

sec news digest

U.S. SECURITIES & EXCHANGE COMMISSION

Issue 76-62
(SEC Docket, Vol. 9, No. 5 - April 13)

RECEIVED

March 30, 1976

MAR 31 1976

DECISIONS IN ADMINISTRATIVE PROCEEDINGS

LIBRARY

GEORGE LERNER BARRED;
KENNETH KOOCK SUSPENDED

George Lerner of Tampa, Florida has been barred from association with any broker-dealer provided that he may apply to become reassociated in two years. Also, Kenneth Koock of New York, New York has been suspended from association with any broker or dealer for a period of twenty business days. Both sanctions resulted from offers of settlement submitted by the respondents which neither admit nor deny the allegations in the order for proceedings. This administrative proceeding arose out of the investigation of trading of shares of Pied Piper Yacht Charters Corporation, Ltd. and the Commission's order for proceedings alleging violations of the registration, prospectus delivery, broker-dealer reporting, antifraud and bookkeeping provisions of the securities laws. (Rel. 34-12237)

INVESTOR SECURITY CORP.,
WILLIAM H. BROWN SANCTIONED

The SEC has revoked the broker-dealer registration of Investor Security Corporation of Monroeville, Pennsylvania and has barred William H. Brown of Gibsonia, Pennsylvania from association with any broker or dealer. The sanctions were based on findings that the firm and Brown violated antifraud provisions of the securities laws. The Commission's action was taken pursuant to the offer of settlement of the firm and Brown, in which the respondents without admitting or denying the charges against them consented to the above findings and sanctions. (Rel. 34-12238)

COMMISSION ANNOUNCEMENTS

AGUACATE CONSOLIDATED MINES PLACED
ON FOREIGN RESTRICTED LIST

The Commission placed Aguacate Consolidated Mines, Incorporated on the Foreign Restricted List for the reason that it is publicly offering its shares to investors in the United States in violation of the registration requirements of Section 5 of the Securities Act of 1933. (Rel. 33-5697)

SEC REPORT COORDINATING GROUP
(ADVISORY) - RESCHEDULING OF MEETING

The SEC Report Coordinating Group (Advisory), meeting scheduled for April 12, 1976, has been rescheduled for April 26, 1976, at the Securities and Exchange Commission, 500 North Capitol Street, Room 876, Washington, D.C. The meeting will commence at 10:00 a.m. local time and will be for the purpose of reviewing new forms and discussing the presentation of the Group's Second Annual Report to the Commission.

The Group's meetings are open to the public. Any interested person may attend and appear before or file statements with the advisory committee. Said statements, if in written form, may be filed before or after the meeting. Oral statements shall be made at the time and in the manner permitted by the Report Coordinating Group.

The Report Coordinating Group was formed to assist the Commission in developing a coherent, industry-wide, coordinated reporting system. In carrying out this objective, the Report Coordinating Group is to review all reports, forms and similar materials required of broker-dealers by the Commission, the self-regulatory community and others. The Group is advising the Commission on such matters as eliminating unnecessary duplication in reporting, reducing reporting requirements where feasible, and implementing the FOCUS Report of financial and operational information. (Rel. 34-10612, 34-10959, 34-11140, 34-11149, 34-11748 and 34-11935).

Information concerning the meeting, including the procedures for submitting statements to the Group, may be obtained by contacting: Mr. Daniel J. Piliero II, Secretary, SEC Report Coordinating Group, Securities and Exchange Commission, Washington, D.C. 20549.

COURT ENFORCEMENT ACTIONS

WASTE MANAGEMENT, INC., OTHERS ENJOINED

The SEC announced that on March 26 the Honorable June L. Green, U.S. District Judge for the District of Columbia, entered final judgments of permanent injunction against Waste Management, Inc., Harry Wayne Huizenga, its vice-chairman of the Board of Directors and Earl Edward Eberlin, regional manager for operations in the southeastern United States.

The orders of permanent injunction enjoin defendants from further violations of the reporting and proxy provisions of the Securities Exchange Act of 1934; from using corporate funds for unlawful political contributions or similar unlawful purposes; from making false or fictitious entries in their corporate books and records; and from establishing or maintaining any secret or unrecorded fund of corporate monies or other assets.

The defendants consented to the entry of these orders without admitting or denying the allegations of the complaint. (SEC v. Waste Management, Inc., et al., Civil Action No. 76-0496, U.S.D.C. D.C.). (LR-7333)

INVESTMENT COMPANY ACT RELEASES

MARATHON SECURITIES CORPORATION

An order has been issued granting an application of Marathon Securities Corporation, a registered closed-end investment company, for certain exemptions from Sections 10(a), 16(a), 17(g), 30(a), 30(b), 30(c), 30(d), 30(e) and 32(a) of the Act and the applicable rules thereunder in connection with Marathon's ongoing liquidation and dissolution as a registered investment company. (Rel. IC-9220 - Mar. 26)

FIRST CALIFORNIA FUND

An order has been issued declaring that First California Fund, Inc., has ceased to be an investment company. (Rel. IC-9222 - Mar. 29)

CONSULTANT'S MUTUAL INVESTMENTS

An order has been issued declaring that Consultant's Mutual Investments, Inc., has ceased to be an investment company. (Rel. IC-9223 - Mar. 29)

SECURITY BENEFIT LIFE INSURANCE COMPANY

A notice has been issued giving interested persons until April 23 to request a hearing on an application of Security Benefit Life Insurance Company and SBL Variable Annuity Account pursuant to Section 11 of the Investment Company Act of 1940 for an order of the Commission approving an offer of exchange. (Rel. IC-9224 - Mar. 29)

HOLDING COMPANY ACT RELEASES

OHIO EDISON COMPANY

A notice has been issued giving interested persons until April 20 to request a hearing on a proposal by Ohio Edison Company, a registered holding company, that it amend its Charter to increase its authorized common stock and to create a class of \$25 preferred stock. An order has been issued authorizing the solicitation of proxies in connection with the proposed Charter amendments and other matters to be considered at the annual meeting of shareholders. (Rel. 35-19445 - Mar. 26)

NORTHEAST UTILITIES

An order has been issued approving a proposal of Northeast Utilities, and three of its subsidiaries, Western Massachusetts Electric Company, The Connecticut Light and Power Company and The Hartford Electric Light Company whereby each company will issue notes to banks or dealers in commercial paper. The maximum amounts, at any one time outstanding, of such notes are as follows: Northeast, \$140 million; Connecticut Light and Power, \$90 million; Hartford Electric, \$45 million; and Western Massachusetts

Electric, \$60 million. Northeast will use the proceeds of the sales to make capital contributions and open account advances to its subsidiaries. The subsidiaries will use the proceeds of their sales to finance their respective construction programs. (Rel. 35-19446 - Mar. 26)

ARKANSAS POWER & LIGHT COMPANY

An order has been issued approving a proposal by Arkansas Power & Light Company, subsidiary of Middle South Utilities, Inc., to sell and lease back nuclear fuel assemblies for use at its Nuclear Unit No. 2 located near Russellville, Arkansas. (Rel. 35-19447 - Mar. 26)

NATIONAL FUEL GAS COMPANY

A supplemental order has been issued releasing jurisdiction over a proposal of National Fuel Gas Company, and its wholly-owned subsidiary, National Fuel Gas Distribution Corporation, whereby the subsidiary will indemnify its parent in connection with the parent's obligations under a guarantee agreement. (Rel. 35-19448 - Mar. 29)

SELF-REGULATORY ORGANIZATIONS

NOTICE OF PROPOSED RULE CHANGE

The Depository Trust Company (DTC) has filed, pursuant to Rule 19b-4, a proposed rule change (SR-DTC-76-1) which would permit participants in DTC's institutional delivery system to except from automatic delivery that portion of a securities position needed to fulfill segregation requirements. Publication of the submission is expected to be made in the Federal Register during the week of March 29. (Rel. 34-12273)

SECURITIES ACT REGISTRATIONS

(S-11) DIVERSIFIED AGRICULTURAL PROPERTIES

4325 West Shaw Ave., Suite D, Fresno, Cal. 93705 - \$5 million of units of limited partnership interest, to be offered for sale in units of \$500, with a minimum investment of 5 units (\$2,500). The partnership to be formed is to invest principally in fee and leasehold interests in improved agricultural properties. (File 2-55707 - Mar. 15)

(S-16) ST. REGIS PAPER COMPANY

150 East 42nd St., New York, N.Y. 10017 - 1,500 shares of common stock, which may be offered for sale from time to time by Reginald L. Vayo at prices current at the time of sale. St. Regis is an international diversified forest-based company. (File 2-55798 - Mar. 25)

(S-7) EMERSON ELECTRIC CO.

8100 Florissant Ave., St. Louis, Mo. 63136 - 878,205 shares of common stock, to be offered for sale by certain selling stockholders through underwriters represented by Goldman, Sachs & Co., 55 Broad St., New York, N.Y. 10004. Emerson Electric Co. designs, manufactures and sells a broad range of electrical-electronic products and systems. (File 2-55801 - Mar. 25)

(S-7) COMMUNICATIONS INDUSTRIES, INC.

511 North Akard St., Dallas, Tex. 75201 - 160,000 shares of common stock, to be offered for sale by the company and 90,000 shares of common stock, to be offered for sale by certain shareholders at prices current at the time of sale through underwriters headed by Blyth Eastman Dillon & Co. Inc., One Chase Manhattan Plaza, New York, N.Y. 10005. The company primarily manufactures products for, and renders services in, the Land Mobile radio communications industry. (File 2-55805 - Mar. 26)

(S-1) AMERICAN CONTINENTAL LIFE INSURANCE COMPANY

2777 East Camelback Rd., Phoenix, Ariz. 85016 - 70,000 shares of common stock, to be offered for sale at \$6 per share through Continental American Securities, Inc., 3201 North 1st Place, Phoenix, Ariz. 85012. The company sells life and disability insurance. (File 2-55806 - Mar. 26)

(S-1) UTAH BANCORPORATION

80 West Broadway, Salt Lake City, Utah 84101 - 200,000 shares of common stock, to be offered for sale through underwriters headed by Thomson & McKinnon Auchincloss Kohl-meyer Inc., One New York Plaza, New York, N.Y. 10004, and Bosworth, Sullivan & Com-pany, Inc., 950 Seventeenth St., Denver, Colo. 80202. Utah Bancorporation is a bank holding company. (File 2-55811 - Mar. 26)

(S-7) OTTER TAIL POWER COMPANY

215 South Cascade St., Fergus Falls, Minn. 56537 - 250,000 shares of common stock, to be offered for sale through underwriters co-managed by Bache Halsey Stuart Inc., 100 Gold St., New York, N.Y. 10038 and Dain, Kalman & Quail, Inc., 100 Dain Tower, Minn-eapolis, Minn. 55401. The company is an operating public utility which distributes and sells electric energy. (File 2-55813 - Mar. 26)

(S-14) LITCO CORPORATION OF NEW YORK (LITCO)

1401 Franklin Ave., Garden City, New York 11530 - 254,687 shares of common stock. The LITCO common stock is to be offered to the stockholders of Long Island National Bank (Bank) on the basis of one share of Bank \$5.00 par value capital stock for \$28.375 in cash and one-half share of LITCO common stock. LITCO is a registered bank holding company. (File 2-55814 - Mar. 26)

STOCK PLANS FILED

The following have filed Form S-8 registration statements with the SEC seeking regis-tration of securities to be offered pursuant to employee stock and related plans:

Bangor Punta Corporation, Greenwich, Conn. (File 2-55796 - Mar. 25) - 250,000 shares
Tocom, Inc., Irving, Texas (File 2-55802 - Mar. 25) - 60,000 shares; and
(File 2-55803 - Mar. 25) - 50,000 shares; and 2-55824 - Mar. 26) - 89,000 shares
CHC Corporation, Towson, Md. (File 2-55809 - Mar. 25) - 109,780 shares
CBS Inc., New York, N.Y. (File 2-55812 - Mar. 26) - 500,000 shares
Westvaco Corporation, New York, N.Y. (File 2-55815 - Mar. 26) - 987,042 shares

REGISTRATIONS EFFECTIVE

March 22: Wespac Futures Fund, 2-54459.
March 23: Chem-Lawn Corp., 2-55536; Globe Union Inc., 2-55709; Holiday Inns Inc., 2-55661; Iowa Illinois Gas and Electric Co., 2-55528; Municipal Investment Trust Fund, Fifty First Monthly Payment Series, 2-55634; St. Joseph Light & Power Co., 2-55588; Spartan Food Systems, Inc., 2-55533; Sycor Inc., 2-55615.
March 24: Coachmen Industries Inc., 2-55601; Coquina Oil Corp., 2-55239; Honeywell Finance Inc., 2-55644; Michigan Financial Corp., 2-54714; Mobile Home Industries Inc., 2-55626; The Newcomers Co., 2-55316 (90 days); Peabody Galion Corp., 2-55663; The Williams Companies, 2-55652.
March 25: Bell Canada, 2-55587; Centura Inc., 2-54657 (90 days); The Corporate Income Fund, Fourth Series, 2-55535; European Investment Bank, 2-55671; First National Bancshares Inc., 2-55290; Old Kent Financial Corp., 2-55285; Texas Eastern Trans-mission Corp., 2-55650; White Consolidated Industries Inc., 2-55767.

NOTE TO DEALERS. When applicable the 90-day period of time dealers are required to use the prospectus is noted above in parentheses after the name of the issuer. As to the other issuers, there may be no such requirement to use a prospectus, or the requirement may be for a period of only 40 days; see Section 4(3) of the Securi-ties Act of 1933 and Rule 174 (17 CFR 230.174) thereunder.

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.

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