

SEC NEWS DIGEST

Issue 2001-247

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RULES AND RELATED MATTERS

COMMISSION GUIDANCE ON THE SCOPE OF SECTION 28(e) OF THE SECURITIES EXCHANGE ACT OF 1934

The Commission published interpretive guidance on the application of Section 28(e) of the Securities Exchange Act of 1934 (Exchange Act). This section provides a safe harbor to money managers who use the commission dollars of their advised accounts to obtain research and brokerage services. The guidance we published clarifies that the term "commission" for purposes of the Section 28(e) safe harbor encompasses, among other things, certain transaction costs, even if not denominated a "commission."

For further information contact: Catherine McGuire, Chief Counsel; Joseph Corcoran, Special Counsel, (202) 942-0073, Office of the Chief Counsel, Division of Market Regulation, Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549-1001. (Rel. 34-45194)

INVESTMENT COMPANY ACT RELEASES

MUTUAL OF AMERICA LIFE INSURANCE COMPANY, ET AL.

An order has been issued pursuant to Section 11(a) of the Investment Company Act to Mutual of America Life Insurance Company, Mutual of America Separate Account No. 2 and Mutual of America Separate Account No. 3 (Mutual Accounts). The order permits the exchange of interests in the Mutual Accounts for interests issued by The American Life Insurance Company of New York. (Rel. IC-25326 - December 26)

HOLDING COMPANY ACT RELEASES

PECO ENERGY COMPANY AND PECO ENERGY TRANSITION TRUST

An order has been issued authorizing a proposal by PECO Energy Company (PECO), a utility subsidiary of Exelon Corporation (Exelon), a registered holding company, and PECO Energy

Transition Trust (PETT), a special purpose subsidiary of Exelon (collectively, Declarants). The order authorizes PECO and PETT to enter into a servicing agreement under which PECO, as servicer, manages and administers collections related to transition bonds on behalf of PETT at a market rate basis. (Rel. 35-27483)

SELF-REGULATORY ORGANIZATIONS

APPROVAL OF PROPOSED RULE CHANGE

The Commission approved a proposed rule change submitted by the Philadelphia Stock Exchange (SR-Phlx-2001-97) relating to the establishment of a competing specialist program. (Rel. 34-45183)

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: <publicinfo@sec.gov>. In most cases, this information is also available on the Commission's website: <www.sec.gov>.

- S-3 ATMOS ENERGY CORP, 1800 THREE LINCOLN CTR, 5430 LBJ FREEWAY,
DALLAS, TX 75240 (972) 934-9227 - \$500,000,000 STRAIGHT BONDS.
(FILE 333-75576 - DEC. 20) (BR. 2)
- S-4 SPRINT CORP, 2330 SHAWNEE MISSION PKWY, WESTWOOD, KS 66205
(913) 624-3000 - 1,750,000,000 (\$1,750,000,000) COMMON STOCK.
(FILE 333-75578 - DEC. 20) (BR. 7)
- S-8 MILLBROOK PRESS INC, 2 OLD NEW MILDORD RD, BROOKFIELD, CT 06804
(203) 740-2220 - 675,000 (\$1,952,151) COMMON STOCK.
(FILE 333-75584 - DEC. 20) (BR. 9)
- S-8 AMERITYRE CORP, 705 YUCCA STREET, BOULDER CITY, NV 89005
(702) 293-1930 - 50,000 (\$122,500) COMMON STOCK.
(FILE 333-75586 - DEC. 20) (BR. 6)
- S-3 JDS UNIPHASE CORP /CA/, 210 BAYPOINTE PKWY, SAN JOSE, CA 95134
(408) 434-1800 - 26,851,644 (\$239,999,994) COMMON STOCK.
(FILE 333-75590 - DEC. 20) (BR. 5)
- S-8 CORPORATE VISION INC /OK, 6130 SOUTH MEMORIAL DR, STE A, TULSA,

- OK 74133 (918) 307-2293 - 5,000,000 (\$650,000) COMMON STOCK.
(FILE 333-75592 - DEC. 20) (BR. 5)
- S-8 CONSUMER PORTFOLIO SERVICES INC, 16355 LAGUNA CANYON, IRVINE, CA
92618 (949) 753-6800 - 1,788,890 (\$3,470,601) COMMON STOCK.
(FILE 333-75594 - DEC. 20) (BR. 7)
- S-3 CEPHEID, 1190 BORREGAS, X, SUNNYVALE, CA 94089 (408) 541-4191
- \$35,000,000 COMMON STOCK. (FILE 333-75596 - DEC. 20) (BR. 5)
- S-8 CMGI INC, 100 BRICKSTONE SQUARE, STE B110, ANDOVER, MA 01810
(978) 684-3600 - 2,000,000 (\$3,260,000) COMMON STOCK.
(FILE 333-75598 - DEC. 20) (BR. 2)
- S-8 AXA, 25 AVE MATIGNON, PARIS FRANCE, IO (212) 554-4489
- 5,250,000 (\$81,007,500) COMMON STOCK.
(FILE 333-75600 - DEC. 20) (BR. 1)
- S-8 LEARNINGSTAR CORP, 2 LOWER RAGSDALE DRIVE, SUITE 200, MONTEREY,
CA 93940 (831) 333-2000 - 125,000 (\$151,250) COMMON STOCK.
(FILE 333-75602 - DEC. 20) (BR. 2)
- S-8 AMERICAN PHARMACEUTICAL PARTNERS INC /CA/, 10866 WILSHIRE BLVD,
SUITE 1270, LOS ANGELES, CA 90024 - 110,751 (\$1,135,198) COMMON
STOCK. (FILE 333-75606 - DEC. 20) (BR. 1)
- S-8 PALM INC, 5470 GREAT AMERICA PARKWAY, SANTA CLARA, CA 95052
(408) 326-9000 - 110,751 (\$1,135,198) COMMON STOCK.
FILE 333-75608 - DEC. 20) (BR. 3)
- S-8 HUTTIG BUILDING PRODUCTS INC, 14500 S. OUTER FORTY RD,
SUITE 400, CHESTERFIELD, MO 63006 (314) 216-2600 - 10,000,000
(\$10,000,000) STRAIGHT BONDS. 200,000 (\$1,105,000) COMMON STOCK.
(FILE 333-75610 - DEC. 20) (BR. 6)
- S-8 BERKSHIRE HATHAWAY INC, 1440 KIEWIT PLZ, OMAHA, NE 68131
(402) 346-1400 - 17,595 (\$40,002,233) COMMON STOCK.
(FILE 333-75612 - DEC. 20) (BR. 1)
- S-8 SANMINA CORP/DE, 2700 N FIRST ST, SAN JOSE, CA 95134
(408) 964-3500 - 12,524,648 (\$233,001,232) COMMON STOCK.
(FILE 333-75616 - DEC. 20) (BR. 5)
- S-3 AFTERMARKET TECHNOLOGY CORP, ONE OAK HILL CENTER, SUITE 400,
WESTMONT, IL 60559 (630) 455-6000 - 6,900,000 (\$115,782,000) COMMON
STOCK. (FILE 333-75618 - DEC. 20) (BR. 5)
- S-1 ABIDON INC, 5301 E STATE ST, STE 215, ROCKFORD, IL 61108
(815) 226-8700 - 90,000,000 (\$90,000,000) COMMON STOCK.
(FILE 333-75626 - DEC. 20) (NEW ISSUE)