affirmed confirmations which should not be settled and allows the records of trades to reflect the transactions more accurately.

(B) Self-Regulatory Organization's Statement on Burden on Competition

DTC 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

No comments on the proposed rule change were solicited or received.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) [5] of the Act and pursuant to Rule 19b–4(e)(4) [6] promulgated thereunder because the proposal effects a change in an existing service of a registered clearing agency that does not adversely affect the safeguarding of securities or funds in the custody or control of the clearing agency or for which it is responsible and does not significantly affect the respective rights or obligations of DTC or persons using the service. At any time within sixty days of the filing of such 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, NW., Washington, DC 20549. 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 Section, 450 Fifth Street, NW., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of DTC. All submissions should refer to File No. SR–DTC–98–20 and should be submitted by January 3, 1999.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[7]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–33133 Filed 12–14–98; 8:45 am]

BILLING CODE 8010–01–M

[5] 15 U.S.C. 78s(b)(3)(A)(iii).

[6] 17 CFR 240.19b–4(e)(4).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–40750; File No. SR–Phlx–98–54]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval to Proposed Rule Change by the Philadelphia Stock Exchange, Inc. Instituting a One-Year Pilot Program to Return Phlx Dell Options to Trading on the Phlx Options Trading Floor Using Amex Technology

December 4, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act''),[1] and Rule 19b–4 thereunder,[2] notice is hereby given that on December 2, 1998, the Philadelphia Stock Exchange, Inc. (''Phlx'' or ''Exchange'') filed with the Securities and Exchange Commission (''SEC'' or ''Commission'') the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. On December 4, 1998, the Exchange submitted Amendment No. 1 to the proposed rule change.[3] The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons and to grant accelerated approval to the proposal.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] *See* letter from Edith Hallahan, Deputy General Counsel, Phlx, to Michael Walinskas, Deputy Associate Director, Commission, dated December 3, 1998 (''Amendment No. 1''). In Amendment No. 1, the Exchange proposes Commentaries to Phlx Rules 1051–1055 to accommodate the use of Amex technology to trade Phlx Dell options. The remaining substance of Amendment No. 1 is incorporated into this notice and order granting accelerated approval.

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

The Phlx proposes to institute a one-year pilot program to return Phlx Dell options to the Phlx trading floor from the American Stock Exchange, L.L.C. (''Amex'') trading floor using Amex technology on or about December 7, 1998. Amex technology would be used to enter, execute and process transactions on the Phlx trading floor in Phlx Dell options. Despite the use of Amex technology, the Phlx will continue to be responsible for surveillance of Phlx Dell options and Phlx transaction charges will continue to apply. Phlx rules will also continue to apply, except as outlined below.

The Exchange notes that operational functions respecting these options will be handled by Amex systems, including quotation processing, booking orders, transaction processing, trade correction, and submission to clearing through The Options Clearing Corporation (''OCC'').

The Exchange has re-addressed the application of certain Phlx rules that are impacted by Amex technology, determining that the following Phlx rules, as discussed below, would not apply or would require modification or interpretation: 1051, 1052, 1053, 1054, 1055, and 1080.

The text of the proposed rule change is available at the Office of the Secretary, Phlx and at the Commission.

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 Exchange 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 III below. The Exchange 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

The purpose of the proposed rule change is to trade Phlx Dell options on the Phlx trading floor using Amex technology on a pilot basis for one-year. In addition, the Phlx proposes the ability to switch back from Amex to Phlx technology, with certain notification.

Background. On June 12, 1998, the Phlx received Commission approval to relocate Phlx Dell options to the Amex trading floor on a temporary basis.[4] As part of the relocation, Amex trading systems and technology are currently used on the Amex trading floor for automated order entry and execution, quotation processing, booking orders, transaction processing, trade correction, and clearing through OCC. The relocation proposal expires on December 12, 1998.

Since the relocation in June, trading in Phlx Dell options has significantly increased.[5] The Exchange believes that the increase in volume is due in part to the perception among order flow providers that efficient customer order entry and executions have resulted from Amex systems. Thus, the Exchange proposes to continue to use Amex technology upon the return of Phlx Dell options to the Phlx trading floor. The Exchange believes that continuing to use Amex systems may limit customer confusion as well as continue to provide efficient order entry and executions, based upon the experience in trading Phlx Dell options on the Amex.

The Exchange continues to implement technological improvements to its AUTOM[6] System, such as upgrading the features of its electronic limit order book, the X–Station. Specifically, the Exchange is in the process of implementing the X–Station on a floor-wide basis, featuring improved cancellation order processing.[7] The Phlx continues to believes that its improvements are benefiting AUTOM users. In addition, the Exchange intends to implement other system enhancements, such as the inclusion of market data on the X–Station and an alert for quote throughs. The Phlx also remains committed to continuing to address AUTOM users, including a focus on active options such as Dell. Despite the return of Phlx Dell options to the Phlx trading floor using Amex technology, all other Phlx options will continue to trade using Phlx technology, including the AUTOM System.

Phlx Option. Because Phlx Dell options will be processed and cleared through Amex systems, a quotation in Phlx Dell options located on the Phlx will still appear as an Amex quote. For instance, vendor systems may indicate that Dell is an ''Amex'' option. Further, Phlx Dell options trades will appear in market data systems as Amex trades and may be cleared with other Amex trades. Accordingly, trades cleared by OCC may have Amex identifier codes on certain OCC reports. Nevertheless, Dell continues to be a Phlx option.[8] OCC has previously advised its members that Phlx Dell options are registered, listed and traded under the rules of Phlx.[9] Phlx Dell options volume will subsequently be attributed to the Phlx for various purposes, including the determination of Option Price Reporting Authority (''OPRA'') revenues.

Due to the use of Amex technology to trade Phlx Dell options, the Phlx represents that Amex will be responsible for reporting system outages as well as other system events pursuant to the Commission's Automation Review Policy (''ARP'') and related regulatory review requirements[10] Phlx also represents that Amex will also be responsible for communicating with its systems users regarding system outages and changes and other system-related events.

Amex Technology—Trade Processing. With respect to option trade processing, the Amex and Phlx systems operate differently, primarily because of the timing and method of submission of trade participant information. Phlx executions are reported as ''matched trades'' through the AUTOM System, including complete participant clearing information at the time of execution, for submission to OPRA. Also at that time, initial comparison has occurred.

Amex verification and reconciliation, on the other hand, takes places throughout the day[11] via the Intra-Day Clearing (''IDC'') system, separate from trade reporting functions. IDC provides an on-line, input-driven correction facility between member firms and the IDC system. IDC terminals are operational throughout the trading day. Members with a password have the ability to access uncompared, advisory, rejected, and force match option trades. The IDC system allows clearing information to be input during the trading day rather than at the time of execution, separating and reducing the amount of information inputted at the time of execution for trade reporting purposes.

As a result of these differences in trade processing by Amex systems, Phlx Rules 1051–1055 are affected. Rule 1051, *General Comparison and Clearance Rule*, provides that all Exchange options transactions shall be reported to the Exchange *at the time of execution for comparison of trade information at the specialist's post* and all compared transactions shall be cleared through the OCC. Proposed Commentary .01 will clarify that utilizing Amex technology for Phlx Dell options results in the submission of some, but not all, trade information at the specialist's post, as clearing and detailed participant information would follow via IDC.

Rule 1052, *Responsibility Of Clearing Options Member For Exchange Options Transactions*, places responsibility on clearing member organizations to clear *Exchange* options transactions. Proposed Commentary .01 will clarify that Phlx Dell options trading on Amex technology are ''Exchange'' transactions for this purpose as well.

Phlx Rules 1053, *Filing of Trade Information*, and 1054, *Verification Of Contracts and Reconciliation Of Uncompared Trades*, require certain trade information should be supplied or verified *at the time of execution*.[12] These rules also provide that such information should be in a form prescribed by the Exchange, and, respectively, in accordance with procedures established by the Exchange. The Phlx proposes that, with respect to an option trading using Amex

[4] *See* Securities Exchange Act Release No. 40088 (June 12, 1998), 63 FR 33426 (June 18, 1998) (''June Dell options order'').

[5] Volume has increased 66% since June from 38,418 contracts per day before the move to 50,615 contracts per day after the move. Recently, daily volume has exceeded 55,000 contracts.

[6] The Phlx Automated Options Market (AUTOM) System is the Exchange's electronic order delivery system, which provides automatic entry and routing of option orders to the Exchange trading floor, pursuant to Phlx Rule 1080.

[7] The Exchange notes that improved cancel-replace order processing was perceived as one reason to relocate Phlx Dell options to the Amex.

[8] The Exchange intends to seek interpretative relief from Commission Rule 10b–10 that representing that an options transaction took place on the Amex does not constitute a false statement by the broker-dealer issuing the transaction confirmation.

[9] Phlx Dell options are currently registered by OCC as securities listed on Phlx via a Form 8 amendment under the Act. Trading Phlx Dell options using Amex technology in no way suggests that these options are listed on the Amex.

[10] *See* Securities Exchange Act Release Nos. 27445 (Nov. 16, 1989), 54 FR 48703 (Nov. 24, 1989); and 29185 (May 9, 1991), 56 FR 22490 (May 15, 1991). ARP I and ARP II are Commission policy statements that provide guidelines for the review and assessment of information technology resources and supporting trading and information dissemination systems.

[11] The Exchange notes that this pertains to manually executed orders, such as trades between two Registered Options Traders (''ROTs'') or trades manually executed by a floor broker. Orders executed through Amex's Auto-Ex system or by the specialist through Amex Options Display Book, however, are automatically entered upon execution into the IDC system as a compared traded similar to Phlx trades. *See* Amendment No. 1, *supra* note 3.

[12] Phlx Option Floor Procedure Advice F–2 will apply to Phlx Dell options trading using Amex technology, such that it is the duty of the largest participant to report the trade. In the event that there is only one buyer and seller, the seller is required to report the trade.

technology, some trade information (such as clearing and participant information) need not be reported at the time of execution at the specialist post and that these are Exchange transactions for the purposes of Rule 1053 and 1054.

Phlx Rule 1055, *Reporting Of Compared Trades To Options Clearing Corporation,* will continue to apply to Dell options as it requires the Exchange to furnish OCC with a report of all compared trades based on a comparison service performed by the Exchange on that day, which will incorporate the IDC system described above. Proposed Commentary .01 stats that Amex technology shall furnish the report and perform the comparison service referred to in this Rule. In addition, the proposal deletes a reference to Rule 1075 [13] in Rule 1055.[14]

Amex Technology—Automated Order Entry and Execution. Amex technology [15] regarding automated options order routing occurs through the Common Message Switch (''CMS'').[16] The Exchange shall provide prior written notice to the Exchange membership describing key elements of Amex technology and the resulting order routing implications. With respect to contra-side participation for automatically executed trades, Amex's Auto-Ex feature rotates among trading crowd participants (specialists and ROTs) separately for puts and calls, which differs from the single '''Wheel'' for each option in the AUTOM system. Thus, the Wheel provision of Phlx Rule 1080 and Floor Procedure Advice F–24 cannot apply.

Pursuant to Advice F–24(e), the Phlx assigns contra party participation on the Wheel by assigning a certain number of contracts to each participant signed onto the Wheel per each order. Whereas the Amex Auto-Ex system distributes the entire order on a rotational basis to each participant. In addition, the rotation among participants is different, as specialist participation on the Phlx Wheel, as enumerated in Advice F–24, depends upon the Auto-Ex guarantee in that option. This aspect of Advice F–24(e) will not apply to Phlx Dell options.

Liability.

With respect to the liability provisions of Phlx By-Law Article XII, Section 12–11 as well as other liability-related provisions in Amex rules,[17] the use of the facilities clearly includes Phlx Dell options trading on the Phlx, despite the use of Amex technology. Thus, non-liability for damages sustained by a member or member organization growing out of the use by such member organization of the facilities afforded by the Exchange for the conduct of their business should be extended to Amex systems. In trading Phlx Dell options using Amex technology, the Phlx, its members, member organizations and employees shall accept the same limitations on the liability of Amex, as provided in the Amex Constitution and Rules with respect to the use of Amex technology systems for the conduct of business, as such limitations apply to any Amex member, member organization or employee thereof.[18]

Other Phlx rule implications. Phlx Dell options will continue to be traded under Phlx rules, including minimum trading increments, strike price intervals, and position and exercise limits. Phlx Rule 1080 and Floor Procedure Advice F–24, regarding contra-side participation continue to apply to automated orders, to the extent its provisions conform to Amex technology and except as otherwise described herein. For instance, Amex parameters will apply regarding the maximum order size eligible for electronic delivery.[19]

Survelliance. although Phlx Dell options continue to be Phlx options, utilizing Amex technology necessitates that surveillance data be generated by the Amex and submitted to the Phlx on a next-day basis. The Phlx incorporates such data into its existing surveillance procedures and generates similar surveillance reports respecting Phlx Dell options. Certain surveillance data, such as block trades, may be forwarded to the Phlx in the form of reports depending upon technical and operational factors, and such data would then be incorporated into Phlx surveillance procedures. Other than the reliance on Amex for data and large block trade reports, surveillance of Phlx Dell options will remain the responsibility of Phlx.

Transaction Fees. Phlx transaction fees will continue to apply to Phlx Dell options, thus, Phlx will be responsible for transaction fee billing and collection in accordance with such Phlx procedures. The Phlx anticipates that fees to the Phlx respecting Amex systems use will be determined by an agreement with the Amex. Similar to surveillance matters, data-sharing will be necessary in order for all such billing to be complete.

Deputization of Amex floor brokers. When Phlx Dell options temporarily relocated to the Amex trading floor, another method for order entry was through a deputized Amex floor broker. Deputization involved a waiver of compliance with Phlx's rules governing floor brokers and the requirements for membership. However, with the return of Phlx Dell options to the Phlx trading floor, such deputization is no longer necessary; Phlx floor brokers will resume providing this additional method of order entry.

Notification. Prior to the return of Phlx Dell options to the Phlx trading floor, the Exchange will also notify all member firms of the change in trading location, emphasizing the continuation of Amex technology. The Exchange has conducted training sessions for floor personnel regarding Amex systems. As stated above, the Exchange will also distribute memoranda regarding the differences in trade reporting and pre-clearing procedures between the Phlx Dell options trading on Amex technology and the Phlx options trading on Phlx technology throughout the Phlx trading floor. Because Phlx Dell options will continue to be traded using Amex technology, the larger system and order routing changes that were required upon initial relocation to the Amex in June should not result. Nevertheless, the Exchange plans to notify its members, as well OCC, of the return to the Phlx trading floor.

The Exchange believes that using Amex systems for Phlx Dell options on the Phlx trading floor should provide consistency for members and investors as well as a continuation of efficient order execution. The Phlx also continues to improve upon its own technology for the remainder of the Phlx options floor, as discussed above. Termination of its technology arrangement with Amex, formal or informal, or the inability of Amex technology to function properly, as reasonably determined by the Exchange, would warrant a switch to Phlx technology. The Exchange would

[13] The Commission notes that Phlx does not currently have a Rule 1075. As such, the deletion of this reference from Rule 1055 is not a substantive change.

[14] See Amendment No. 1, *supra* note 3.

[15] This is not intended to be a complete description of Amex technology regarding automated options order routing. This limited description is provided merely to identify the impact of trading Phlx Dell options using Amex technology on Phlx rules.

[16] The proposed rule change to temporarily relocate Phlx Dell options to the Amex referred to the Amex Order File and related sub-systems such as the Amex Options Display Book (''AODB''), Touch Order Entry Terminal (''TOETS''), and Auto-ex.

[17] *See also* Phlx Rule 1080(e)

[18] In the proposal, the Phlx codifies the limitation of Amex liability to Phlx members in proposed Commentary .03 to Phlx Rule 1080. Proposed Commentary .03 also provides that Phlx members may not copy, modify, disclose, damage, improve or create derivative works from, sublease, assign or in any other way permit use by any other third party of such Amex technology. *See* Amendment No. 1, *supra* note 3.

[19] Currently, such maximum size is 50 contracts.

provide prior written notice to the Commission, Phlx members, OCC and the Amex should such a switch be necessary.

2. Statutory Basis

For the reasons discussed above, the Exchange believes that the proposed rule change is consistent with Section 6 of the Act in general, and in particular, with Section 6(b)(5),[20] in that it is designed to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, to remove impediments to and perfect the mechanism of a free and open market and a national market system, as well as to protect investors and the public interest by maintaining consistency in the order entry and execution for Phlx Dell options trading on the Phlx.

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

The Exchange does not believe that the proposed rule change will impose any inappropriate burden on competition.

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

No written comments were either solicited or received.

III. 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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 at the Commission's Public Reference Room. Copies of such filing will also be available for inspection and copying at the principal office of the Exchange. All submissions should refer to File No. SR–Phlx–98–54 and should be submitted by January 5, 1999.

IV. Commission's Findings and Order Granting Accelerated Approval of the Proposed Rule Change

The Commission finds that Phlx's proposal to institute a one-year pilot program to trade Phlx Dell options on the Phlx trading floor using Amex technology is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange. Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5)[21] in that the arrangement between Phlx and Amex fosters cooperation and coordination with persons engaged in regulation, clearing, settling, processing information with respect to, and facilitating transactions in securities.[22]

With respect to the proposed Commentaries to Exchange Rules 1051–1055, the Commission believes that the proposed rule changes are reasonable and consistent with the Act as a temporary measure to conform Phlx rules with the use of Amex technology. Although the Commission believes that the proposed rule changes are necessary to allow Phlx Dell options to be traded on the Phlx trading floor using Amex technology, the Commission has concerns regarding a number of aspects of the proposal. The Commission recognizes that importing Amex technology to the Phlx is critical to the Phlx being able to properly handle trading of Dell options on their trading floor. We observe that the technology being used has not been tailored to permit trading of Dell options in a manner that would be consistent with existing Phlx rules.[23] As noted above, the Exchange is committed to implementing technological improvements to its current electronic systems including its electronic limit order book, the X-Station.[24] The Commission expects that the Exchange will endeavor to continue to improve its technology to enable Phlx Dell options to trade on Phlx in a manner consistent with existing Phlx Rules. The Commission believes that the existing proposal is not a desirable long-term solution for trading Phlx Dell options. The trading processing requirements and Wheel assignment rules applicable to Phlx-traded Dell options are being utilized out of necessity rather than by choice—they are embedded in the Amex technology that Phlx believes is necessary in order to maintain fair and orderly markets in Phlx Dell options.

In the filing, Phlx also proposed an amendment to Rule 1080, disclaiming Amex's liability to Phlx members for damages growing out of the use and enjoyment of Amex's technology and imposing liability on Phlx members for the misuse or damage of the Amex technology. In the June Dell options order, the Commission approved an interpretation of Phlx By-Law Article XII, Section 12–11, which disclaims Phlx's liability to Phlx members for damages growing out of the use and enjoyment of Phlx's facilities, extending that limitation of liability to the Amex.[25] The Commission continues to believe that this limitation of liability of the Amex[26] to Phlx members growing out of the use and enjoyment of the Amex technology is reasonable and consistent with the Act. This Commentary to Rule 1080 merely codifies the currently existing understanding between Phlx members and the Amex as stated in the June Dell options order.

In the proposal, the Exchange represents that the Amex will be responsible for reporting system outages as well as other systems events pursuant to the Commission's ARP policy and related regulatory review requirements.[27] The Commission agrees that, because Amex technology is being used, the Amex may be in the best position to report system outages and other system events. Nonetheless, the Exchange is ultimately responsible for ensuring that such outages and system events are reported to the Commission.

Finally, the Commission notes that, to minimize investor confusion in the trading of Phlx Dell options, Phlx has stated that it will provide adequate notice to its members to ensure that they and the investing public are aware that Phlx Dell options are listed, traded, and supervised according to Phlx rules, but are to be traded using Amex technology on the Phlx trading floor.

The Commission finds good cause for approving the proposed rule change prior to the thirtieth day after the date of publication of notice thereof in the

[20] 15 U.S.C. 78f(b)(5).

[21] 15 U.S.C. 78f(b)(5).

[22] In approving this rule, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

[23] *See supra* Section II—*Amex Technology—Trade Processing.*

[24] *See supra* Section II—*Background.*

[25] *See* June Phlx Dell options order, *supra* note 4.

[26] The Commission notes that, in the June Phlx Dell options order, the limitation of liability only involved the Amex where in this filing, the limitation of liability includes the National Association of Securities Dealers, Inc. (''NASD''). This is due to the recent merger of the Amex and the NASD.

[27] *See supra* Section II—*Phlx Option.*

Federal Register. Granting accelerated approval to the proposal will enable the Exchange to return Phlx Dell options to the Phlx options trading floor prior to the expiration of the Phlx Dell options order. Accordingly, the Commission believes that good cause exists, consistent with Section 6(b)(5) and Section 19(b)(2) of the Act, to grant accelerated approval to the proposed rule change.[28]

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,[29] that the proposed one-year pilot program (SR–Phlx–98–54) is approved on an accelerated basis through December 6, 1999.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[30]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–33136 Filed 12–14–98; 8:45 am]

BILLING CODE 8010–01–M

[28] 15 U.S.C. 78f(b)(5) and 78s(b)(2).

[29] 15 U.S.C. 78s(b)(2).

[30] 17 CFR 200.30–3(a)(12).

SMALL BUSINESS ADMINISTRATION

Region I Advisory Council Meeting; Public Meeting

The U.S. Small Business Administration Region I Advisory Council, located in the geographical area of Hartford, Connecticut will hold a public meeting at 8:30 A.M. on Monday, January 11, 1999, at the Hartford District Office, 330 Main Street, Hartford Connecticut 06106 to discuss such matters as may be presented by members and staff of the U.S. Small Business Administration, or others present.

For further information contact: Ms. Marie Record, District, U.S. Small Business Administration, 330 Main Street, Hartford, Connecticut, telephone (860) 240–4700.

Shirl Thomas,

Director, Office of External Affairs.

[FR Doc. 98–33189 Filed 12–14–98; 8:45 am]

BILLING CODE 8025–01–P

SMALL BUSINESS ADMINISTRATION

Wisconsin State Advisory Council; Public Meeting

The U.S. Small Business Administration Wisconsin State Advisory Council, located in the geographical area of Milwaukee, Wisconsin, will hold a public meeting from 12:00 p.m. to 1:00 p.m. December 17, 1998 at Metro Milwaukee Area Chamber (MMAC) Association of Commerce Building; 756 North Milwaukee Street, Fourth Floor, Milwaukee, Wisconsin to discuss such matters as may be presented by members, staff of the U.S. Small Business Administration, or others present.

For further information contact: Yolanda Lassiter, U.S. Small Business Administration, 310 West Wisconsin Avenue, Milwaukee, Wisconsin 53203; (414) 297–1092.

Shirl Thomas,

Director, Office of External Affairs.

[FR Doc. 98–33190 Filed 12–14–98; 8:45 am]

BILLING CODE 8025–01–P

DEPARTMENT OF TRANSPORTATION

OFFICE OF THE SECRETARY

Aviation Proceedings, Agreements Filed During the Week Ending December 4, 1998

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST–98–4827
Date Filed: December 1, 1998
Parties: Members of the International Air Transport Association
Subject:
COMP Telex Mail Vote 979
Reso 024j—Special Construction Rules on Seasonality & Day-of-Week Conditions
Intended effective date: January 1, 1999.

Docket Number: OST–98–4828
Date Filed: December 1, 1998
Parties: Members of the International Air Transport Association
Subject:
(1) PTC2 Telex Mail Vote 977
Within Europe Reso 017hh r1
(2) PTC3 Telex Mail Vote 976
Japan-China Reso 010z r2
Intended effective date:
(1) January 1, 1999
(2) December 7, 1998.

Docket Number: OST–98–4829
Date Filed: December 1, 1998
Parties: Members of the International Air Transport Association
Subject:
COMP Telex Mail Vote 969
Special Cargo Amending Reso (except to/from U.S.)
Amendments to Mail Vote & Summary
Intended effective date: February 1, 1999.

Docket Number: OST–98–4834
Date Filed: December 1, 1998
Parties: Members of the International Air Transport Association
Subject:
COMP Cargo Telex Mail Vote 970
Cargo Reso 010LL
Intended effective date: February 1, 1999.

Docket Number: OST–98–4851
Date Filed: December 3, 1998
Parties: Members of the International Air Transport Association
Subject:
CTC COMP 0101 dated May 19, 1998
Composite Cargo Resolutions r1-518 r2-595 r3-597
Economic Justifications from: American, Delta, Federal Express, and United
Intended effective date: October 1, 1998

Dorothy W. Walker,

Federal Register Liaison.

[FR Doc. 98–33160 Filed 12–14–98; 8:45 am]

BILLING CODE 4910–62–P

DEPARTMENT OF TRANSPORTATION

Office of The Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending December 4, 1998

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST–98–4838.
Date Filed: December 2, 1998.
Due Date for Answers, Conforming Applications, or Motions to Modify Scope: December 30, 1998.

Description: Application of Puerto Rico Airways Corp. d/b/a Puerto Rico Airways pursuant to 49 U.S.C. Section 41102, applies for a certificate of public convenience and necessity authorizing interstate scheduled air transportation of persons, property and mail between any point in any state in the United States or the District of Columbia, or any