

three-tiered approach for allowing TS changes are met. The risk impact of the proposed TS changes was assessed following the three-tiered approach recommended in RG 1.177. A risk assessment was performed to justify the proposed TS changes. The net change to the margin of safety is insignificant. Therefore, this change does not involve a significant reduction in a margin of safety.

Based upon the reasoning presented above and the previous discussion of the amendment request, the requested change does not involve a significant hazards consideration.

Dated at Rockville, Maryland, this 14th day of November, 2007.

For the Nuclear Regulatory Commission.

**Timothy J. Kobetz,**

*Section Chief, Technical Specifications Branch, Division of Inspection & Regional Support, Office of Nuclear Reactor Regulation.*

[FR Doc. E7-22738 Filed 11-20-07; 8:45 am]

**BILLING CODE 7590-01-P**

## OFFICE OF MANAGEMENT AND BUDGET

### FY 2008 Cost of Outpatient Medical, Dental, and Pharmacy Services Furnished by Department of Defense Medical Treatment Facilities; Certain Rates Regarding Recovery From Tortiously Liable Third Persons

**AGENCY:** Office of Management and Budget, Executive Office of the President.

**ACTION:** Notice.

**SUMMARY:** By virtue of the authority vested in the President by section 2(a) of Pub. L. 87-603 (76 Stat. 593; 42 U.S.C. 2652), and delegated to the Director of the Office of Management and Budget by the President through Executive Order No. 11541 of July 1, 1970, the rates referenced below are hereby established. These rates are for use in connection with the recovery from tortiously liable third persons for the cost of outpatient medical, dental and pharmacy services furnished by military treatment facilities through the Department of Defense (DoD). The rates have been established in accordance with the requirements of OMB Circular A-25, requiring reimbursement of the full cost of all services provided. The outpatient medical and dental rates referenced are effective upon publication of this notice in the **Federal Register** and will remain in effect until further notice. Pharmacy rates are updated periodically. The inpatient rates, published on December 9, 2002,

remain in effect until further notice. A full analysis of the rates is posted at the DoD's Uniform Business Office Web Site: [http://www.tricare.mil/ocfo/\\_docs/CY07%20Reimbursement%20Rates11.pdf](http://www.tricare.mil/ocfo/_docs/CY07%20Reimbursement%20Rates11.pdf). The rates can be found at: [http://www.tricare.mil/ocfo/mcfs/ubo/mhs\\_rates.cfm](http://www.tricare.mil/ocfo/mcfs/ubo/mhs_rates.cfm).

**Jim Nussle,**

*Director.*

[FR Doc. E7-22701 Filed 11-20-07; 8:45 am]

**BILLING CODE 3110-01-P**

## PENSION BENEFIT GUARANTY CORPORATION

### Proposed Submission of Information Collection for OMB Review; Comment Request; Liability for Termination of Single-Employer Plans

**AGENCY:** Pension Benefit Guaranty Corporation.

**ACTION:** Notice of intention to request extension of OMB approval.

**SUMMARY:** The Pension Benefit Guaranty Corporation ("PBGC") intends to request that the Office of Management and Budget ("OMB") extend approval, under the Paperwork Reduction Act, of a collection of information contained in its regulation on Liability for Termination of Single-Employer Plans, 29 CFR Part 4062 (OMB Control Number 1212-0017; expires February 29, 2008). This notice informs the public of PBGC's intent and solicits public comment on the collection of information.

**DATES:** Comments should be submitted by January 22, 2008.

**ADDRESSES:** Comments may be submitted by any of the following methods:

*Federal eRulemaking Portal:* <http://www.regulations.gov>.

Follow the Web site instructions for submitting comments.

*E-mail:* [paperwork.comments@pbgc.gov](mailto:paperwork.comments@pbgc.gov).

*Fax:* 202-326-4224.

*Mail or Hand Delivery:* Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026.

Comments received will be posted to <http://www.pbgc.gov>.

Copies of the collection of information may be obtained without charge by writing to PBGC's Communications and Public Affairs Department at Suite 240 at the above address or by visiting that office or calling 202-326-4040 during normal business hours. (TTY and TDD users may call the Federal relay service toll-

free at 1-800-877-8339 and ask to be connected to 202-326-4040.) The regulation on Liability for Termination of Single-Employer Plans can be accessed on PBGC's Web site at <http://www.pbgc.gov>.

#### FOR FURTHER INFORMATION CONTACT:

Thomas H. Gabriel, Attorney, or Catherine B. Klion, Manager, Regulatory and Policy Division, Legislative and Regulatory Department, Pension Benefit Guaranty Corporation, 1200 K Street, NW., Washington, DC 20005-4026, 202-326-4024. (For TTY and TDD, call 800-877-8339 and request connection to 202-326-4024.)

**SUPPLEMENTARY INFORMATION:** Section 4062 of the Employee Retirement Income Security Act of 1974, as amended, provides that the contributing sponsor of a single-employer pension plan and members of the sponsor's controlled group ("the employer") incur liability ("employer liability") if the plan terminates with assets insufficient to pay benefit liabilities under the plan. PBGC's statutory lien for employer liability and the payment terms for employer liability are affected by whether and to what extent employer liability exceeds 30 percent of the employer's net worth.

Section 4062.6 of PBGC's employer liability regulation (29 CFR 4062.6) requires a contributing sponsor or member of the contributing sponsor's controlled group who believes employer liability upon plan termination exceeds 30 percent of the employer's net worth to so notify PBGC and to submit net worth information. This information is necessary to enable PBGC to determine whether and to what extent employer liability exceeds 30 percent of the employer's net worth.

The collection of information under the regulation has been approved by OMB under control number 1212-0017 through February 29, 2008. PBGC intends to request that OMB extend its approval for another three years. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that an average of five contributing sponsors or controlled group members per year will respond to this collection of information. PBGC further estimates that the average annual burden of this collection of information will be 12 hours and \$3,636 per respondent, with an average total annual burden of 60 hours and \$18,120.

PBGC is soliciting public comments to—

- Evaluate whether the 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 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.

Issued in Washington, DC, this 16th day of November, 2007.

**John H. Hanley,**

Director, Legislative and Regulatory  
Department Pension Benefit Guaranty  
Corporation.

[FR Doc. E7-22791 Filed 11-20-07; 8:45 am]

BILLING CODE 7709-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No.  
28047; 813-367]

### Kiewit Investment Fund LLLP; Notice of Application

November 15, 2007.

**AGENCY:** Securities and Exchange  
Commission ("Commission").

**ACTION:** Notice of an application for an  
order under section 6(b) of the  
Investment Company Act of 1940 (the  
"Act").

*Summary of the Application:*  
Applicant requests an order that would  
amend a prior order ("Prior Order")<sup>1</sup> to  
expand the class of persons eligible to  
purchase and hold shares of an  
employees' securities company to  
include certain specified immediate  
family members and grandchildren of  
eligible employees. In addition, the  
order would permit certain trusts and  
other investment vehicles formed for the  
benefit of lineal descendants of eligible  
employees to purchase and hold shares  
of the employees' securities company.

*Applicant:* Kiewit Investment Fund  
LLLP (the "Fund").

<sup>1</sup> Peter Kiewit Sons', Inc. and Kiewit Investment  
Fund LLLP, Investment Company Act Release Nos.  
27066 (Sept. 14, 2005) (notice) and 27115 (Oct. 12,  
2005) (order).

*Filing Dates:* The application was  
filed on July 10, 2007, and amended on  
November 13, 2007.

*Hearing or Notification of Hearing:* An  
order granting the application will be  
issued unless the Commission orders a  
hearing. Interested persons may request  
a hearing by writing to the  
Commission's Secretary and serving  
applicant with a copy of the request,  
personally or by mail. Hearing requests  
should be received by the Commission  
by 5:30 p.m. on December 10, 2007, and  
should be accompanied by proof of  
service on applicant, in the form of an  
affidavit or, for lawyers, a certificate of  
service. Hearing requests should state  
the nature of the writer's interest, the  
reason for the request, and the issues  
contested. Persons who wish to be  
notified of a hearing may request  
notification by writing to the  
Commission's Secretary.

**ADDRESSES:** Secretary, U.S. Securities  
and Exchange Commission, 100 F  
Street, NE., Washington, DC 20549-  
1090. Applicant, Robert L. Giles, Jr.,  
Chief Executive Officer, Kiewit  
Investment Fund LLLP, 73 Tremont  
Street, Boston, Massachusetts 02108.

**FOR FURTHER INFORMATION CONTACT:**  
Shannon Conaty, Senior Counsel, at  
(202) 551-6827 or Janet M. Grossnickle,  
Branch Chief, at (202) 551-6821  
(Division of Investment Management,  
Office of Investment Company  
Regulation).

**SUPPLEMENTARY INFORMATION:** The  
following is a summary of the  
application. The complete application  
may be obtained for a fee at the  
Commission's Public Reference Desk,  
100 F Street, NE., Washington, DC  
20549-0102 (tel. (202) 551-5850).

#### Applicant's Representations

1. The Fund, a Delaware limited  
liability limited partnership, is  
registered under the Act as a non-  
diversified, closed-end management  
investment company, and at all times  
operates as an "employees' securities  
company" within the meaning of  
section 2(a)(13) of the Act. The Fund is  
designed as a long-term investment  
vehicle for current and former  
employees and their immediate family  
members of Peter Kiewit Sons', Inc.  
("Kiewit") and its affiliated companies.  
Kiewit, a Delaware corporation, is a  
large construction contractor operating  
primarily in the North American market  
that provides construction services to a  
broad range of public and private  
customers.

2. Pursuant to the Prior Order, units  
of limited partnership interests of the  
Fund ("Units") may be purchased only

by Eligible Holders. Eligible Holders  
consist of (i) current and former  
employees or persons on retainer of the  
Kiewit Group,<sup>2</sup> within the meaning of  
section 2(a)(13) of the Act ("Eligible  
Employees"); (ii) board directors  
retained by the Fund ("Directors"); (iii)  
immediate family members, within the  
meaning of section 2(a)(13) of the Act,  
of such Directors or Eligible Employees;  
or (iv) members of the Kiewit Group.  
Units are offered pursuant to offerings  
registered under the Securities Act of  
1933, as amended (the "Securities  
Act").

3. Under the terms of the Prior Order,  
the Fund has in the past limited  
investment to those individuals who  
constitute immediate family members,  
within the meaning of section 2(a)(13) of  
the Act, of Eligible Employees and  
Directors of the Fund. Applicant  
proposes to amend the Prior Order  
solely to the extent necessary to expand  
the class of immediate family members  
of Eligible Employees and Directors who  
may invest in the Fund to include any  
parent, spouse of a parent, child, spouse  
of a child, spouse, brother, sister or  
grandchild of such Eligible Employee or  
Director (including step and adoptive  
relationships), regardless of whether  
such person currently resides with or is  
a dependent of such Eligible Employee  
or Director ("Eligible Family  
Members"). In addition, Applicant seeks  
to amend the Prior Order solely to the  
extent necessary to permit Units to be  
offered and sold to (i) certain trusts and  
other investment vehicles (including  
self-directed retirement plan vehicles  
such as individual retirement accounts)  
of which the trustees and/or grantors are  
Eligible Employees or Directors or that  
were established solely for the benefit of  
Eligible Employees or Directors or their  
Eligible Family Members, or for the  
benefit of other more distant lineal  
descendants, including great-  
grandchildren, of Eligible Employees or  
Directors (including, in each case, step  
and adoptive relationships), and (ii)  
partnerships, corporations or other  
entities of which at least a majority of  
the voting power is controlled by  
Eligible Employees or Directors  
(collectively clauses (i) and (ii),  
"Qualified Investment Vehicles"). Such  
Qualified Investment Vehicles also shall  
constitute Eligible Holders to which  
Units may be transferred with the prior  
written consent of the Fund, provided  
that, as a result of such transfer, the  
Fund would not cease to be an

<sup>2</sup> The term "Kiewit Group" refers to Kiewit and  
any affiliated company of Kiewit of which Kiewit  
is an affiliated company, as defined in section  
2(a)(2) of the Act.