

June 5, 1997 Commission Notice and Order of Filing of Appeal.  
 June 27, 1997 Last day of filing of petitions to intervene [see 39 CFR § 3001.111(b)].  
 July 7, 1997 Petitioners' Participant Statement or Initial Brief [see 39 CFR § 3001.115 (a) and (b)].  
 July 28, 1997 Postal Service's Answering Brief [see 39 CFR § 3001.115(c)].  
 August 12, 1997 Petitioners' Reply Brief should Petitioner choose to file one [see 39 CFR § 3001.115(d)].  
 August 19, 1997 Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR § 3001.116].  
 September 30, 1997 Expiration of the Commission's 120-day decisional schedule [see 39 U.S.C. § 404(b)(5)].  
 [FR Doc. 97-15384 Filed 6-11-97; 8:45 am]  
 BILLING CODE 7710-FW-P

## POSTAL RATE COMMISSION

[Docket No. A97-24]

### Kinross, Iowa 52250 (Steve Miller, et al., Petitioners) Notice and Order Accepting Appeal and Establishing Procedural Schedule Under 39 U.S.C. § 404(b)(5)

Issued June 5, 1997.

Before Commissioners:

Edward J. Gleiman, Chairman;  
 H. Edward Quick, Jr., Vice-Chairman;  
 George W. Haley; W.H. "Trey" LeBlanc III

*Docket Number:* A97-24.

*Name of Affected Post Office:* Kinross, Iowa 52250.

*Name(s) of Petitioner(s):* Steve Miller, et al.

*Type of Determination:* Closing.

*Date of Filing of Appeal Papers:* June 2, 1997.

*Categories of Issues Apparently Raised:*

1. Effect on the community [39 U.S.C. § 404(b)(2)(A)].
2. Effect on postal services [39 U.S.C. § 404(b)(2)(C)].

After the Postal Service files the administrative record and the Commission reviews it, the Commission may find that there are more legal issues than those set forth above. Or, the Commission may find that the Postal Service's determination disposes of one or more of those issues.

The Postal Reorganization Act requires that the Commission issue its decision within 120 days from the date this appeal was filed (39 U.S.C. § 404 (b)(5)). In the interest of expedition, in light of the 120-day decision schedule, the Commission may request the Postal Service to submit memoranda of law on any appropriate issue. If requested, such memoranda will be due 20 days from

the issuance of the request and the Postal Service shall serve a copy of its memoranda on the petitioners. The Postal Service may incorporate by reference in its briefs or motions, any arguments presented in memoranda it previously filed in this docket. If necessary, the Commission also may ask petitioners or the Postal Service for more information.

The Commission orders:

(a) The Postal Service shall file the record in this appeal by June 17, 1997.

(b) The Secretary of the Postal Rate Commission shall publish this Notice and Order and Procedural Schedule in the **Federal Register**.

By the Commission,  
**Margaret P. Crenshaw,**  
*Secretary.*

## Appendix

June 2, 1997 Filing of Appeal letter.  
 June 5, 1997 Commission Notice and Order of Filing of Appeal.  
 June 27, 1997 Last day of filing of petitions to intervene [see 39 CFR § 3001.111(b)].  
 July 7, 1997 Petitioners' Participant Statement or Initial Brief [see 39 CFR § 3001.115 (a) and (b)].  
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 August 19, 1997 Deadline for motions by any party requesting oral argument. The Commission will schedule oral argument only when it is a necessary addition to the written filings [see 39 CFR § 3001.116].  
 September 30, 1997 Expiration of the Commission's 120-day decisional schedule [see 39 U.S.C. § 404(b)(5)].  
 [FR Doc. 97-15385 Filed 6-11-97; 8:45 am]  
 BILLING CODE 7710-FW-P

## RAILROAD RETIREMENT BOARD

### Sunshine Act Meeting; Notice of Public Meeting

Notice is hereby given that the Railroad Retirement Board will hold a meeting on June 18, 1997, 9:00 a.m., at the Board's meeting room on the 8th floor of its headquarters building, 844 North Rush Street, Chicago, Illinois, 60611. The agenda for this meeting follows:

*Portion open to the public:*

- (1) Field Office Closures—Washington, DC Office
- (2) Regulations—Part 211. Pay for Time Lost
- (3) Guide to Railroad Retirement and Survivor Benefits (Spanish-language edition), RRB Form RB-4a
- (4) Year 2000 Issues
- (5) Labor Member Truth in Budgeting Status Report

*Portion closed to the public:*

- (A) Finality of Annuity Certification (Thomas E. Rainey)
- (B) *Pending Board Appeals*
  1. Edward Janatsch
  2. Billy D. LeMay
  3. Barbara Rock
  4. Ruth S. Schlegel
  5. Mary Ann Stapleton
  6. Gerald C. Wassenberg
  7. Esther Wolt
  8. Debra Zimmerman for the estate of Frances E. Kissell
- (C) Reorganization—Administration Group

The person to contact for more information is Beatrice Ezerski, Secretary to the Board. Phone No. 312-751-4920.

Dated: June 9, 1997.

**Beatrice Ezerski,**

*Secretary to the Board.*

[FR Doc. 97-15511 Filed 6-10-97; 9:36 am]

BILLING CODE 7905-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-26725]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

June 6, 1997.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated thereunder. All interested persons are referred to the application(s) and/or declaration(s) for complete statements of the proposed transaction(s) summarized below. The application(s) and/or declaration(s) and any amendments thereto is/are available for public inspection through the Commission's Office of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by June 30 1997, to the Secretary, Securities and Exchange Commission, Washington, DC 20549, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed with the request. Any request for hearing shall identify specifically the issues of fact or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter.

After said date, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

**Central and South West Corporation et al. (70-8037)**

Central and South West Corporation ("CSW"), 1616 Woodall Rodgers Freeway, Dallas, Texas 75202, a registered holding company, and its wholly-owned electric utility subsidiary, Central Power and Light Company ("CP&L"), P.O. Box 2121, Corpus Christi, Texas 78403, have filed a post-effective amendment to their application-declaration under sections 9(a), 10 and 13(b) of the Act and rules 54, 88 and 100 thereunder.

In May 1992, CSW and CP&L entered into a settlement ("Settlement") with Houston Industries Incorporated, a holding company exempt under section 3(a)(1) from all provisions of the Act except section 9(a)(2), and its electric utility subsidiary company, Houston Lighting & Power Company ("HL&P"), in order to resolve a number of disputes between the two systems, including allegations by CP&L that HL&P breached its duties and obligations in its performance as project manager for the South Texas Project Electrical Generating Station ("STP"). By orders of the Commission, the Commission authorized CSW and CP&L to engage in various transactions related to the Settlement.<sup>1</sup> In the Original Order the Commission reserved jurisdiction over the applicants' proposal to form a new Texas nonprofit, nonstock, nonmember corporation under the Texas Non-Profit Corporation Act to replace HL&P as the project manager for STP, pending completion of the record. The applicants represent that the joint-owners have approved in substantially final form the structure of the new operating company for STP and the applicants now request authorization to form it.

The owners of STP are CP&L, HL&P, the City of San Antonio, Texas ("San Antonio"), acting by and through the City Public Service Board of San Antonio, and the city of Austin, Texas ("Austin").<sup>2</sup> The principal assets and properties of STP consist of two 1250 megawatt nuclear-fueled generating units, a plant site and common station facilities and a 400 foot-wide transmission corridor.

The Owners have previously entered into a participation agreement

("Participation Agreement") and their relationship is one of tenants-in-common with respect to the ownership and operation of STP for the production of electric energy and for the delivery of such energy to each Owner according to its respective ownership interest in STP: CP&L-25.2%, HL&P-30.8%, San Antonio-28% and Austin-16%. The electric energy obtained by each Owner is distributed and sold by that Owner within its own system.

At present, with the exception of CP&L, which is responsible for maintenance of the transmission corridor, HL&P serves as the sole project manager of STP. A management committee composed of one representative of each Owner makes all material decisions and determinations incident to the operation of STP as set forth in the Participation Agreement. The Participation Agreement, among other things, authorizes the management committee to remove HL&P as project manager by a vote of the parties representing a majority ownership interest.

To better assure a proportionate sharing of costs, liabilities and benefits associated with the operation of STP, the applicants state that the Owners have agreed to form STP Nuclear Operating Company ("OPCO"), a nonprofit, nonstock, nonmember Texas corporation, to operate STP by contract and assume HL&P's obligations to manage STP. The Owners propose to effect the substitution of OPCO for HL&P by entering into an Amended and Restated Participation Agreement ("Amended Participation Agreement")<sup>3</sup> and by entering into the South Texas Project Operating Agreement with OPCO ("Operating Agreement") pursuant to which OPCO will maintain and operate STP under the control and direction of the Owners, as provided in the Amended Participation Agreement. Specifically, OPCO would possess, use, maintain, repair, improve, operate, decontaminate and decommission STP<sup>4</sup> and provide or arrange to provide all labor, supervision, supplies, equipment and services for the operation, maintenance, repair, replacement, reconstruction, decontamination and decommissioning of STP in order to

deliver electricity generated by STP to the Owners.

In accordance with the Operating Agreement, OPCO will have no ownership interest in property or utility assets constituting STP, power generated by STP, revenues received from the sale of power generated by STP or fuel used by STP to generate power. OPCO's proposed constituent documents will not authorize it to engage in any business other than the business of operating STP, as provided in the Operating Agreement, or to engage in any for-profit activities. The Owners will bear the costs and expenses incurred by OPCO in operating STP in proportion to their respective ownership interests in STP and indemnify OPCO from any damage resulting from its performance under the Operating Agreement. OPCO will not receive a management fee or derive any profit from its operation of STP. The applicants propose to treat OPCO as a subsidiary service company governed by section 13(b) of the Act.

The applicants request Commission authorization to form OPCO and to replace HL&P with OPCO as project manager and operator of STP. Further, the applicants seek an exemption from the requirement that a Declaration on Form U-13-1 be filed incident to the formation of OPCO.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

**Margaret H. McFarland,**  
*Deputy Secretary.*

[FR Doc. 97-15406 Filed 6-11-97; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting; Agency Meeting

**FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT:** [62 FR 30911, June 5, 1997]

**STATUS:** Closed Meeting.

**PLACE:** 450 Fifth Street, NW., Washington, DC.

**DATE PREVIOUSLY ANNOUNCED:** June 5, 1997.

**CHANGE IN THE MEETING:** Deletion.

The following item will not be considered at the closed meeting scheduled for Wednesday, June 11, 1997:

Formal order of investigation.

Commissioner Wallman, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

<sup>1</sup> Holding Co. Act Release Nos. 25696 (Dec. 8, 1992) ("Original Order") and 25720 (Dec. 29, 1992).

<sup>2</sup> CP&L, HL&P, San Antonio and Austin are sometimes referred to herein individually as an "Owner" and collectively as "Owners".

<sup>3</sup> The applicants state that other than the replacement of HL&P by OPCO, the Amended Participation Agreement is not materially different from the Participation Agreement and, thus, should be characterized as a reorganization of the existing relationship among the Owners.

<sup>4</sup> Operation of certain transmission corridors and switch yards will remain under the control of HL&P or CP&L.