrupted its revenues, and, with the evacuation of the City, eliminated at least in the short term, the quality of New Orleans' rate base, which is directly linked to the fortunes of the City. New Orleans is continuing in possession of its properties and has continued to operate its business as a debtor-in-possession pursuant to sections 1107(a) and 1108 of the Bankruptcy Code.

By order dated September 26, 2005 (Holding Company Act Release No. 28036) ("Original Order") Entergy and New Orleans were authorized, among other things,<sup>1</sup> to enter into a \$200 million credit agreement ("Credit Facility") pursuant to which New Orleans could borrow up to \$150 million from Entergy in order to enable New Orleans to pay its vendors and suppliers, including a payment on September 26, 2005, of approximately \$36 million to fuel suppliers, to make payroll, to make capital expenditures, and to satisfy other working capital and operational needs.

<sup>1</sup> Under the Original Order, the Commission also modified the terms of two outstanding Commission orders eliminating the requirement that New Orleans maintain common equity of at least 30% of its total capitalization and maintain investment grade credit ratings on securities of New Orleans that are rated. See Holding Company Act Release No. 27864 (June 30, 2004) and Holding Company Act Release No. 27918 (November 30, 2004).

All borrowings by New Orleans under the Credit Facility are secured by a first lien on all unencumbered property of New Orleans and a junior lien on property subject to existing liens, including liens under a mortgage and deed of trust dated as of May 1, 1987 with the Bank of New York as successor trustee and Stephen J. Giurlando as successor co-trustee, and a loan agreement effective as of July 6, 2004 and a security agreement effective July 2005 between Hibernia National Bank and New Orleans.

Borrowings under the Credit Facility must be repaid by New Orleans not later than August 23, 2006 and bear interest at a rate, calculated daily, equal to Entergy's effective cost of funds rate (currently approximately 4.6%), as determined under a credit agreement between Entergy and Citibank, N.A., as administrative agent.

#### II. Requested Authorization

New Orleans' has borrowed \$60 million under the Credit Facility. However, Applicants state that they anticipate that New Orleans will require funding under the Credit Facility in an aggregate amount in excess of the \$150 million authorized under the Original Order.

The Applicants request that the Commission increase New Orleans' authority to borrow from Entergy (70-10335) under the Credit Facility by \$50 million, so as to allow it to borrow up to \$200 million aggregate principal amount<sup>2</sup> from time to time through February 8, 2006.<sup>3</sup>

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

**Jonathan G. Katz,**  
Secretary.

[FR Doc. E5-6264 Filed 11-14-05; 8:45 am]

BILLING CODE 8010-01-P

<sup>2</sup> On September 26, 2005, the Bankruptcy Court entered an interim order authorizing New Orleans to borrow up to \$100 million under the Credit Facility, until entry of the final order in the proceeding, and to execute, deliver and perform the Credit Facility. On October 26, 2005, the Bankruptcy Court authorized New Orleans to increase its borrowing limit to up to \$200 million under the Credit Facility.

<sup>3</sup> The Energy Policy Act of 2005 repealed the Public Utility Holding Company Act of 1935, effective February 8, 2006.