

## APPENDIX—Continued

Registration number	Name
84-5755 .....	River Oaks Partnership Services, Inc.
84-5756 .....	IDM Corporation.
84-5773 .....	RVM Industries, Inc.
84-5812 .....	Stock Transfer of America, Inc.
84-5816 .....	Wasatch Stock Transfer, Inc.
84-5826 .....	Lewis, Corey L.
84-5847 .....	Financial Strategies, LLC.
84-5872 .....	D-Lanz Development Group, Inc.
84-5873 .....	CBIZ Retirement Services, Inc.
84-5885 .....	Sovereign Depository Corporation.
84-5897 .....	Newport Stock Transfer Agency, Inc.
84-5899 .....	U.S. Corporate Support Services, Inc.
84-5912 .....	Femis Kerger & Company Transfer Agent & Registrar.
84-6019 .....	Touch America.
84-6032 .....	Merge Media, Inc.
84-6034 .....	Chapman Capital Management, Inc.
84-6039 .....	First Financial Escrow & Transfer, Inc.
84-6045 .....	Pharmacy Buying Association, Inc.
84-6059 .....	Street Transfer & Registrar Agency.
84-6077 .....	Brown Brothers Harriman & Co.
84-6092 .....	Brookhill Stock Transfer Business Trust.
84-6097 .....	Certified Water Systems, Inc.
84-6101 .....	Lauries Happy Thoughts, Inc.
84-6126 .....	Fidelity Custodian Services, Inc.
84-6131 .....	Carolyn Plant.
84-6157 .....	Encompass Corporate Services.

[FR Doc. E7-2245 Filed 2-9-07; 8:45 am]

BILLING CODE 8010-01-P

**SECURITIES AND EXCHANGE  
COMMISSION****Sunshine Act Meeting**

**Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law 94-409, that the Securities and Exchange Commission will hold the following meeting during the week of February 12, 2007:**

A Closed Meeting will be held on Thursday, February 15, 2007 at 10 a.m.

Commissioners, Counsels to the Commissioners, the Secretary to the Commission, and recording secretaries will attend the Closed Meeting. Certain staff members who have an interest in the matters may also be present.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552b(c)(3), (4), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (4), (5), (7), 9(ii) and (10) permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Atkins, as duty officer, voted to consider the items listed for the closed meeting in a closed session.

The subject matter of the Closed Meeting scheduled for Thursday, February 15, 2007 will be:

Formal orders of investigation;

Institution and settlement of injunctive actions;

Institution and settlement of administrative proceedings of an enforcement nature;

Resolution of a litigation claim;

Adjudicatory matters;

Amicus consideration; and

Other matters relating to enforcement proceedings.

At times, changes in Commission priorities require alterations in the scheduling of meeting items.

For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact:

The Office of the Secretary at (202) 551-5400.

Dated: February 7, 2007.

**Nancy M. Morris,**

*Secretary.*

[FR Doc. 07-629 Filed 2-8-07; 10:47 am]

BILLING CODE 8010-01-P

**SECURITIES AND EXCHANGE  
COMMISSION**

[Release No. 34-55240; File No. SR-Amex-2007-07]

**Self-Regulatory Organizations;  
American Stock Exchange LLC; Notice  
of Filing of Proposed Rule Change and  
Amendment No. 1 Thereto Amending  
Existing Rules for Portfolio Depository  
Receipts and Index Fund Shares**

February 5, 2007.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4<sup>2</sup> thereunder, notice is hereby given that on January 11, 2007, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been substantially prepared by the Exchange. On January 25, 2007, the Amex submitted Amendment No. 1 to the proposed rule change. The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

## I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend its existing rules for portfolio depository receipts (Rule 1000) and index fund shares (Rule 1000A) to eliminate the methodology standards for eligible indexes.

The text of the proposed rule change is available at the Amex, the Commission's Public Reference Room, and <http://www.amex.com>.

## II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the Amex included statements concerning the purpose of and basis for the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The Amex has substantially prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

### A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

#### 1. Purpose

The purpose of this proposed rule change is to amend Amex's existing generic listing standards pursuant to Rule 19b-4(e) under the Act<sup>3</sup> for portfolio depository receipts ("PDRs") and index fund shares<sup>4</sup> to eliminate the requirement that an eligible index be calculated following a specified methodology.

The Exchange currently has generic listing standards (within the meaning of Rule 19b-4(e) under the Act<sup>5</sup>), which permit the listing and trading of various qualifying ETFs subject to the procedures contained in Rule 19b-4(e). The existence of generic listing standards allows qualifying ETFs to list or trade without the need to file a rule change for each security under Rule 19b-4 under the Act.<sup>6</sup> By amending its generic listing standards pursuant to Rule 19b-4(e), the Exchange intends to reduce the time frame for listing ETFs that rely on indexes that utilize methodologies not currently identified in the generic listing standards and

thereby reduce the burdens on issuers and other market participants.

The generic listing standards for ETFs presently provide that eligible indexes be calculated based on the market capitalization, modified market capitalization, price, equal-dollar, or modified equal-dollar weighting methodology.<sup>7</sup> The proposed rule change will eliminate this standard and, as a result, the Exchange will no longer consider index methodology in its review of an ETF's eligibility for listing and trading pursuant to Rule 19b-4(e) under the Act.<sup>8</sup>

The Exchange states that as the market for ETFs has grown and the ETF product line matured, the Exchange has witnessed an increase in the number of methodologies used to calculate indexes. In order for an index that employs a novel methodology to satisfy the current generic listing standards, either a traditional methodology must be substituted for the intended methodology, or the Exchange must submit a proposed rule change to the Commission amending the generic listing standards to include the additional methodology. In this regard, the Exchange notes that, recently, both The NASDAQ Stock Market LLC and NYSE Arca, Inc. filed rule changes with the Commission in order to permit eligible indexes to be calculated based on a methodology weighting components based on their particular financial attributes.<sup>9</sup>

The Exchange believes that the proposed elimination of index methodology from its generic listing standards for ETFs would potentially reduce the time frame for bringing ETFs based on indexes with nontraditional weighting techniques to the market, thereby reducing the burdens on issuers and other market participants and promoting competition. The Exchange notes that indexes underlying ETFs would continue to be subject to the other requirements of the generic listing standards pursuant to Rule 19b-4(e) under the Act.<sup>10</sup> For example, the generic listing standards for domestic indexes require, without limitation, that the most heavily weighted component

stock of an index not exceed 30% of the weight of the index, and the five most heavily weighted component stocks of an index not exceed 65% of the weight of the index,<sup>11</sup> and that an index include a minimum of 13 component stocks.<sup>12</sup> Similarly, the generic listing standards for international or global indexes require, without limitation, that the most heavily weighted component stock of an index not exceed 25% of the weight of the index, and the five most heavily weighted component stocks of an index not exceed 60% of the weight of the index,<sup>13</sup> and that an index include a minimum of 20 component stocks.<sup>14</sup> The Exchange believes that such requirements will ensure that underlying indexes are sufficiently diversified, and that their components are sufficiently liquid to serve as the basis for an ETF.

#### 2. Statutory Basis

The Amex believes that the proposed rule change is consistent with the requirements of Section 6(b) of the Act<sup>15</sup> in general, and furthers the objectives of Section 6(b)(5),<sup>16</sup> of the Act in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and, in general, to protect investors and the public interest. The Exchange believes that the proposed rule change will facilitate the listing and trading of ETFs, thereby reducing the burdens on issuers and other market participants.

### B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange believes that the proposed rule change would not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

### C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants or Others

The Exchange states that no written comments were solicited or received with respect to the proposed rule change.

<sup>7</sup> See Commentary .03(b)(i) to Amex Rule 1000 and Commentary .02(b)(i) to Amex Rule 1000A.

<sup>8</sup> 17 CFR 240.19b-4(e).

<sup>9</sup> See Securities Exchange Act Release Nos. 54459 (September 15, 2006), 71 FR 55533 (September 22, 2006) (SR-NASDAQ-2006-035); 54490 (September 22, 2006), 71 FR 58034 (October 2, 2006) (SR-NYSEArca-2006-61). Telephone conference among Courtney McBride, Assistant General Counsel, Amex, Brian Trackman, Special Counsel, and Michou Nguyen, Special Counsel, Division of Market Regulation, Commission on February 2, 2007.

<sup>10</sup> 17 CFR 240.19b-4(e).

<sup>3</sup> 17 CFR 240.19b-4(e).

<sup>4</sup> PDRs and index fund shares are registered investment companies under the Investment Company Act of 1940 and are referred to in this filing as exchange traded funds ("ETFs").

<sup>5</sup> 17 CFR 240.19b-4(e).

<sup>6</sup> 17 CFR 240.19b-4.

<sup>11</sup> See Commentary .03(a)(A)(3) to Amex Rule 1000 and Commentary .02(a)(A)(3).

<sup>12</sup> See Commentary .03(a)(A)(4) to Amex Rule 1000 and Commentary .02(a)(A)(4).

<sup>13</sup> See Commentary .03(a)(B)(3) to Amex Rule 1000 and Commentary .02(a)(B)(3).

<sup>14</sup> See Commentary .03(a)(B)(4) to Amex Rule 1000 and Commentary .02(a)(B)(4).

<sup>15</sup> 15 U.S.C. 78f(b).

<sup>16</sup> 15 U.S.C. 78f(b)(5).

### III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) institute proceedings to determine whether the proposed rule change should be disapproved.

The Amex has requested accelerated approval of this proposed rule change prior to the 30th day after the date of publication of the notice of the filing thereof. The Commission has determined that a 15-day comment period is appropriate in this case.

### IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Exchange Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-Amex-2007-07 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-Amex-2007-07. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than

those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room. Copies of the filing also will be available for inspection and copying at the principal office of the Amex. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Amex-2007-07 and should be submitted on or before February 27, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>17</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7-2252 Filed 2-9-07; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-55233; File No. SR-BSE-2006-56]

### Self-Regulatory Organizations; Boston Stock Exchange, Inc.; Notice of Filing of Proposed Rule Change and Amendment No. 1 Thereto To Add to the Boston Options Exchange a New Functionality Called an Automatic Auction Order

February 2, 2007.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on December 15, 2006, the Boston Stock Exchange, Inc. ("BSE" or "Exchange") filed with the Securities and Exchange Commission ("Commission") the proposed rule change as described in Items I, II, and III below, which Items have been substantially prepared by the BSE. On February 1, 2007, BSE filed Amendment No. 1 to the proposed rule change.<sup>3</sup> The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons.

<sup>17</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> In Amendment No. 1, BSE granted the Commission an extension of the time period specified in Section 19(b)(2) of the Act for Commission action.

### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend the Boston Options Exchange ("BOX") Rules to add a new functionality referred to as an Automatic Auction Order ("AAO") in order to make it easier for non-professional customers to participate in a price improvement auction ("Improvement Auction"). The text of the proposed rule change is available at BSE, the Commission's Public Reference Room, and [http://www.bostonstock.com/legal/pending\\_rule\\_filings.html](http://www.bostonstock.com/legal/pending_rule_filings.html).

### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the BSE included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The BSE has prepared summaries, set forth in Sections A, B, and C below, of the most significant aspects of such statements.

#### *A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

##### 1. Purpose

BSE seeks to amend the BOX Rules<sup>4</sup> to add a new order functionality called an AAO in order to make it easier for all Customers, including non-professional customers, to participate in Improvement Auctions (e.g., the PIP). BOX believes that the AAOs will increase the number of Improvement Orders that are submitted to an Improvement Auction, thereby creating increased competition and overall liquidity while also improving execution prices for trades that are executed on BOX.

This AAO functionality automates a process that is currently available to the non-professional customer via the Customer PIP Order ("CPO"). Currently, however, it is difficult for non-professional customers to participate in Improvement Auctions because of the limited offering of the CPO by Order Flow Providers ("OFPs"). Only a few OFPs have made CPOs available to non-professional customers due, in large part, to the constraints that are generally

<sup>4</sup> Capitalized terms not otherwise defined herein shall have the meanings prescribed under the BOX Rules.