C-1

# SEC NEWS DIEST EXCENTES A EXCENTE

Issue 75-51 (SEC Docket, Vol. 6, No. 10 - March 25)

March 14, 1975

MAR 1 7 1975

## **RULES AND RELATED MATTERS**

COMMENTS ASKED FOR A PROGRAM TO MONITOR THE IMPACT LIBRARY. OF COMPETITIVE COMMISSION RATES

The Securities and Exchange Commission today announced a program to monitor the impact of the implementation of Rule 19b-3 which provides for the elimination of fixed public commission rates on exchange transactions after May 1, 1975. The program is designed to provide the Commission with information concerning various industry trends in securities revenues, securities market activity and self-regulatory revenues and related activity.

The program includes the publication for public comment of proposed Rule 17a-20 and related Form X-17A-20 under the Securities Exchange Act of 1934, requiring certain broker-dealers to file with the Commission revenue and expense and related financial information on a monthly or quarterly basis depending on their size. Notification of changes in membership interests in national securities exchanges would also be required. Broker-dealers with more than \$1,000,000 in revenues in 1973 or 1974 would file monthly; those with \$500,000 to \$1,000,000 would file quarterly. Broker-dealers would be exempted if their self-regulatory authority filed an acceptable plan.

In addition, the program contemplates the study and analysis of a sampling of firms in order to develop information on effective commission rates being paid by individual and institutional customers to different types of broker-dealer firms: (a) the review of volume reports from national securities exchanges and third market firms in order to determine the distribution of trading among the various market places; (b) the development of additional information regarding revenue sources and expenses of national securities exchanges and registered national securities associations; (c) the study and analysis of the income, expenses, assets and liabilities of specialists; (d) and the selective review of activity in certain stocks. The Commission is making available summaries of various proposals for monitoring in the above areas.

The Commission invites comment generally on the proposed program for monitoring competitive commission rates in addition to comments on proposed Rule 17a-20 and related Form X-17A-20. Interested members of the public are invited to request copies of the summary of various proposals for monitoring in the above areas.

The Commission specifically invites comments on two alternative proposals for the monitoring program: raising the revenue requirement for manditory monthly reporting from one million to five million dollars and providing for the voluntary reporting of any firm not otherwise required by the rule to file either a monthly or quarterly report of revenues and expenses. Raising the revenue reporting requirement would reduce the number of firms which would be required to file Form X-17A-20 on a monthly basis from 440 to 160, with the continuing requirement that firms would file on a quarterly basis.

The Commission will also seek the advice of the Report Coordinating Group and the Central Market Advisory Committee. It is comtemplated that the monitoring program will be continually reviewed; where appropriate, modifications will be made; and, when it appears that special reporting is no longer necessary or appropriate, proposed Rule 17a-20, if adopted, will be modified or repealed.

Interested persons should submit, in writing, their comments on proposed Rule 17a-20 and related Form X-17A-20 by April 7, 1975, and on other aspects of the monitoring program and suggestions for dealing with any problems which might emerge, on as timely a basis as possible. Such comments should be directed to George A. Fitzsimmons, Secretary, Securities and Exchange Commission, 500 North Capitol Street, Washington, D.C. 20549. All such communications should refer to File No. S7-556 or S7-557, respectively, for public inspection. (Rel. 34-11293)

# **DECISIONS IN ADMINISTRATIVE PROCEEDINGS**

ROBERT KOLBERT, HERBERT SCHULMAN, AND STEPHEN ZARDUS BARRED

The Commission has barred Robert Kolbert, of Hewlett, Long Island, New York, Herbert Schulman, of Brooklyn, and Stephen Bardus, of Fort Lauderdale, Florida, from association with any broker-dealer. Kolbert and Schulman were formerly with registered broker-dealer firms as, respectively, a registered representative and a trader, and Zardus is president of a registered broker-dealer.

The sanctions are based on findings that respondents had been convicted on their pleas of guilty to crimes involving the purchase and sale of the common stock of Automated Information Systems, Inc.

Respondents failed to answer the charges against them and were deemed in default. (Rel. 34-11281)

# **COURT ENFORCEMENT ACTIONS**

#### COMPLAINT NAMES LARRY RICHARD WILLIAMS, OTHERS

The Los Angeles Regional Office announced that on February 7 a complaint was filed in the U. S. District Court in Los Angeles seeking a temporary restraining order, a preliminary and permanent injunction against Larry Richard Williams of Greenborough, Montana; Charles L. Lindsay of Thousand Oaks, California and Commodities Timing of Monterey, California alleging violations of the registration and antifraud provisions of the securities laws in the offer and sale of investment contracts involving a system for making profitable investments in the commodities market. Judge William Matthew Byrne declined to issue a temporary restraining order on February 7, 1975. (SEC v. Larry Richard Williams, et al.; C. D. Cal. No. 75-410-WMB). (LR-6781)

#### RECEIVER APPOINTED FOR SAXON SECURITIES CORP.

The New York Regional Office announced that on January 24 U.S. District Court Judge Robert J. Ward, upon consent, appointed Joseph O. Barton receiver for Saxon Securities Corp., a broker-dealer of New York City. On January 31, 1975 Judge Ward had, upon their consents, permanently enjoined Saxon Securities Corp., Robert W. Herko, its president, a director and a stockholder, and Bernard B. Herman, its secretary-treasurer a director, and a stockholder, from violations of the antifraud, net capital, customer segregation, bookkeeping and supplemental reporting provisions of the securities laws. (SEC v. Saxon Securities Corp., et al., S.D.N.Y.). (LR-6782)

# HOLDING COMPANY ACT RELEASES

## APPALACHIAN POWER COMPANY

A supplemental order has been issued authorizing Appalachian Power Company, subsidiary of American Electric Power Company, Inc., to issue and sell short-term notes to an additional bank in an aggregate amount not to exceed \$2 million. (Rel. 35-18860 - Mar. 12)

# TRADING SUSPENSIONS

## ADDITIONAL ACTION ON FIVE TRADING SUSPENSIONS

The SEC has announced the suspension of (a) exchange and over-the-counter trading in the securities of BBI, Inc. for the further ten-day period March 15 - 24, inclusive; and (b) exchange and over-the-counter trading in the securities of Equity Funding Corp., and over-the-counter trading in the securities of Zenith Development Corp., Industries International, Inc. and Westgate California Corp. for the further ten-day period March 18 - 27, inclusive.

121 145

# SECURITIES ACT REGISTRATIONS

# (S-14) FIRST INTERNATIONAL BANCSHARES, INC.

First International Bldg., 1201 Elm St., Dallas, Tex. 75270 - 209,880 shares of common stock, proposed to be offered in connection with the proposed merger of North Austin State Bank, Austin, Texas, into a wholly-owned (except for directors' qualifying shares) subsidiary of Bancshares, at the rate of one Bancshares' share for each outstanding share of such Bank. Bancshares is a registered bank holding company whose holdings include 18 Texas banks, a merchant bank in London, England, and a number of banking related subsidiaries. (File 2-53007 - Mar. 11)

## (S-7) POTOMAC ELECTRIC POWER COMPANY

1900 Pennsylvania Ave., N.W., Washington, D.C. 20068 - 2,000,000 shares of common stock, and 500,000 shares of a new series of serial preferred stock, to be offered for sale under underwriting agreements with Merrill Lynch, Pierce, Fenner & Smith Incorporated and Goldman, Sachs & Co., as representatives. The company generates, transmits distrubutes and sells electric energy. (File 2-53008 - Mar. 11)

## (S-7) THE DETROIT EDISON COMPANY

2000 Second Ave., Detroit, Mich. 48226 - 3,000,000 shares of common stock, to be offered for sale through underwriters headed by Morgan Stanley & Co. Incorporated, 1251 Avenue of the Americas, New York, N.Y. 10020, Blyth Eastman Dillon & Co. Incorporated, One Chase Manhattan Plaza, New York, N.Y. 10005 and Lehman Brothers Incorporated, One William St., New York, N.Y. The company is a public electric utility. (File 2-53009 - Mar. 12)

## (S-16) MALLINCKRODT, INC.

Second and Mallinckrodt Sts., St. Louis, Mo. 63147 - 151,250 shares of common stock, which may be offered for sale by certain shareholders in the over-the-counter market, by block trading, negotiated transactions or otherwise. Mallinckrodt developes, manufactures, distributes and markets fine chemicals, drugs, and allied products, based

## (S-7) PORTLAND GENERAL ELECTRIC COMPANY

621 S.W. Alder St., Portland, Ore. 97205 - \$40 million of first mortgage bonds, due 1982, to be offered for sale by underwriters managed by Blyth Eastman Dillon & Co. Incorporated, One Chase Manhattan Plaza, New York, N.Y. 10005, and Dean Witter & Co. Incorporated, 14 Wall St., New York, N.Y. 10005. Portland General Electric is an electric utility which generates, purchases, transmits, distributes and sells electricity. (File 2-53013 - Mar. 12)

#### REGISTRATIONS EFFECTIVE

Mar. 13: Allied Chemical Corp., 2-52885; Betz Laboratories, Inc., 2-52892, Carolina Power & Light Co., 2-52841; Comtel Corp., 2-52748; Eurofima (A Swiss Corporation), 2-52836; First Mississippi National Corp., 2-52859; Hesston Corp., 2-52908; The Japan Development Bank, 2-52868; National Municipal Trust, Eighth Series, 2-52837; New England Power Co., 2-52820; Peabody Galion Corp., 2-52882; Physio Control Corp., 2-52781; The Upjohn Co., 2-52894.

## REGISTRATIONS WITHDRAWN

Mar. 7: Columbia Management Co., 2-52034.

# **RECENT 8K FILINGS**

Form 8K is a report which must be filed with the SEC by the 10th of the month after any of the following important events or changes: changes in control of the registrant; acquisition or disposition of assets; legal proceedings; changes in securities (i.e., collateral for registered securities); defaults upon senior securities; increase or decrease in the amount of securities outstanding; options to purchase securities; revaluation of assets; submission of matters to a vote of security holders.

The companies listed below have filed Form 8-K reports for the month indicated, responding to the item of the form specified. Photocopies may be purchased from the Commission's Public Reference Section (in ordering, please give month and year of report). An index of the captions of the items of the form was included in Monday's News Digest.

COMPANY	ITEM NO.	MONTH
FIRST COMMUNITY BANCORPORATION	7.14	02/75
FIRST NATIONAL BOSTON CORP	7.14	02/75
FIRST OF DENVER MORTGAGE INVESTORS	13.14	02/75
FIRST OF MICHIGAN CAPITAL CORP	11	02/75
FLORIDA POWER & LIGHT CO	3.7.13	02/75
FLUID CONTROLS INC	7,14	02/75
FUQUA INDUSTRIES INC	13,14	02/75
GAMBLE SKOGMO INC	7.8	02/75
GENERAL ELECTRONICS INC	3	02/75
GENERAL MILLS INC	13,14	02/75
GENERAL TELEPHONE CO OF UPSTATE NEW YORK	11	02/75
GLOBAL DEVELOPMENT INC	12.14	02/75
GRACO INC	13	02/75
GRAPHIC SCANNING CORP	13	02/75
GREEN GIANT CO	7	02/75
GUARDIAN PACKAGING CORP	10	07/74
HANDY & HARMAN	3	02/75
HARPER & ROW PUBLISHERS INC	8	02/75
HARVEY GROUP INC	2,6,14	02/75
HARWOOD COMPANIES INC	10,14	02/75
HILL INDUSTRIES INC	1,3,4,7,9,11,13,14	02/75
HOE R & CO INC	13,14	02/75
HOLLY SUGAR CORP	3	02/75
HOUSTON COMPLEX INC	6	02/75
INLAND WESTERN CORP	2,14	02/75
INSTRUMENT SYSTEMS CORP	13,14	02/75
INTERMOUNTAIN PETROLEUM CO	12	02/75
INTERNATIONAL INDUSTRIES INC	11.13	02/75
INTERNATIONAL RESEARCH & DEVELOPMENT COR	8	02/75
INTERSTATE BRANDS CORP	13+14	02/75
ITT CONTINENTAL BAKING CO	3	02/75
KANSAS CITY POWER & LIGHT CO	16	02/75
KOHLER CO	3	02/75
KROGER CO	3	02/75

NOTICE

Many requests for copies of documents referred to in the SEC News Digest have erroneously been directed to the Government Printing Office. Copies of such documents and of registration statements may be ordered from the Public Reference Section, Securities and Exchange Commission, Washington, D.C. 20549. The reproduction cost is 15¢ per page plus postage (\$2 minimum) and 30¢ per page plus postage for expedited handling (\$5 minimum). Cost estimates are given on request. All other referenced material is available in the SEC Docket.

SEC NEWS DIGEST is published daily. Subscription rates: \$64.45/yr in U.S. first class mail; \$80.60 elsewhere.

SEC DOCKET is published weekly. Subscription rates: \$43.70/yr in U.S. first class mail, \$54.65 elsewhere. The News Digest and the Docket are for sale by the Superintendent of Documents, Government Printing Office, Washington, D.C. 20402.