

sec news digest

Issue 81-13

JANUARY 21 1981
U.S. SECURITIES AND
EXCHANGE COMMISSION

ADMINISTRATIVE PROCEEDINGS

JAN 22 1981

HAMMON CAPITAL MANAGEMENT CORPORATION AND ITS PRESIDENT SUSPENDED

The Commission has suspended the investment adviser registration of Hammon Capital Management Corporation of Denver, Colorado, for 90 days, and suspended its president, Gabe Hammon, from association with any investment adviser in a proprietary or supervisory capacity for the same period. The suspensions are effective January 26.

Respondents did not dispute the findings of an administrative law judge that, in October 1978, they refused to permit Commission staff members to make a reasonable examination of the firm's books and records, and that respondents failed to comply with recordkeeping and reporting requirements.

In affirming the sanctions imposed by the law judge, the Commission stated that respondents "have demonstrated an unwillingness to comply with important regulatory requirements," and that the suspensions were necessary "to impress upon them the importance of future compliance with those requirements." (Rel. IA-744)

RICHARD O. BERTOLI SUSPENDED

The Commission has prohibited Richard O. Bertoli of Sparkill, New York, from serving or acting in various capacities with respect to a registered investment company for six months. The Commission also suspended Bertoli from association with any investment adviser, broker or dealer for the same period. The prohibition and suspensions are effective February 2.

During 1972, Bertoli was secretary-treasurer of Fundamatic Investors, Inc. (Fund), a registered investment company. The Commission found, as had an administrative law judge, that Bertoli was responsible for securities transactions between Fund and companies which he controlled that were prohibited by the Investment Company Act. However, the Commission reduced the sanctions imposed by the law judge, since it concluded that his findings that Bertoli had also violated antifraud provisions could not be sustained. (Rel. IC-11545)

INVESTMENT COMPANY ACT RELEASES

SENTINEL GROUP FUNDS, INC.

A notice has been issued giving interested persons until February 11 to request a hearing on an application of Sentinel Group Funds, Inc. (Fund), an open-end, diversified, management investment company registered under the Investment Company Act of 1940, Sentinel Advisers, Inc., Fund's investment adviser, and Equity Services, Inc., Fund's distributor, for an order pursuant to Section 6(c) of the Act exempting from the provisions of Section 22(d) of the Act and Rule 22d-1 thereunder the sale, at net asset value, of Fund shares to the trustees of a tax qualified employee benefit plan. (Rel. IC-11569 - Jan. 19)

ALLSTATE ENTERPRISES STOCK FUND

An order has been issued, pursuant to Section 8(f) of the Investment Company Act of 1940, declaring that Allstate Enterprises Stock Fund, Inc., has ceased to be an investment company. (Rel. IC-11570 - Jan. 19)

THE CASH MANAGEMENT TRUST OF AMERICA

An order has been issued permitting The Cash Management Trust of America (Applicant), registered under the Investment Company Act of 1940 as an open-end, diversified, management investment company, to withdraw an application requesting an order of the Commission, pursuant to Section 6(c) of the Act, exempting Applicant from the provisions of Section 2(a)(41) of the Act and Rules 2a-4 and 22c-1 thereunder, to the extent necessary to permit Applicant to utilize amortized cost valuation for the purpose of pricing its units for sale, redemption and repurchase, subject to certain conditions. (Rel. IC-11571 - Jan. 19)

SELF-REGULATORY ORGANIZATIONS

NOTICE OF PROPOSED RULE CHANGES

The following have filed proposed rule changes under Rule 19b-4 of the Securities Exchange Act of 1934: New York Stock Exchange, Inc. - (SR-NYSE-81-2) to increase listing fees currently charged by the Exchange and to impose a new listing fee for bonds (Rel. 34-17467); and Chicago Board Options Exchange (CBOE) - (SR-CBOE-80-29) to clarify that any type of arrangement for market maker financing must be disclosed to the CBOE (Rel. 34-17472).

Publication of the above proposals are expected to be made in the Federal Register during the week of January 19.

NOTICE OF EFFECTIVENESS OF PROPOSED RULE CHANGE

The New York Stock Exchange has filed a proposed rule change (SR-NYSE-81-1), which became effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934, to increase various member fees currently charged by the Exchange. Publication of the proposal is expected to be made in the Federal Register during the week of January 19. (Rel. 34-17466)

APPROVAL OF PROPOSED RULE CHANGES

The Commission has approved the following proposed rule changes: Boston Stock Exchange - (SR-BSE-79-4) amending Chapter XI, Section 1 of its Rules to establish and define some of the obligations of two classes of alternate specialists (Rel. 34-17465); and Midwest Stock Exchange - (SR-MSE-80-10) amending Article XX, Rule 34 of its Rules relating to registered market makers (Rel. 34-17471).

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC pursuant to the Securities Act of 1933. The information noted below has been taken from the cover page and the facing sheet of the prospectus and registration statement and will appear as follows: Form; Name, address and phone number (if available) of the issuer of the security; Title and the number or face amount of the securities being offered; Name of the managing underwriter (if applicable); Whether the offering is a rights offering; File number and date filed; Assigned Branch; and whether the registration statement is a New Issue.

- (S-8) BURLINGTON INDUSTRIES, INC., 3330 West Friendly Ave., Greensboro, NC 27410 (919) 379-2000 - 1,000,000 shares of common stock. (File 2-70585 - Jan. 16) (Br. 8)
- (S-7) ALLEGHENY BEVERAGE CORPORATION, 2216 North Charles St., Baltimore, MD 21218 (301) 467-7300 - \$12,500,000 of senior subordinated debentures, due 1993. Underwriter: Offerman & Co., Inc., 5100 Gamble Dr., Minneapolis, MN 55481 (612) 541-6513. The company is engaged in the bottling, canning and distribution of carbonated beverages. (File 2-70589 - Jan. 16) (Br. 1)
- (S-6) THE CORPORATE INCOME FUND, ONE HUNDRED NINETEENTH MONTHLY PAYMENT SERIES, One Liberty Plaza, 165 Broadway, New York, NY 10080 - an indefinite number of units of beneficial interest. Depositors: Merrill Lynch, Pierce, Fenner & Smith Incorporated, One Liberty Plaza, 165 Broadway, New York, NY 10080, Bache Halsey Stuart Shields Incorporated, Dean Witter Reynolds Inc. and Shearson Loeb Rhoades Inc. (File 2-70591 - Jan. 16) (Br. 17 - New Issue)

- (S-6) MUNICIPAL INVESTMENT TRUST FUND, ONE HUNDRED SIXTY-SECOND MONTHLY PAYMENT SERIES, One Liberty Plaza, 165 Broadway, New York, NY 10080 - an indefinite number of units of beneficial interest. Depositors: Merrill Lynch White Weld Capital Markets Group, One Liberty Plaza, 165 Broadway, New York, NY 10080, Bache Halsey Stuart Shields Incorporated, Dean Witter Reynolds Inc. and Shearson Loeb Rhoades Inc. (File 2-70592 - Jan. 16) (Br. 17 - New Issue)
- (S-6) THE CORPORATE INCOME FUND, ONE HUNDRETH SHORT TERM SERIES, One Liberty Plaza, 165 Broadway, New York, NY 10080 - an indefinite number of units of beneficial interest. Depositors: Merrill Lynch, Pierce, Fenner & Smith Incorporated, One Liberty Plaza, 165 Broadway, New York, NY 10080, Bache Halsey Stuart Shields Incorporated, Dean Witter Reynolds Inc. and Shearson Loeb Rhoades Inc. (File 2-70593 - Jan. 16) (Br. 17 - New Issue)
- (S-1) METROPOLITAN MORTGAGE AND SECURITIES COMPANY, INC., West 929 Sprague Ave., Spokane, WA 99204 - \$22 million of investment debentures, Series II. The company's primary business is real estate financing. (File 2-70595 - Jan. 19) (Br. 5)
- (S-1) PRESIDIO OIL COMPANY, 1700 Broadway, Suite 1411, Denver, CO 80290 - 1,100,000 shares of common stock. Underwriter: Bateman Eichler, Hill Richards Incorporated. The company engages in the onshore exploration for and development and production of oil and gas. (File 2-70596 - Jan. 19) (Br. 3)
- (S-16) SOUTHERN CALIFORNIA GAS COMPANY, 810 South Flower St., Los Angeles, CA 90017 (213) 689-2345 - \$70 million of first mortgage bonds, Series N, due 2001. The company is engaged in the purchase, distribution and sale of natural gas. (File 2-70597 - Jan. 19) (Br. 8)
- (S-1) PETROLEUM HELICOPTERS, INC., P.O. Box 23502, 5728 Jefferson Highway, New Orleans, LA 70183 - 2,000,000 shares of non-voting common stock. Underwriters: Allen & Company Incorporated and Condren, Walker & Co. Incorporated. The company provides helicopter transportation services. (File 2-70598 - Jan. 19) (Br. 3 - New Issue)
- (S-16) PUBLIC SERVICE COMPANY OF INDIANA, INC., 1000 East Main St., Plainfield, IN 46168 (317) 839-9611 - 3,000,000 shares of common stock. Underwriters: Morgan Stanley & Co. Incorporated, 55 Water St., New York, NY, and Dean Witter Reynolds Inc. The company is engaged in the production, transmission, distribution and sale of electric energy. (File 2-70599 - Jan. 19) (Br. 8)
- In a separate statement the company seeks registration of \$125 million of first mortgage bonds, Series FF, % due February 1, 2011. (File 2-70600 - Jan. 19)
- (S-1) ENERGY SOURCES 1981 PROGRAM, 711 Glen Lakes Tower, Lock Box 107, 9400 North Central Expressway, Dallas, TX 75231 - 3,000 units. (File 2-70601 - Jan. 19) (Br. 3 - New Issue)
- (S-1) KENCOPE ENERGY COMPANIES, 315 South Main St., Perryton, TX 79070 (806) 435-5494 - 835,000 shares of common stock. Underwriter: Eppler, Guerin & Turner, Inc. The company is engaged in the oilfield service business. (File 2-70603 - Jan. 19) (Br. 3 - New Issue)
- (S-1) MATAGORDA LIMITED PARTNERSHIP II, 1816 Guaranty Bank Plaza, Corpus Christi, TX 78475 - \$6,300,000 of limited partnership interests. Underwriters: Underwood, Neuhaus & Co. Incorporated and Dain Bosworth Incorporated. (File 2-70604 - Jan. 19) (Br. 4 - New Issue)
- (S-14) ELM BANCSHARES, INC., 105 South York St., Elmhurst, IL 60126 (312) 834-2100 - 400,000 shares of common stock. (File 2-70605 - Jan. 19) (Br. 1 - New Issue)
- (S-14) TRI-COUNTY BANCORP, 116 West Washington St., Roachdale, IN 46172 (317) 596-3911 - 60,000 shares of common stock. (File 2-70606 - Jan. 19) (Br. 2 - New Issue)
- (S-1) THE STONE OIL CORPORATION 1981 PROGRAM-III LTD., 3100 Fountain Square Plaza, Cincinnati, OH 45202 - 12,000 units of preformation limited partnership interest. (File 2-70607 - Jan. 19) (Br. 3 - New Issue)

REGISTRATIONS EFFECTIVE

Jan. 14: Commonwealth Edison Co., 2-70476; The Corporate Income Fund, One Hundred Seventeenth Monthly Payment Series, 2-69691; First Banc Group, Inc., 2-70028; Genetic Engineering, Inc., 2-69468; The LTV Corp., 2-70550; M/A Com, Inc., 2-70255; The Municipal Bond Trust, Series 77, 2-69623.

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, registration statements, and other filings may be ordered by writing to the Public Reference Section, Securities and Exchange Commission, Washington, D.C. 20549. When you are ordering more than one, we prefer that the documents be listed in alphabetical order by registrant name to expedite service. Two types of service are available.

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All other reference material is available in the SEC Docket.

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