

index strike pricing rules of other option exchanges.<sup>5</sup>

## 2. Statutory Basis

The Exchange believes the proposed rule change is consistent with Section 6(b) of the Act,<sup>6</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act,<sup>7</sup> in particular, in that it is designed to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transaction in securities, 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 should allow the Exchange to set strike prices at levels that would maximize pricing efficiency and trading opportunities.

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

The Exchange does not believe that the proposed rule change would 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 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, as amended, 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-Phlx-2005-43 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-Phlx-2005-43. 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 Section, 100 F Street, NE., Washington, DC 20549. Copies of such filing also will be available for inspection and copying at the principal office of the Phlx. 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 publicly available. All submissions should refer to File Number SR-Phlx-2005-43 and should be submitted on or before March 6, 2006.

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

After careful review, the Commission finds that the proposed rule change, as amended, is consistent with the requirements of the Act and the rules and regulations thereunder, applicable to a national securities exchange.<sup>8</sup> In particular, the Commission believes that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>9</sup> which requires among other things, that the rules of the Exchange are designed to foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transaction in securities, 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 Commission believes that the proposed rule change should provide the Exchange with the

flexibility to efficiently price index options by allowing the Exchange to list \$2.50 strike price intervals only on certain index options delineated in this rule.

The Phlx has requested that the Commission find good cause for approving the proposed rule change prior to the thirtieth day after publication of notice thereof in the **Federal Register**. The Commission notes that other option exchanges have similar rules permitting the listing of \$2.50 strike price intervals on certain delineated index options.<sup>10</sup> The Commission believes that granting accelerated approval of the proposal should allow the Phlx to conform its rules to those of other option exchanges without delay. Accordingly, the Commission finds good cause, pursuant to Section 19(b)(2) of the Act,<sup>11</sup> for approving the proposed rule change, as amended, prior to the thirtieth day after the date of publication of notice thereof in the **Federal Register**.

## V. Conclusion

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>12</sup> that the proposed rule change (SR-Phlx-2005-43) and Amendments No. 1, 2, and 3 thereto be, and hereby are, approved on an accelerated basis.

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

**Jill M. Peterson,**

*Assistant Secretary.*

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## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Proposed Request

The Social Security Administration (SSA) publishes a list of information collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with Pub. L. 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. The information collection packages that may be included in this notice are for new information collection.

SSA is soliciting comments on the accuracy of the agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and on ways

<sup>5</sup> See e.g., Chicago Board Options Exchange Rule 24.9 and International Securities Exchange Rule 2009.

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).

<sup>8</sup> In approving this proposal, the Commission has considered its impact on efficiency, competition, and capital formation. 15 U.S.C. 78c(f).

<sup>9</sup> 15 U.S.C. 78f(b)(5).

<sup>10</sup> See *supra* note 5.

<sup>11</sup> 15 U.S.C. 78s(b)(2).

<sup>12</sup> 15 U.S.C. 78s(b)(2).

<sup>13</sup> 17 CFR 200.30-3(a)(12).

to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Written comments and recommendations regarding the information collection(s) should be submitted to the SSA Reports Clearance Officer. The information can be mailed and/or faxed to the individuals at the addresses and fax numbers listed below: (SSA) Social Security Administration, DCFAM, Attn: Reports Clearance Officer, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235. Fax: 410-965-6400. E-mail: [OPLM.RCO@ssa.gov](mailto:OPLM.RCO@ssa.gov).

The information collections listed below are pending at SSA and will be

submitted to OMB within 60 days from the date of this notice. Therefore, your comments should be submitted to SSA within 60 days from the date of this publication. You can obtain copies of the collection instruments by calling the SSA Reports Clearance Officer at 410-965-0454 or by writing to the address listed above.

Section 107 Representative Payee Study—0960-NEW. As mandated by section 107 of the Social Security Protection Act of 2004, the Social Security Administration is sponsoring an independently conducted study evaluating the Representative Payee Program. In this study, selected groups of SSA beneficiaries and representative

payees will be interviewed about their experiences within the program. These two groups' responses will then be compared and contrasted. A re-contact interview will be conducted with 100 representative payees identified as demonstrating characteristics of abusers of the representative payee system. The ultimate purpose of the study is to evaluate the knowledge level and performance of representative payees vis-à-vis the standards established for them by SSA. The respondents are recipients of SSA benefits (adults and ages 14-17) and representative payees (individuals and organizations).

*Type of Request:* New information collection.

	Number of respondents	Frequency of response	Average burden per response (min)	Estimated annual burden (hr)
SSA Beneficiaries .....	2,565	1	45	1,924
Representative Payees .....	5,130	1	55	4,703
Representative Payees (Re-contact study) .....	100	1	55	92
Totals .....	7,795	.....	.....	6,719

*Total Estimated Annual Burden:*  
6,719 hours.

Dated: February 6, 2006.

**Elizabeth A. Davidson,**  
*Reports Clearance Officer, Social Security Administration.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Public Notice for Waiver of Aeronautical Land-Use Assurance, J. Douglas Bake Memorial Airport, Oconto, WI

**AGENCY:** Federal Aviation Administration, DOT.

**ACTION:** Notice of intent of waiver with respect to land.

**SUMMARY:** The Federal Aviation Administration (FAA) is considering a proposal to authorize the release of a portion of the airport property. The City of Oconto WI is proposing to swap 13.9 acres of existing airport land for 13.9 acres of land from an adjacent landowner. The swap will allow the airport to acquire land in fee that lies under the approach to Runway 22. Both parcels are vacant land in the northeast corner of the airport and are deemed of equal value. The acreage being released is not needed for aeronautical use as

currently identified on the Airport Layout Plan.

The acreage comprising this parcel was originally acquired under Grant No. AIP 3-55-SBGP-20-04 (Oconto AIP-06). The City of Oconto (Wisconsin), as airport owner, has concluded that the subject airport land is not needed for expansion of airport facilities. There are no impacts to the airport by allowing the airport to dispose of the property. No revenue will be derived as the parcels are of the same value. Approval does not constitute a commitment by the FAA to financially assist in the disposal of the subject airport property nor a determination of eligibility for grant-in-aid funding from the FAA. The disposition of proceeds from the disposal of the airport property will be in accordance with FAA's Policy and Procedures Concerning the Use of Airport Revenue, published in the **Federal Register** on February 16, 1999.

In accordance with section 47107(h) of title 49, United States Code, this notice is required to be published in the **Federal Register** 30 days before modifying the land-use assurance that requires the property to be used for an aeronautical purpose.

**DATES:** Comments must be received on or before March 15, 2006.

**FOR FURTHER INFORMATION CONTACT:** Ms. Sandra E. DePottey, Program Manager, Federal Aviation Administration, Airports District Office, 6020 28th Avenue South, Room 102, Minneapolis,

MN 55450-2706. Telephone number (612) 713-4350/Fax number (612) 713-4364. Documents reflecting this FAA action may be reviewed at this same location or at the J. Douglas Bake Memorial Airport, 2983 Airport Road, Oconto WI 54153.

**SUPPLEMENTARY INFORMATION:** Following is a legal description of the subject airport property to be released at J. Douglas Bake Memorial Airport in Oconto, Wisconsin and described as follows:

A parcel of land located in part of Government Lot 6, Section 24, City of Oconto, and part of the Northwest Quarter of the Northwest Quarter, section 25, Town of Oconto all in township 28 North, Range 21 East, Oconto County, Wisconsin.

Said parcel subject to all easements, restrictions, and reservations of record.

Dated: Issued in Minneapolis, MN on January 19, 2006.

**Robert A. Huber,**

*Acting Manager, Minneapolis Airports District Office, FAA, Great Lakes Region.*

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