

withdraws that Notice and will be adopting new regulations in rulemaking.

**DATES:** Effective: April 9, 2002.

**ADDRESSES:** NASA Headquarters, Code BFZ, Washington, DC 20546.

**FOR FURTHER INFORMATION CONTACT:** Melvin Denwiddie, (202) 358-0983.

**Stephen J. Varholy,**

*Deputy Chief Financial Officer.*

[FR Doc. 02-8487 Filed 4-8-02; 8:45 am]

**BILLING CODE 7510-01-P**

## NUCLEAR REGULATORY COMMISSION

### Sunshine Act Meeting Notice

**DATE:** Weeks of April 8, 15, 22, 29, May 6, 13, 2002.

**PLACE:** Commissioners' Conference Room, 11555 Rockville Pike, Rockville, Maryland.

**STATUS:** Public and Closed.

**MATTERS TO BE CONSIDERED:**

#### Week of April 8, 2002

*Friday, April 12, 2002*

9:25 a.m. Affirmation Session (Public Meeting) (if needed)

#### Week of April 15, 2002—Tentative

There are no meetings scheduled for the Week of April 15, 2002.

#### Week of April 22, 2002—Tentative

There are no meetings scheduled for the Week of April 22, 2002.

#### Week of April 29, 2002—Tentative

*Tuesday, April 30, 2002*

9:30 a.m. Discussion of Intergovernmental Issues (Closed—Ex. 9)

*Wednesday, May 1, 2002*

8:55 a.m. Affirmation Session (Public Meeting) (if needed)

9 a.m. Briefing on Results of Agency Action Review Meeting—Reactors (Public Meeting) (Contact: Robert Pascarella, 301-415-1245)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

#### Week of May 6, 2002—Tentative

There are no meetings scheduled for the Week of May 6, 2002.

#### Week of May 13, 2002—Tentative

*Thursday, May 16, 2002*

9:25 a.m. Affirmation Session (Public Meeting) (if needed)

9:30 a.m. Meeting with World Association of Nuclear Operators (WANO) (Public Meeting)

This meeting will be webcast live at the Web address—[www.nrc.gov](http://www.nrc.gov).

2 p.m. Discussion of Intragovernmental Issues (Closed—Ex. 9)

The schedule for Commission meetings is subject to change on short notice. To verify the status of meetings call (recording)—(301) 415-1292. Contact person for more information: David Louis Gamberoni (301) 415-1651. **ADDITIONAL INFORMATION:** By a vote of 5-0 on April 2 and 3, the Commission determined pursuant to U.S.C. 552b(e) and § 9.107(a) of the Commission's rules that "Affirmation of (a) Duke Cogema Stone & Webster (Savannah River Mixed Oxide Fuel Fabrication Facility); Duke Cogema Stone & Webster's Petition for Interlocutory Review, (b) International Uranium (USA) Corp. White Mesa Uranium Mill Appeal of LBP-02-06 (MLA-11), and c) Private Fuel Storage (Independent Spent Fuel Storage Installation) Docket No. 72-22-ISFSI; Order responding to Utah's Suggestion of Lack of Jurisdiction' and Petition for Rulemaking under the Nuclear Waste Policy Act" be held on April 3, and on less than one week's notice to the public.

The NRC Commission Meeting Schedule can be found on the internet at: [www.nrc.gov/what-we-do/policy-making/schedule.html](http://www.nrc.gov/what-we-do/policy-making/schedule.html).

This notice is distributed by mail to several hundred subscribers; if you no longer wish to receive it, or would like to be added to the distribution, please contact the Office of the Secretary, Washington, DC 20555 (301-415-1969). In addition, distribution of this meeting notice over the Internet system is available. If you are interested in receiving this Commission meeting schedule electronically, please send an electronic message to [dkw@nrc.gov](mailto:dkw@nrc.gov).

Dated: April 14, 2002.

**David Louis Gamberoni,**

*Technical Coordinator, Office of the Secretary.*

[FR Doc. 02-8611 Filed 4-5-02; 10:19 am]

**BILLING CODE 7590-01-M**

## POSTAL RATE COMMISSION

### Briefing on OCA Study

**AGENCY:** Postal Rate Commission.

**ACTION:** Notice of briefing.

**SUMMARY:** The Commission's Office of the Consumer Advocate (OCA) will present a briefing on Tuesday, April 9, 2002, beginning at 11 a.m., in the Postal Rate Commission's hearing room. The briefing will address the OCA's recent

report on the quality of services the Postal Service provides to the public. The briefing is open to the public. The report is posted on the Commission's Web site ([www.prc.gov](http://www.prc.gov)). It can be accessed by selecting "Consumer Advocate" in the banner and selecting "OCA Papers" in the left-hand frame.

**DATES:** April 9, 2002.

**ADDRESSES:** Postal Rate Commission (hearing room), 1333 H Street NW., Washington, DC 20268-0001, suite 300.

**FOR FURTHER INFORMATION CONTACT:** Stephen L. Sharfman, general counsel, Postal Rate Commission, 202-789-6820.

**Steven W. Williams,**

*Secretary.*

[FR Doc. 02-8489 Filed 4-8-02; 8:45 am]

**BILLING CODE 7710-FW-M**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45685; File No. SR-NASD-2001-86]

### Self-Regulatory Organizations; Order Granting Approval of Proposed Rule Change by the National Association of Securities Dealers, Inc. Relating to Fees for Nasdaq Index Information

April 3, 2002.

On December 4, 2001, the National Association of Securities Dealers, Inc. ("NASD"), through its subsidiary, The Nasdaq Stock Market, Inc. ("Nasdaq"), filed with the Securities and Exchange Commission ("Commission"), 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> a proposed rule change to amend NASD Rule 7030 (Special Options) to increase the monthly fee charged to market data vendors for non-core, real-time information about Nasdaq indexes. Nasdaq established the fee in 1992 at \$500 per month. The proposed rule change would raise the fee to \$2,000 per month.

The proposed rule change was published for notice and comment in the **Federal Register** on March 1, 2002.<sup>3</sup> The Commission received no comments on the proposal. This order approves the proposed rule change.

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities

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

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

<sup>3</sup> See Securities Exchange Act Release No. 45472 (February 22, 2002), 67 FR 9489.

association<sup>4</sup> and, in particular, the requirements of Sections 15A(b)(5)<sup>5</sup> and (6)<sup>6</sup> of the Act. Section 15A(b)(5) requires the equitable allocation of reasonable fees and charges among members and other users of facilities operated or controlled by a national securities association. Section 15A(b)(6) requires rules that foster cooperation and coordination with persons engaged in facilitating transactions in securities and that are not designed to permit unfair discrimination between customers, issuers, brokers or dealers. The Commission received no comments on the proposed fee increase. The Commission believes that the fee is reasonable, given Nasdaq's representations regarding the 1,800% growth of Nasdaq trading volume, the increase in processing demands, and the increase in the subscriber audience since the fee's inception. The Commission believes that increasing the fee from \$500 per month to \$2,000 per month should not impede the widespread availability of the index information on a non-discriminatory basis.

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>7</sup> that the proposed rule change (SR-NASD-2001-86) be, and it hereby is, approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>8</sup>

**J. Lynn Taylor,**

*Assistant Secretary.*

[FR Doc. 02-8485 Filed 4-8-02; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-45684; File No. SR-NYSE-2001-45]

### Self-Regulatory Organizations; Notice of Filing and Order Granting Partial Accelerated Approval of Proposed Rule Change, Amendment No. 1, and Amendment No. 2 Thereto by the New York Stock Exchange, Inc. Instituting a Pilot Program Relating to Amendments to the Initial Listing Standards and Allocation Policy for Closed-End Management Investment Companies Registered Under the Investment Company Act of 1940

April 2, 2002.

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 October 29, 2001, the New York Stock Exchange, Inc. ("NYSE" 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 prepared by the Exchange. On March 14, 2002, the NYSE filed Amendment No. 1 to the proposed rule change with the Commission.<sup>3</sup> On April 1, 2002, the NYSE filed Amendment No. 2 to the proposed rule change with the Commission.<sup>4</sup> The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons and grant accelerated approval to the portion of the proposal instituting a pilot program relating to the listing eligibility criteria and allocation policy

for closed-end management investment companies registered under the Investment Company Act of 1940 ("pilot").

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

The NYSE proposes to implement a three-month pilot in respect of the following proposed rule change, as amended, while the Commission considers permanent approval of the proposal. The Exchange is proposing to amend Section 102.04 of the Exchange's Listed Company Manual ("Manual") regarding listing standards for closed-end management investment companies registered under the Investment Company Act of 1940 (hereinafter referred to as "funds" or "closed-end funds"). The Exchange is proposing to apply to all individual closed-end funds that desire to list on the Exchange the \$60 million public market value test currently used for funds applying in connection with their initial public offering.<sup>5</sup> In addition, the Exchange is proposing a standard under which a group of funds meeting certain specified requirements can be listed concurrently by a single "fund family," even if the group includes one or more funds with less than \$60 million in public market value. Finally the Exchange is proposing to amend its Allocation Policy and Procedures ("Allocation Policy") with respect to the specialist allocation of funds listed in such a fund family group.

The text of the proposed rule change is available at the NYSE 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 NYSE included statements concerning the purpose of and basis for the proposed rule change, as amended, and discussed any comments it received on the proposed rule change. The text of these statements may be examined at

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

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

<sup>3</sup> See letter from Darla C. Stuckey, Corporate Secretary, NYSE, to Nancy J. Sanow, Assistant Director, Division of Market Regulation ("Division"), Commission, dated March 12, 2002 ("Amendment No. 1"). In Amendment No. 1, the Exchange, in part, substituted the phrase "investment management company" for "fund family," provided a basis for the fund family standards, clarified the basis for establishing a fund group and the change in terminology in the listing standards from "net assets" to "market value of publicly-held shares," made conforming changes to the rule text, and further clarified its allocation policy for a group of closed-end funds.

<sup>4</sup> See letter from Darla C. Stuckey, Corporate Secretary, NYSE, to Nancy J. Sanow, Assistant Director, Division, Commission, dated April 1, 2002 ("Amendment No. 2") (replacing Form 19b-4 in its entirety). In Amendment No. 2, the Exchange, in part, requested a three-month pilot, as well as permanent approval of the proposed rule change, substituted the phrase "fund family" for "investment management company," defined the term "fund family," clarified that each fund in the group is individually subject to the Exchange's continuing listing criteria, made conforming changes to its rule text, and requested accelerated approval of the pilot.

<sup>4</sup> In approving this proposed rule change, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>5</sup> 15 U.S.C. 78o-3(b)(5).

<sup>6</sup> 15 U.S.C. 78o-3(b)(6).

<sup>7</sup> 15 U.S.C. 78s(b)(2).

<sup>8</sup> 17 CFR 200.30-3(a)(12).

<sup>5</sup> The language in the current Manual Section 102.04, which the NYSE is proposing to replace, requires that a newly organized fund have \$60 million in "net assets." The NYSE proposes to use the term "market value of publicly held shares," but represents that there is no substantive change involved in this different terminology. In the case of any IPO, whether of a business company or a fund, the Exchange has always looked at whether the offering has raised \$60 million, and that is what the Exchange will continue to do under the amended rule. Similarly, with a transfer the Exchange has always looked at the aggregate market value of publicly held shares, and that is what the Exchange will continue to do under the amended rule. See Amendment No. 1, *supra* note 3.