

type. According to the proposal, MPL Orders will be exempted from credits that currently appear in the following sections of the Exchange's Fee Schedule: NYSE ARCA MARKETPLACE: TRADE RELATED CHARGES, NYSE ARCA MARKETPLACE: MARKET MAKER FEES AND CHARGES, and the ETP Holder Transaction Credit and Market Data Revenue Sharing Credit under NYSE ARCA MARKETPLACE: OTHER FEES AND CHARGES. Consistent with the proposal to exempt MPL Orders from any credits, the Exchange will not assess fees to ETP Holders submitting MPL Orders for execution, as such orders shall not be viewed as removing liquidity from the NYSE Arca book.

Secondly, consistent with the proposal to exempt Users submitting MPL Orders from any credits, the Exchange will not assess fees to Users submitting MPL Orders for execution, as such orders shall not be viewed as removing liquidity from the NYSE Arca book. Accordingly, MPL Orders will be exempted from fees that currently appear in the following sections of the Exchange's Fee Schedule: NYSE ARCA MARKETPLACE: TRADE RELATED CHARGES and NYSE ARCA MARKETPLACE: MARKET MAKER FEES AND CHARGES.

Finally, the Exchange proposes to amend the Fee Schedule to exempt Users from the \$0.001 per share fee for any order routed to the New York Stock Exchange, L.L.C. ("NYSE") if such order is for a security listed on the NYSE and is designated as a PSO. Accordingly, PSOs will be exempted from the \$0.001 per share fee for orders routed outside the book to the NYSE that currently appears in the following section of the Exchange's Fee Schedule: NYSE ARCA MARKETPLACE: TRADE RELATED CHARGES.

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with section 6(b) of the Act<sup>9</sup> in general and furthers the objectives of section 6(b)(4)<sup>10</sup> in particular that it is intended to provide for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

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

The Exchange does not believe that the proposed rule change will 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*

Written comments on the proposed rule change were neither solicited nor received.

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

The foregoing proposed rule change is subject to section 19(b)(3)(A)(ii) of the Act<sup>11</sup> and subparagraph (f)(2) of Rule 19b-4 thereunder<sup>12</sup> because it establishes or changes a due, fee, or other charge applicable only to a member imposed by a self-regulatory organization. Accordingly, the proposal is effective upon Commission receipt of the filing. At any time within 60 days of the filing of the proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### **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 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-NYSEArca-2007-82 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-NYSEArca-2007-82. 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, 100 F. Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of NYSE Arca. 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-NYSEArca-2007-82 and should be submitted on or before September 18, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E7-16908 Filed 8-27-07; 8:45 am]

**BILLING CODE 8010-01-P**

## **SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-56300; File No. SR-NYSEArca-2007-63; SR-NYSEArca-2007-64]

### **Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by NYSE Arca, Inc. Relating to Conforming Amendments Involving the Deletion of Rule 10a-1 Under the Securities Exchange Act of 1934**

August 22, 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 June 29, 2007, NYSE Arca, Inc. (the "Exchange"), through its wholly owned subsidiary NYSE Arca Equities, Inc. ("NYSE Arca Equities"), filed with the Securities and Exchange Commission (the "Commission") the proposed rule changes as described in Items I and II

<sup>9</sup> 15 U.S.C. 78f(b).

<sup>10</sup> 15 U.S.C. 78f(b)(4).

<sup>11</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>12</sup> 17 CFR 240.19b-4(f)(2).

<sup>13</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.

below, which Items have been prepared by the Exchange. The Exchange filed the proposals as “non-controversial” rule changes under Rule 19b-4(f)(6) under the Act,<sup>3</sup> which rendered the proposals effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule changes from interested persons.

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

#### **A. NYSE Arca Equities Rule 4.5(e), Rule 7.16, Rule 7.18, and Rule 7.37**

The Exchange proposes to make certain conforming amendments to NYSE Arca Equities Rule 4.5(e), Rule 7.16, Rule 7.18, and Rule 7.37 to address the impending deletion of Rule 10a-1 under the Securities Exchange Act of 1934. These conforming “housekeeping” changes will replace references to Rule 10a-1 and, where appropriate, add references to relevant rules in Regulation SHO. The text of the proposed rule change is available at the Exchange, on the Exchange's Web site at <http://www.nyse.com>, and at the Commission's Public Reference Room.

#### **B. NYSE Arca Rule 4.5(f) and Rule 11.8**

The Exchange also proposes to make certain conforming amendments to NYSE Arca Rule 4.5(f) and Rule 11.8 to address the impending deletion of Rule 10a-1 under the Act. These conforming “housekeeping” changes will replace references to Rule 10a-1 and, where appropriate, add references to relevant rules in Regulation SHO. The text of the proposed rule change is available at the Exchange, on the Exchange's Web site at <http://www.nyse.com>, and at the Commission.

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

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of and basis for the proposed rule changes and discussed any comments it received on the proposed rule changes. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization 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 Changes**

##### **1. Purpose**

##### **a. NYSE Arca Equities Rule 4.5(e), Rule 7.16, Rule 7.18, and Rule 7.37**

On June 28, 2007, the SEC released final rules deleting the price test of Rule 10a-1 and amending Regulation SHO to prohibit any SRO from having a price test in place. The Exchange proposes to make certain conforming amendments to NYSE Arca Equities Rule 4.5(e), Rule 7.16, Rule 7.18, and Rule 7.37 to address the deletion of Rule 10a-1. This rule filing proposes to delete the Exchange's current price test restrictions and remove requirements relating to marking sell orders “exempt” based on exceptions set forth in Rule 10a-1. In addition, other conforming and “housekeeping” changes are also proposed to replace references to Rule 10a-1 in certain Exchange rules and, where appropriate, add references to relevant rules in Regulation SHO.

##### **b. NYSE Arca Rule 4.5(f) and Rule 11.8**

On June 28, 2007, the SEC released final rules deleting the price test of Rule 10a-1 and amending Regulation SHO to prohibit any SRO from having a price test in place. The Exchange proposes to make certain conforming amendments to NYSE Arca Rule 4.5(f) and Rule 11.8 to address the deletion of Rule 10a-1. This rule filing proposes to delete the Exchange's current price test restrictions and remove requirements relating to marking sell orders “exempt” based on exceptions set forth in Rule 10a-1. In addition, other conforming and “housekeeping” changes are also proposed to replace references to Rule 10a-1 in certain Exchange rules and, where appropriate, add references to relevant rules in Regulation SHO.

##### **2. Statutory Basis**

The Exchange believes the proposed rule changes are consistent with section 6(b) of the Act<sup>4</sup> in general and further the objectives of section 6(b)(5)<sup>5</sup> in particular in that they are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principals of trade, to foster cooperation and coordination with persons engaged in facilitating transactions in securities, and to remove impediments to and perfect the mechanism of a free and open market and a national market system.

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

The Exchange does not believe that the proposed rule changes will 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 Changes Received From Members, Participants or Others**

Written comments on the proposed rule changes were neither solicited nor received.

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

The foregoing proposed rule changes have become effective upon filing pursuant to section 19(b)(3)(A) of the Act<sup>6</sup> and Rule 19b-4(f)(6)<sup>7</sup> thereunder because they do not (i) Significantly affect the protection of investors or the public interest, (ii) impose any significant burden on competition, and (iii) become operative within 30 days after the date of the filing.

The Exchange has asked the Commission to waive the 30-day operative delay. The Commission believes such waiver is consistent with the protection of investors and the public interest because it would allow the proposed rule changes to be effective on July 6, 2007, the compliance date for the amendments to Rule 10a-1 and Regulation SHO.<sup>8</sup> For this reason, the Commission designates the proposals to be operative upon filing with the Commission.

At any time within 60 days of the filing of the proposed rule changes, the Commission may summarily abrogate such rule changes if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

### **IV. Solicitation of Comments**

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

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 19b-4(f)(6).

<sup>8</sup> For purposes only of waiving the 30-day pre-operative period, the Commission has considered the impact of the proposed rule changes on efficiency, competition and capital formation. 15 U.S.C. 78c(f).

<sup>3</sup> 17 CFR 240.19b-4(f)(6).

<sup>4</sup> 15 U.S.C. 78f(b).

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

*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 No. SR-NYSEArca-2007-63 or SR-NYSEArca-2007-64 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.

All submissions should refer to File No. SR-NYSEArca-2007-63 or SR-NYSEArca-2007-64. The 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 changes that are filed with the Commission, and all written communications relating to the proposed rule changes 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, 100 F Street, NE., Washington, DC 20549 on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal offices of the Exchange. 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 No. SR-NYSEArca-2007-63 or SR-NYSE-2007-64 and should be submitted on or before September 18, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7-16957 Filed 8-27-07; 8:45 am]

**BILLING CODE 8010-01-P**

**SMALL BUSINESS ADMINISTRATION****Data Collection Available for Public Comments and Recommendations**

**ACTION:** Notice and request for comments.

**SUMMARY:** In accordance with the Paperwork Reduction Act of 1995, this notice announces the Small Business Administration's intentions to request approval on a new and/or currently approved information collection.

**DATES:** Submit comments on or before October 29, 2007.

**ADDRESSES:** Send all comments regarding whether this information collection is necessary for the proper performance of the function of the agency, whether the burden estimates are accurate, and if there are ways to minimize the estimated burden and enhance the quality of the collection, to Gail Hepler, Chief 7a Loan Policy Branch, Office of Financial Assistance, Small Business Administration, 409 3rd Street, SW., Suite 8300, Washington, DC 20416.

**FOR FURTHER INFORMATION CONTACT:** Gail Hepler, Chief 7a Loan Policy Branch, Office of Financial Assistance, 202-205-7530, [gail.hepler@sba.gov](mailto:gail.hepler@sba.gov); Curtis B. Rich, Management Analyst, 202-205-7030, [curtis.rich@sba.gov](mailto:curtis.rich@sba.gov).

**SUPPLEMENTARY INFORMATION:** The SBA has continued to hear from many lenders, particularly rural/small lenders, that despite recent efforts to streamline its loan processes through such initiatives as SBAExpress, the Agency is not meeting the needs of these lenders for small SBA guaranteed loans. This is supported by the limited number of SBA loans produced by smaller lenders. As a result, SBA is moving forward to redesign its standard 7(a) loan application form and re-engineer its standard 7(a) loan process for loans of \$350,000 or less, which will be processed through a centralized and highly automated and streamlined loan facility. The proposed information collection thus represents the first phase of the redesign of an existing SBA loan form (SBA Form 4 and Form 4-I), initially for loans of \$350,000, with the redesign intended to reduce the time and paperwork of lenders and the public to prepare an SBA loan application. This redesign of the SBA loan application process for loans of \$350,000 or less will be the first phase of what ultimately will become a tiered loan application process that will require less information for smaller loans but appropriately more information from a borrower or lender

as the size and/or complexity of a loan increases.

**Title:** "Application for Community Lender Initiative and Instructions Community Lender Initiative Eligibility Questionnaire."

**Description of Respondents:** SBA Lenders and SBA loan applicants.

**Form No.'s:** N/A.

**Annual Responses:** 4,000.

**Annual Burden:** 24,000.

**Jacqueline White,**

*Chief, Administrative Information Branch.*

[FR Doc. E7-16939 Filed 8-27-07; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION****Disaster Declaration # 10989 and # 10990; Pennsylvania Disaster # PA-00011**

**AGENCY:** U.S. Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the Commonwealth of Pennsylvania dated 08/21/2007.

**Incident:** Severe Storms And Flooding  
**Incident Period:** 08/06/2007 through 08/09/2007.

**Effective Date:** 08/21/2007.

**Physical Loan Application Deadline Date:** 10/22/2007.

**Economic Injury (EIDL) Loan Application Deadline Date:** 05/21/2008.

**ADDRESSES:** Submit Completed Loan Applications to: U.S. Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

**Primary Counties:**

Allegheny, Westmoreland

**Contiguous Counties:**

Pennsylvania, Armstrong, Beaver, Butler, Cambria, Fayette, Indiana, Somerset, Washington

The Interest Rates are:

<sup>9</sup> 17 CFR 200.30-3(a)(12).