

General Counsel for Regulatory Affairs, Office of the General Counsel, Pension Benefit Guaranty Corporation, 1200 K Street NW., Washington, DC 20005–4026, 202–326–4024 or

*Murphy.Deborah@pbgc.gov*. (TTY and TDD users may call the Federal relay service toll-free at 800–877–8339 and ask to be connected to 202–326–4024.)

**SUPPLEMENTARY INFORMATION:** The Pension Benefit Guaranty Corporation (PBGC) administers the pension plan termination insurance program under title IV of the Employee Retirement Income Security Act of 1974 (ERISA). Section 4006(a)(7) of ERISA provides for a “termination premium” (in addition to the flat-rate and variable-rate premiums under section 4006(a)(3) and (8) of ERISA) that is payable for three years following certain distress and involuntary plan terminations. PBGC’s regulations on Premium Rates (29 CFR part 4006) and Payment of Premiums (29 CFR part 4007) implement the termination premium. Sections 4007.3 and 4007.13(b) of the premium payment regulation require the filing of termination premium information and payments with PBGC. PBGC has promulgated Form T and instructions for paying the termination premium.

In general, the termination premium applies where a single-employer plan terminates in a distress termination under ERISA section 4041(c) (unless contributing sponsors and controlled group members meet the bankruptcy liquidation requirements of ERISA section 4041(c)(2)(B)(i)) or in an involuntary termination under ERISA section 4042, and the termination date under section 4048 of ERISA is after 2005. The termination premium does not apply in certain cases where termination occurs during a bankruptcy proceeding filed before October 18, 2005.

The termination premium is payable for three years. The same amount is payable each year. The amount of each payment is based on the number of participants in the plan as of the day before the termination date. In general, the amount of each payment is equal to \$1,250 times the number of participants. However, the rate is increased from \$1,250 to \$2,500 in certain cases involving commercial airline or airline catering service plans. The termination premium is due on the 30th day of each of three consecutive 12-month periods. The first 12-month period generally begins shortly after the termination date or after the conclusion of bankruptcy proceedings in certain cases.

The termination premium and related information must be filed by a person

liable for the termination premium. The persons liable for the termination premium are contributing sponsors and members of their controlled groups, determined on the day before the plan termination date. Interest on late termination premiums is charged at the rate imposed under section 6601(a) of the Internal Revenue Code, compounded daily, from the due date to the payment date. Penalties based on facts and circumstances may be assessed both for failure to timely pay the termination premium and for failure to timely file required related information and may be waived in appropriate circumstances. A penalty for late payment will not exceed the amount of termination premium paid late. Section 4007.10 of the premium payment regulation requires the retention of records supporting or validating the computation of premiums paid and requires that the records be made available to PBGC.

OMB has approved the termination premium collection of information (Form T and instructions) under control number 1212–0064 through December 31, 2013. PBGC is requesting that OMB extend approval of this collection of information for three years, with minor changes. PBGC is eliminating from Form T and instructions the requirement to report the method of payment and making minor editorial changes to the form and instructions. An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB control number.

PBGC estimates that it will each year receive an average of about 25 filings for the first year a termination premium is due, 20 filings for the second year a termination premium is due, and 15 filings for the third year a termination premium is due, from a total of about 60 respondents. PBGC estimates that the total annual burden of the collection of information will be about ten hours and \$8,800.

Issued in Washington, DC, this 13th day of November, 2013.

**Judith Starr,**

*General Counsel, Pension Benefit Guaranty Corporation.*

[FR Doc. 2013–27535 Filed 11–15–13; 8:45 am]

**BILLING CODE 7709–02–P**

## POSTAL REGULATORY COMMISSION

### Sunshine Act Meeting

**TIME AND DATE:** Wednesday, December 11, 2013, at 11 a.m.

**PLACE:** Commission Hearing Room, 901 New York Avenue NW., Suite 200, Washington, DC 20268–0001.

**STATUS:** Part of this meeting will be open to the public. The rest of the meeting will be closed to the public. The open session will be audiocast. The audiocast may be accessed via the Commission’s Web site at <http://www.prc.gov>. A period for public comment will be offered following consideration of the last numbered item in the open session.

**MATTERS TO BE CONSIDERED:** The agenda for the Commission’s December 11, 2013 meeting includes the items identified below.

#### PORIONS OPEN TO THE PUBLIC:

1. Report from the Office of Public Affairs and Government Relations on legislative activities and the handling of rate and service inquiries from the public.
2. Report from the Office of General Counsel on the status of Commission dockets.
3. Report from the Office of Accountability and Compliance.
4. Report from the Office of the Secretary and Administration.
5. Selection of Vice Chairman.
6. Update for the Commissioners on the Work of the Military Postal Service Agency by Mr. David Ernst, Deputy Director, Military Postal Service Agency.

#### PORION CLOSED TO THE PUBLIC:

7. Discussion of pending litigation.

**CONTACT PERSON FOR MORE INFORMATION:** Stephen L. Sharfman, General Counsel, Postal Regulatory Commission, 901 New York Avenue NW., Suite 200, Washington, DC 20268–0001, at 202–789–6820 (for agenda-related inquiries) and Shoshana M. Grove, Secretary of the Commission, at 202–789–6800 or [shoshana.grove@prc.gov](mailto:shoshana.grove@prc.gov) (for inquiries related to meeting location, changes in date or time of the meeting, access for handicapped or disabled persons, the audiocast, or similar matters). The Commission’s Web site may also provide information on changes in the date or time of the meeting.

By direction of the Commission.

**Shoshana M. Grove,**

*Secretary.*

[FR Doc. 2013–27610 Filed 11–14–13; 11:15 am]

**BILLING CODE 7710–FW–P**

## RAILROAD RETIREMENT BOARD

### 2014 Railroad Experience Rating Proclamations, Monthly Compensation Base and Other Determinations

**AGENCY:** Railroad Retirement Board.

**ACTION:** Notice.

**SUMMARY:** Pursuant to section 8(c)(2) and section 12(r)(3) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(2) and 45 U.S.C. 362(r)(3), respectively), the Board gives notice of the following:

1. The balance to the credit of the Railroad Unemployment Insurance (RUI) Account, as of June 30, 2013, is \$204,247,991.98;
2. The September 30, 2013, balance of any new loans to the RUI Account, including accrued interest, is zero;
3. The system compensation base is \$4,002,416,128.99 as of June 30, 2013;
4. The cumulative system unallocated charge balance is (\$363,515,181.06) as of June 30, 2013;
5. The pooled credit ratio for calendar year 2014 is zero;
6. The pooled charged ratio for calendar year 2014 is zero;
7. The surcharge rate for calendar year 2014 is zero;
8. The monthly compensation base under section 1(i) of the Act is \$1,440 for months in calendar year 2014;
9. The amount described in sections 1(k) and 3 of the Act as “2.5 times the monthly compensation base” is \$3,600.00 for base year (calendar year) 2014;
10. The amount described in section 4(a–2)(i)(A) of the Act as “2.5 times the monthly compensation base” is \$3,600.00 with respect to disqualifications ending in calendar year 2014;
11. The amount described in section 2(c) of the Act as “an amount that bears the same ratio to \$775 as the monthly compensation base for that year as computed under section 1(i) of this Act bears to \$600” is \$1,860 for months in calendar year 2014;
12. The maximum daily benefit rate under section 2(a)(3) of the Act is \$70 with respect to days of unemployment and days of sickness in registration periods beginning after June 30, 2014.

**DATES:** The balance in notice (1) and the determinations made in notices (3) through (7) are based on data as of June 30, 2013. The balance in notice (2) is based on data as of September 30, 2013. The determinations made in notices (5) through (7) apply to the calculation, under section 8(a)(1)(C) of the Act, of employer contribution rates for 2014. The determinations made in notices (8) through (11) are effective January 1, 2014. The determination made in notice (12) is effective for registration periods beginning after June 30, 2014.

**ADDRESSES:** Secretary to the Board, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611–2092.

**FOR FURTHER INFORMATION CONTACT:**

Marla L. Huddleston, Bureau of the Actuary, Railroad Retirement Board, 844 Rush Street, Chicago, Illinois 60611–2092, telephone (312) 751–4779.

**SUPPLEMENTARY INFORMATION:** The RRB is required by section 8(c)(1) of the Railroad Unemployment Insurance Act (Act) (45 U.S.C. 358(c)(1)) as amended by Public Law 100–647, to proclaim by October 15 of each year certain system-wide factors used in calculating experience-based employer contribution rates for the following year. The RRB is further required by section 8(c)(2) of the Act (45 U.S.C. 358(c)(2)) to publish the amounts so determined and proclaimed. The RRB is required by section 12(r)(3) of the Act (45 U.S.C. 362(r)(3)) to publish by December 11, 2013, the computation of the calendar year 2014 monthly compensation base (section 1(i) of the Act) and amounts described in sections 1(k), 2(c), 3 and 4(a–2)(i)(A) of the Act which are related to changes in the monthly compensation base. Also, the RRB is required to publish, by June 11, 2014, the maximum daily benefit rate under section 2(a)(3) of the Act for days of unemployment and days of sickness in registration periods beginning after June 30, 2014.

**Surcharge Rate**

A surcharge is added in the calculation of each employer's contribution rate, subject to the applicable maximum rate, for a calendar year whenever the balance to the credit of the RUI Account on the preceding June 30 is less than the greater of \$100 million or the amount that bears the same ratio to \$100 million as the system compensation base for that June 30 bears to the system compensation base as of June 30, 1991. If the RUI Account balance is less than \$100 million (as indexed), but at least \$50 million (as indexed), the surcharge will be 1.5 percent. If the RUI Account balance is less than \$50 million (as indexed), but greater than zero, the surcharge will be 2.5 percent. The maximum surcharge of 3.5 percent applies if the RUI Account balance is less than zero.

The ratio of the June 30, 2013 system compensation base of \$4,002,416,128.99 to the June 30, 1991 system compensation base of \$2,763,287,237.04 is 1.44842566. Multiplying 1.44842566 by \$100 million yields \$144,842,566. Multiplying \$50 million by 1.44842566 produces \$72,421,283. The Account balance on June 30, 2013, was \$204,247,991.98. Accordingly, the surcharge rate for calendar year 2014 is zero.

**Monthly Compensation Base**

For years after 1988, section 1(i) of the Act contains a formula for determining the monthly compensation base. Under the prescribed formula, the monthly compensation base increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The monthly compensation base for months in calendar year 2014 shall be equal to the greater of (a) \$600 or (b)  $600 [1 + \{(A - 37,800)/56,700\}]$ , where A equals the amount of the applicable base with respect to tier 1 taxes for 2014 under section 3231(e)(2) of the Internal Revenue Code of 1986. Section 1(i) further provides that if the amount so determined is not a multiple of \$5, it shall be rounded to the nearest multiple of \$5.

Using the calendar year 2014 tier 1 tax base of \$117,000 for A above produces the amount of \$1,438.10, which must then be rounded to \$1,440. Accordingly, the monthly compensation base is determined to be \$1,440 for months in calendar year 2014.

**Amounts Related to Changes in Monthly Compensation Base**

For years after 1988, sections 1(k), 3, 4(a–2)(i)(A) and 2(c) of the Act contain formulas for determining amounts related to the monthly compensation base.

Under section 1(k), remuneration earned from employment covered under the Act cannot be considered subsidiary remuneration if the employee's base year compensation is less than 2.5 times the monthly compensation base for months in such base year. Under section 3, an employee shall be a “qualified employee” if his/her base year compensation is not less than 2.5 times the monthly compensation base for months in such base year. Under section 4(a–2)(i)(A), an employee who leaves work voluntarily without good cause is disqualified from receiving unemployment benefits until he has been paid compensation of not less than 2.5 times the monthly compensation base for months in the calendar year in which the disqualification ends.

Multiplying 2.5 by the calendar year 2014 monthly compensation base of \$1,440 produces \$3,600.00. Accordingly, the amount determined under sections 1(k), 3 and 4(a–2)(i)(A) is \$3,600.00 for calendar year 2014.

Under section 2(c), the maximum amount of normal benefits paid for days of unemployment within a benefit year and the maximum amount of normal benefits paid for days of sickness within a benefit year shall not exceed an

employee's compensation in the base year. In determining an employee's base year compensation, any money remuneration in a month not in excess of an amount that bears the same ratio to \$775 as the monthly compensation base for that year bears to \$600 shall be taken into account.

The calendar year 2014 monthly compensation base is \$1,440. The ratio of \$1,440 to \$600 is 2.40000000. Multiplying 2.40000000 by \$775 produces \$1,860. Accordingly, the amount determined under section 2(c) is \$1,860 for months in calendar year 2014.

#### Maximum Daily Benefit Rate

Section 2(a)(3) contains a formula for determining the maximum daily benefit rate for registration periods beginning after June 30, 1989, and after each June 30 thereafter. Legislation enacted on October 9, 1996, revised the formula for indexing maximum daily benefit rates. Under the prescribed formula, the maximum daily benefit rate increases by approximately two-thirds of the cumulative growth in average national wages since 1984. The maximum daily benefit rate for registration periods beginning after June 30, 2014, shall be equal to 5 percent of the monthly compensation base for the base year immediately preceding the beginning of the benefit year. Section 2(a)(3) further provides that if the amount so computed is not a multiple of \$1, it shall be rounded down to the nearest multiple of \$1.

The calendar year 2013 monthly compensation base is \$1,405. Multiplying \$1,405 by 0.05 yields \$70.25, which must then be rounded down to \$70. Accordingly, the maximum daily benefit rate for days of unemployment and days of sickness beginning in registration periods after June 30, 2014, is determined to be \$70.

Dated: November 7, 2013.

By Authority of the Board.

**Martha P. Rico,**

*Secretary to the Board.*

[FR Doc. 2013-27509 Filed 11-15-13; 8:45 am]

BILLING CODE 7905-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 30780; File No. 812-14151-04]

### Guggenheim Equal Weight Enhanced Equity Income Fund and Guggenheim Funds Investment Advisers, LLC; Notice of Application

November 12, 2013.

**AGENCY:** Securities and Exchange Commission ("Commission").

**ACTION:** Notice of application under section 6(c) of the Investment Company Act of 1940 ("Act") for an exemption from section 19(b) of the Act and rule 19b-1 under the Act.

**SUMMARY OF APPLICATION:** Applicants request an order to permit a registered closed-end investment company to make periodic distributions of long-term capital gains with respect to its outstanding common shares as frequently as monthly in any one taxable year, and as frequently as distributions are specified by or in accordance with the terms of any outstanding preferred shares that such investment company may issue.

**APPLICANTS:** Guggenheim Equal Weight Enhanced Equity Income Fund (the "Initial Fund") and Guggenheim Funds Investment Advisers, LLC (the "Adviser").

**FILING DATES:** The application was filed on April 22, 2013, and amended on September 25, 2013.

**HEARING OR NOTIFICATION OF HEARING:** An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Commission's Secretary and serving applicants with a copy of the request, personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on December 6, 2013, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESSES:** Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090; Applicants, c/o Michael K. Hoffman, Skadden, Arps, Slate, Meagher & Flom LLP, Four Times Square, New York, NY 10036.

#### FOR FURTHER INFORMATION CONTACT:

Bruce R. MacNeil, Senior Counsel, at (202) 551-6817, or Daniele Marchesani, Branch Chief, at (202) 551-6821 (Division of Investment Management, Exemptive Applications Office).

**SUPPLEMENTARY INFORMATION:** The following is a summary of the application. The complete application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm>, or by calling (202) 551-8090.

#### Applicants' Representations

1. The Initial Fund is a closed-end management investment company registered under the Act and is organized as a Delaware statutory trust.<sup>1</sup> The investment objective of the Initial Fund is to provide a high level of risk adjusted total return with an emphasis on current income by investing primarily in common stocks and utilizing a call option writing strategy. The Initial Fund's common shares are currently listed on the New York Stock Exchange, a national securities exchange as defined in section 2(a)(26) of the Act. The Initial Fund and any Future Fund may issue preferred shares. Applicants believe that closed-end fund investors may prefer an investment vehicle that provides regular current income through fixed distribution policies.

2. The Adviser is registered under the Investment Advisers Act of 1940 ("Advisers Act") and serves as the investment adviser to the Initial Fund. A Fund's portfolio may be managed by one or more investment sub-advisers (each a "Sub-Adviser"). Any Sub-Adviser to a Fund will be registered as an investment adviser under the Advisers Act or not subject to registration.

3. Applicants state that, prior to a Fund's implementing a distribution

<sup>1</sup> Applicants request that any order issued granting the relief requested in the application also apply to each existing or future registered closed-end investment company advised by the Adviser (including any successor in interest) or by an entity controlling, controlled by or under common control (within the meaning of section 2(a)(9) of the Act) with the Adviser that decides in the future to rely on the requested relief ("Future Fund" and together with the Initial Fund, the "Funds"). The Initial Fund and the Adviser are referred to collectively as "Applicants". Any Future Fund that may rely on the order will satisfy each of the representations in the application. All existing registered closed-end investment companies currently intending to rely on the order have been named as Applicants. A successor in interest is limited solely to the entity that results from a reorganization into another jurisdiction or a change in the type of business organization.