

## I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

PCX is proposing to amend its Schedule of Fees and Charges for Exchange Services in order to adopt fees and charges that are applicable to the services provided by PCX under its new demutualized structure. The text of the proposed rule change is available at PCX and at the Commission.

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, PCX included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. PCX has prepared summaries, set forth in Sections A, B, and C below, of the most significant parts of such statements.

### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

#### 1. Purpose

The Exchange proposes to adopt fees and charges that are applicable to the services provided by the Exchange under its new demutualized structure. Under the demutualized structure, the Exchange will no longer have seats. The former seatholders of the Exchange became holders of option trading permits ("OTPs") and stockholders in PCX's new parent company. As such, the Exchange has removed all references to "seats," "members," and "member organizations" on its Schedule of Fees and Charges for Exchange Services and replaced them with "OTPs," "OTP Holders," "OTP Firms" and made other revisions to conform to the demutualized structure. The Exchange represents that it is not creating any additional fees under the proposed rule change.

#### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,<sup>4</sup> in general, and furthers the objectives of Section 6(b)(4) of the Act,<sup>5</sup> in particular, in that the proposed rule change provides for the equitable allocation of reasonable dues,

fees, and other charges among its members.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received with respect to the proposed rule change.

## III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing proposed rule change has become effective pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>6</sup> and subparagraph (f)(2) of Rule 19b-4<sup>7</sup> thereunder, because the proposed rule change establishes or changes a due, fee, or other charge imposed by the Exchange.

At any time within 60 days of June 30, 2004, the Commission may summarily abrogate such proposed rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.<sup>8</sup>

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-PCX-2004-53 on the subject line.

#### Paper Comments

- Send paper comments in triplicate to Jonathan G. Katz, Secretary, Securities and Exchange Commission,

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>7</sup> 17 CFR 240.19b-4(f)(2).

<sup>8</sup> For purposes of calculating the 60-day period within which the Commission may summarily abrogate the proposed rule change under Section 19(b)(3)(C) of the Act, 15 U.S.C. 78s(b)(3)(C), the Commission considers that period to commence on June 30, 2004, the date PCX filed Amendment No. 1 to the proposed rule change.

450 Fifth Street, NW., Washington, DC 20549-0609.

All submissions should refer to File Number SR-PCX-2004-53. This file number should be included on the subject line if e-mail is used. To help the Commission 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/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of PCX. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-PCX-2004-53 and should be submitted on or before August 9, 2004.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Jill M. Peterson,**

*Assistant Secretary.*

[FR Doc. 04-16323 Filed 7-16-04; 8:45 am]

**BILLING CODE 8010-01-P**

## SMALL BUSINESS ADMINISTRATION

### Reporting and Recordkeeping Requirements Under OMB Review

**AGENCY:** Small Business Administration.

**ACTION:** Notice of reporting requirements submitted for OMB review.

**SUMMARY:** Under the provisions of the Paperwork Reduction Act (44 U.S.C. chapter 35), agencies are required to submit proposed reporting and recordkeeping requirements to OMB for review and approval, and to publish a notice in the **Federal Register** notifying the public that the agency has made such a submission.

<sup>9</sup> 17 CFR 200.30-3(a)(12).

<sup>4</sup> 15 U.S.C. 78f(b).

<sup>5</sup> 15 U.S.C. 78f(b)(4).

**DATES:** Submit comments on or before August 18, 2004. If you intend to comment but cannot prepare comments promptly, please advise the OMB Reviewer and the Agency Clearance Officer before the deadline.

*Copies:* Request for clearance (OMB 83-1), supporting statement, and other documents submitted to OMB for review may be obtained from the Agency Clearance Officer.

**ADDRESSES:** Address all comments concerning this notice to: *Agency Clearance Officer*, Jacqueline White, Small Business Administration, 409 3rd Street, SW., 5th Floor, Washington, DC 20416; and

*David.Rostker@omb.eop.gov*, fax number (202) 395-7285 Office of Information and Regulatory Affairs, Office of Management and Budget.

**FOR FURTHER INFORMATION CONTACT:** Jacqueline White, Agency Clearance Officer, (202) 205-7044.

**SUPPLEMENTARY INFORMATION:**

*Title:* 8(A) SDB Application.

*Form No's:* 1010, 1010E, 1010B, 2065 and 1010C.

*Frequency:* On Occasion.

*Description of Respondents:* 8(A) SDB Companies.

*Responses:* 8,400.

*Annual Burden:* 36,210.

**Jacqueline K. White,**

*Chief, Administrative Information Branch.*

[FR Doc. 04-16376 Filed 7-16-04; 8:45 am]

**BILLING CODE 8025-01-P**

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**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #P040]**

**State of Arkansas (Amendment #1)**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency, effective July 9, 2004, the above numbered declaration is hereby amended establish the incident period for this disaster as beginning May 30, 2004 and continuing through July 9, 2004.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is August 30, 2004.

(Catalog of Federal Domestic Assistance Program Nos. 59008).

Dated: July 13, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-16377 Filed 7-16-04; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Declaration of Disaster #P032]**

**State of North Dakota (Amendment #2)**

In accordance with a notice received from the Department of Homeland Security—Federal Emergency Management Agency, effective July 9, 2004, the above numbered declaration is hereby amended to include McHenry and Pierce Counties and the Turtle Mountain Indian Reservation in the State of North Dakota as a disaster area due to damages caused by severe storms, flooding, and ground saturation occurring on March 26, 2004, and continuing.

All other information remains the same, *i.e.*, the deadline for filing applications for physical damage is July 6, 2004.

(Catalog of Federal Domestic Assistance Program Nos. 59008.)

Dated: July 13, 2004.

**Herbert L. Mitchell,**

*Associate Administrator for Disaster Assistance.*

[FR Doc. 04-16378 Filed 7-16-04; 8:45 am]

**BILLING CODE 8025-01-P**

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**DEPARTMENT OF STATE**

**[Public Notice 4764]**

**Edmund S. Muskie Graduate Fellowship Program**

**ACTION:** Revision to grant start date and proposal submission deadline.

**SUMMARY:** Pending the availability of funds, the grant period for this program has been revised to begin on or about October 1, 2004, as opposed to October 1, 2005, as previously announced. The deadline for submission of proposals has also been extended from July 30 to Aug 16, 2004. All other terms and conditions of the original announcement remain the same.

**FOR FURTHER INFORMATION CONTACT:**

Interested U.S. organizations should contact Lucy Jilka at 202-205-7494 for additional information.

The Edmund S. Muskie Graduate Fellowship Program was announced in the **Federal Register** Volume 69, Number 125.

Dated: July 13, 2004.

**C. Miller Crouch,**

*Principal Deputy Assistant Secretary, Bureau of Educational and Cultural Affairs, Department of State.*

[FR Doc. 04-16364 Filed 7-16-04; 8:45 am]

**BILLING CODE 4710-05-P**

**TENNESSEE VALLEY AUTHORITY**

**Sunshine Act Meeting**

**AGENCY HOLDING THE MEETING:** Tennessee Valley Authority (Meeting No. 1552).

**TIME AND DATE:** 9 a.m. (EDT), July 21, 2004, Rose Center, Prater Hall, 442 West Second North Street, Morristown, Tennessee.

**STATUS:** Open.

**Agenda**

Approval of minutes of meeting held on May 19, 2004.

*New Business*

**B—Purchase Awards**

B1. Contract with Automotive Resources, Inc. for fleet maintenance services for TVA's light fleet.

B2. Blanket agreement with Facilities Technologies Alliance for telecommunication/electrical services.

**C—Energy**

C1. Supplement to TVA Contract No. 4366 with PSC Safety & Health Services, Inc., for industrial hygiene services.

C2. Contracts with A. P. Services, Inc., Signal Industrial Products Corporation, and Jesco Supply, Inc., for purchase of gaskets, packing, and related materials.

C3. Contracts with Burns & McDonnell Engineering Company, Inc.; Mesa Associates, Inc.; Parsons Energy & Chemical Group, Inc.; Sargent & Lundy, LLC; and Washington Group International, Inc., for managed-task engineering services to support the requirements of TVA's power system operations.

C4. Contracts with PSC Industrial Outsourcing, Inc. (Philip Services Corporation); Meylan Enterprises, Inc.; Onyx Industrial Services, Inc.; Pressure's On, Inc.; and MPW Industrial Services, Inc., for hydroblasting services at any TVA location.

**E—Real Property Transactions**

E1. Grant of a permanent easement to the state of Tennessee for a highway and bridge improvement project, without charge, except for TVA's administrative costs, affecting approximately 1.2 acres of land on Nolichucky Dam Reservation in Greene County, Tennessee, Tract No. XTNOR-6H.

E2. Sale of a permanent easement to Jerry Wilburn and Johnny Crane for an access road, affecting approximately 3.43 acres of land at TVA's State Line Mississippi Substation, Tract No. XSLMSS-1AR, in exchange for approximately 2.01 acres, Tract No. SLMSS-3, in Itawamba County, Mississippi.