the petitioner in the proceeding, and how that interest may be affected by the results of the proceeding. The petition should specifically explain the reasons why intervention should be permitted with particular reference to the following general requirements: (1) The name, address and telephone number of the requestor or petitioner; (2) the nature of the requestor’s/petitioner’s right under the Act to be made a party to the proceeding; (3) the nature and extent of the requestor’s/petitioner’s property, financial, or other interest in the proceeding; and (4) the possible effect of any decision or order which may be entered in the proceeding on the requestors/petitioner’s interest. The petition must also identify the specific contentions which the petitionor requestor seeks to have litigated at the proceeding.

Each contention must consist of a specific statement of the issue of law or fact to be raised or controverted. In addition, the petitionor/requestor shall provide a brief explanation of the bases for the contention and a concise statement of the alleged facts or expert opinion which support the contention and on which the petitioner intends to rely in proving the contention at the hearing. The petitionor/requestor must also provide references to those specific sources and documents of which the petitioner is aware and on which the petitionor intends to rely to establish those facts or expert opinion. The petition must include sufficient information to show that a genuine dispute exists between the applicant and the petitionor on a material issue of law or fact.

Contentions shall be limited to matters within the scope of the amendment under consideration. The contention must be one which, if proven, would entitle the petitioner to relief. A petitionor/requestor who fails to satisfy these requirements with respect to at least one contention will not be permitted to participate as a party.

Those permitted to intervene become parties to the proceeding, subject to any limitations in the order granting leave to intervene, and have the opportunity to participate fully in the conduct of the hearing.

If a hearing is requested, the Commission will make a final determination on the issue of no significant hazards consideration. The final determination will serve to decide when the hearing is held. If the final determination is that the amendment request involves no significant hazards consideration, the Commission may issue the amendment and make it immediately effective, notwithstanding the request for a hearing. Any hearing held would take place after issuance of the amendment. If the final determination is that the amendment request involves a significant hazards consideration, any hearing held would take place before the issuance of any amendment.

Nontimely requests and/or petitions and contentions will not be entertained absent a determination by the Commission or the presiding officer of the Atomic Safety and Licensing Board that the petition, request and/or the contentions should be granted based on a balancing of the factors specified in 10 CFR 2.309(c)(1)(i)–(viii).

A request for a hearing or a petition for leave to intervene must be filed by: (1) First class mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, Attention: Rulemaking and Adjudications Staff; (2) courier, express mail, and expedited delivery services: Office of the Secretary, Sixteenth Floor, One White Flint North, 11555 Rockville Pike, Rockville, Maryland, 20852, Attention: Rulemaking and Adjudications Staff; (3) E-mail addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, HEARINGDOCKET@NRC.GOV; or (4) facsimile transmission addressed to the Office of the Secretary, U.S. Nuclear Regulatory Commission, Washington, DC, Attention: Rulemakings and Adjudications Staff at (301) 415–1101, verification number is (301) 415–1966. A copy of the request for hearing and petition for leave to intervene should also be sent to the Office of the General Counsel, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and it is requested that copies be transmitted either by means of facsimile transmission to (301) 415–3725 or by e-mail to OGCMailCenter@nrc.gov. A copy of the request for hearing and petition for leave to intervene should also be sent to Ernest L. Blake, Jr., Esquire, Shaw, Pittman, Potts and Trowbridge, 2300 N Street, NW., Washington, DC 20037, attorney for the licensee.

For further details with respect to this action, see the application for amendment dated March 17, 2006, which is available for public inspection at the Commission’s PDR, located at One White Flint North, Public File Area O1 F21, 11555 Rockville Pike (first floor), Rockville, Maryland. Publicly available records will be accessible from the Agencywide Documents Access and Management System’s (ADAMS) Public Electronic Reading Room on the Internet at the NRC’s Web site, http://www.nrc.gov/reading-rm/adams.html. Persons who do not have access to ADAMS or who encounter problems in accessing the documents located in ADAMS, should contact the NRC PDR Reference staff by telephone at 1–800–397–4209, 301–415–4737, or by e-mail to pdr@nrc.gov.

Dated at Rockville, Maryland, this 22nd day of March, 2006.

For the Nuclear Regulatory Commission.

Robert E. Martin,
Senior Project Manager, Plant Licensing Branch II–1, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.

[FR Doc. E6–4372 Filed 3–24–06; 8:45 am]

BILLING CODE 7590–01–P

NUCLEAR REGULATORY COMMISSION

[Docket Nos. (as shown in Attachment 1); License Nos. (as shown in Attachment 1); EA–06–037]

In the Matter of Operating Power Reactor Licensees Identified in Attachment 1; Order Modifying Licenses (Effective Immediately)

I.

The licensees identified in Attachment 1 to this Order hold licenses issued by the U.S. Nuclear Regulatory Commission (NRC or the Commission) authorizing operation of nuclear power plants in accordance with the Atomic Energy Act of 1954 and Title 10 of the Code of Federal Regulations (10 CFR) part 50. Commission regulations at 10 CFR 50.54(p)(1) require these licensees to maintain safeguards contingency plan procedures in accordance with 10 CFR part 73, Appendix C. Specific safeguards requirements for reactors are contained in 10 CFR 73.55.

II.

On September 11, 2001, terrorists simultaneously attacked targets in New York, N.Y., and Washington, DC, using large commercial aircraft as weapons. In response to the attacks and intelligence information subsequently obtained, the Commission issued a number of Safeguards and Threat Advisories to its licensees, and eventually Orders to selected licensees, to strengthen licensees’ capabilities and readiness to respond to a potential attack on a nuclear facility. On April 29, 2003, the Commission issued an Order to all operating power reactor licensees that enhanced the design basis threat (DBT) specified in 10 CFR 73.1.

As a result of the Commission’s continued assessment of threat information, the Commission has determined that a revision to one of the
specific adversary characteristics set forth in the April 29, 2003, DBT Order needs to be updated and enhanced. The update to the adversary characteristic is set forth in Attachment 2 of this Order. Each licensee must amend its site security plans to address the new adversary characteristic in its protective strategy.

Any needed changes to the physical security plan, safeguards contingency plan, or guard training and qualification plan required by 10 CFR 50.34(c), 50.34(d), and 73.55(b)(4)(ii), respectively, shall be completed and implemented within 60 days of the date of this Order.

Pursuant to 10 CFR 2.202, I find that in the circumstances described above, the public health, safety, and interest and the common defense and security require that this Order be immediately effective.

III.

Accordingly, pursuant to Sections 103, 104, 161b, 161i, 161o, and 186 of the Atomic Energy Act of 1954, as amended, and the Commission’s regulations in 10 CFR 2.202 and 10 CFR parts 50 and 73, it is hereby ordered, effective immediately, that all licenses issued in Attachment 1 to this order are modified as follows:

A. Each licensee shall revise its physical security plan and safeguards contingency plan, prepared pursuant to 10 CFR 50.34(c) and 50.34(d), to provide protection against the updated adversary characteristic set forth in Attachment 2 to this Order. In addition, each licensee shall revise its training and qualification plan, required by 10 CFR 73.55(b)(4)(ii), to implement the updated adversary characteristic set forth in Attachment 2 to this Order.

B. Each licensee shall implement necessary changes to its physical security plan, safeguards contingency plan, and guard training and qualification plan no later than 60 days from the date of this Order.

B.1. Each licensee shall, within twenty-one (21) days of the date of this Order, notify the Commission: (1) If the licensee is unable to comply with any requirement of this Order, (2) if compliance with any requirement of this Order is unnecessary in the licensee’s specific circumstances, or (3) if implementation of any requirement of this Order would cause the licensee to be in violation of the provisions of any Commission regulation or the facility license. The notification shall provide the licensee’s justification for seeking relief from, or variation of, any specific requirement.

2. Any licensee that considers that implementation of any of the requirements of this Order would adversely impact safe operation of the facility must notify the Commission, within twenty-one (21) days of this Order, of the adverse safety impact, the basis for its determination that the requirement has an adverse safety impact, and either a proposal for achieving the same objectives of this Order, or a schedule for modifying the facilities to address the adverse safety condition. If neither approach is appropriate, the licensee must supplement its response to Condition B.1 of this Order to identify the condition as a requirement with which it cannot comply, with attendant justifications as required in Condition B.1.

C. Each licensee shall report to the Commission, in writing, when it has fully implemented this Order. The notification shall be made no later than 60 days from the date of the Order and include substitute security plan pages that reflect any changes made to implement the Order.

D. All measures implemented or actions taken in response to this Order shall be maintained until the Commission determines otherwise, except that the licensee may change its revised physical security plans, safeguards contingency plans, and guard training and qualification plans if authorized by 10 CFR 50.54(p).

Licensee responses to Conditions A.1, B.1, B.2, and C above, shall be submitted in accordance with 10 CFR 50.4. In addition, licensee submittals that contain safeguards information shall be properly marked and handled in accordance with 10 CFR 73.21.

The Director, Office of Nuclear Reactor Regulation, may, in writing, relax or rescind any of the above conditions upon demonstration by the licensee of good cause.

IV.

In accordance with 10 CFR 2.202, the licensee must, and any other person adversely affected by this Order may, submit an answer to this Order, and may request a hearing on this Order, within twenty-one (21) days of the date of this Order. Where good cause is shown, consideration will be given to extending the time to request a hearing. A request for an extension of time in which to submit an answer or request a hearing must be made in writing to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001, and include a statement of good cause for the extension. The answer may consent to this Order. Unless the answer consents to this Order, the answer shall, in writing and under oath or affirmation, specifically set forth the matters of fact and law on which the licensee or other person adversely affected relies and the reasons as to why the Order should not have been issued. Any answer or request for a hearing shall be submitted to the Secretary, Office of the Secretary of the Commission, U.S. Nuclear Regulatory Commission, ATTN: Rulemakings and Adjudications Staff, Washington, DC 20555–0001. Copies also shall be sent to the Director, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555–0001; to the Assistant General Counsel for Materials Litigation and Enforcement at the same address; to the Regional Administrator for NRC Region I, II, III, or IV, as appropriate for the specific facility; and to the licensee if the answer or hearing request is by a person other than the licensee. Because of possible delays in delivery of mail to United States Government offices, it is requested that answers and requests for hearing be transmitted to the Secretary of the Commission either by means of facsimile transmission to 301–415–1101 or by e-mail to hearingdocket@nrc.gov and also to the Office of the General Counsel either by means of facsimile transmission to 301–415–3725 or by e-mail to OGCMailCenter.gov. If a person other than the licensee requests a hearing, that person shall set forth with particularity the manner in which his or her interest is adversely affected by this Order and shall address the criteria set forth in 10 CFR 2.309(d).

If a hearing is requested by the licensee or a person whose interest is adversely affected, the Commission will issue an Order designating the time and place of any hearing. If a hearing is held, the issue to be considered at such hearing shall be whether this Order should be sustained.

Pursuant to 10 CFR 2.202(c)(2)(ii), the licensee may, in addition to demanding a hearing, at the time the answer is filed or sooner, move the presiding officer to set aside the immediate effectiveness of the Order on the ground that the Order, including the need for immediate effectiveness, is not based on adequate evidence but on mere suspicion, unfounded allegations, or error.

In the absence of any request for a hearing, or written approval of an extension of time in which to request a hearing, the provisions specified in Section III above shall be final twenty-one (21) days from the date of this Order.

1 Attachment 2 contains Safeguards Information and will not be publicly disclosed.
without further order or proceedings. If an extension of time for requesting a hearing has been approved, the provisions specified in Section III shall be final when the extension expires if a hearing request has not been received. An answer or a request for hearing shall not stay the immediate effectiveness of this order.

For the Nuclear Regulatory Commission.
Dated this 20th day of March 2006.

J.E. Dyer,
Director, Office of Nuclear Reactor Regulation.

Attachment 1—List of Addressees; Power Plants—Senior Executive/Security Contacts

Mr. William Levis
Senior Vice President & Chief Nuclear Officer
PSEG Nuclear LLC–N09

Salem Nuclear Generating Station, Units 1 & 2
Docket Nos. 50–272 & 50–311
License Nos. DPR–70 & DPR–75
End of Buttonwood Road
Hancocks Bridge, NJ 08038

Mr. William Levis
Senior Vice President & Chief Nuclear Officer
PSEG Nuclear LLC–X15

Hope Creek Generating Station, Unit 1
Docket No. 50–354
License No. NPF–57
End of Buttonwood Road
Hancocks Bridge, NJ 08038

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
Pilgrim Nuclear Power Station, Unit 1
Docket No. 50–293
License No. DPR–35
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
Vermont Yankee Nuclear Power Station
Docket No. 50–271
License No. DPR–28
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
James A. FitzPatrick Nuclear Power Plant
Docket No. 50–333
License No. DPR–59
440 Hamilton Avenue
White Plains, NY 10601

Mr. Michael Kansler
President
Entergy Nuclear Operations, Inc.
Indian Point Nuclear Generating Station, Units 2 & 3
Docket Nos. 50–247 & 50–286
License Nos. DPR–26 & DPR–64
440 Hamilton Avenue
White Plains, NY 10601

Mr. Gene St. Pierre
Site Vice President
FPL Energy
Seabrook Station, Unit 1
Docket No. 50–443
License No. NPF–86

Central Receiving, Lafayette Road
Seabrook, NH 03874

Mr. James H. Lash
Vice President
FirstEnergy Nuclear Operating Company
Beaver Valley Power Station, Units 1 & 2
Docket Nos. 50–334 & 50–412
License Nos. DPR–66 & NPF–73
Route 168
Shippington, PA 15077

Mr. James A. Spina
Vice President
Calvert Cliffs Nuclear Power Plant, Inc.
Calvert Cliffs Nuclear Power Plant, Units 1 & 2
Docket Nos. 50–317 & 50–318
License Nos. DPR–53 & DPR–69
1650 Calvert Cliffs Parkway
Lusby, MD 20657–4702

Mrs. Mary G. Korsnick
Vice President
R. E. Ginna Nuclear Power Plant, LLC
Docket No. 50–244
License No. DPR–18
1503 Lake Road
Ontario, NY 14519–9364

Mr. Timothy J. O’Connor
Vice President
Nine Mile Point Nuclear Station, LLC
Nine Mile Point Nuclear Station, Units 1 & 2
Docket Nos. 50–220 & 50–410
License Nos. DPR–63 & NPF–69
348 Lake Road
Oswego, NY 13126

Mr. Britt T. McKinney
Sr. Vice President & Chief Nuclear Officer
PPL Susquehanna, LLC
Susquehanna Steam Electric Station, Units 1 & 2
Docket Nos. 50–387 & 50–388
License Nos. NPF–14 & NPF–22
769 Salem Boulevard, NUCSB3
Berwick, PA 18220–0447

Mr. David A. Christian
Sr. Vice President & Chief Nuclear Officer
Dominion Nuclear Connecticut, Inc.
Millstone Power Station, Units 2 & 3
Docket Nos. 50–336 & 50–423
License Nos. DPR–65 & NPF–49
Innsbrook Technical Center, 5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. David A. Christian
Sr. Vice President & Chief Nuclear Officer
Virginia Electric and Power Company
North Anna Power Station, Units 1 & 2
Docket Nos. 50–330 & 50–339
License Nos. NPF–4 & NPF–7
Innsbrook Technical Center, 5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. David A. Christian
Sr. Vice President & Chief Nuclear Officer
Virginia Electric and Power Company
Surry Power Station, Units 1 & 2
Docket Nos. 50–280 & 50–281
License Nos. DPR–32 & DPR–37
Innsbrook Technical Center, 5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. David A. Christian
Sr. Vice President & Chief Nuclear Officer
Dominion Energy Kewaunee, Inc.
Kewaunee Nuclear Power Plant
Docket No. 50–305
License No. DPR–43
Innsbrook Technical Center 5000 Dominion Boulevard
Glen Allen, VA 23060

Mr. Dhiaa M. Jamil
Vice President
Duke Energy Corporation
Catawba Nuclear Station, Units 1 & 2
Docket Nos. 50–413 & 50–414
License Nos. NPF–35 & NPF–52
4800 Concord Road
York, SC 29745

Mr. L. M. Stinson
Vice President—Farley Project
Southern Nuclear Operating Company, Inc.
Joseph M. Farley Nuclear Plant, Units 1 & 2
Docket Nos. 50–348 & 50–364
License Nos. NPF–2 & NPF–8
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. H. L. Sumner, Jr.
Vice President—Nuclear, Hatch Project
Southern Nuclear Operating Company, Inc.
Edwin I. Hatch Nuclear Plant, Units 1 & 2
Docket Nos. 50–321 & 50–366
License Nos. DPR–57 & NPF–5
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. G. R. Peterson
Vice President
Duke Energy Corporation
William B. McGuire Nuclear Station, Units 1 & 2
Docket Nos. 50–369 & 50–370
License Nos. NPF–9 & NPF–17
12700 Hagers Ferry Road
Huntersville, NC 28078

Mr. Bruce H. Hamilton
Vice President, Oconee Site
Duke Energy Corporation
Oconee Nuclear Station, Units 1, 2 & 3
Docket Nos. 50–269, 50–270 & 50–287
License Nos. DPR–38, DPR–47 & DPR–55
7800 Rochester Highway
Seneca, SC 29672

Mr. Don E. Grissette
Vice President
Southern Nuclear Operating Company, Inc.
Vogtle Electric Generating Plant, Units 1 & 2
Docket Nos. 50–424 & 50–425
License Nos. NPF–68 & NPF–81
40 Inverness Center Parkway
Birmingham, AL 35242

Mr. James Scarola
Vice President
Carolina Power & Light Company
Progress Energy, Inc.
Brunswick Steam Electric Plant, Units 1 & 2
Docket Nos. 50–325 & 50–324
License Nos. DPR–71 & DPR–62
Hwy 87, 2.5 Miles North
Southport, NC 28461

Mr. C.J. Gannon
Vice President
Carolina Power & Light Company
Shearon Harris Nuclear Power Plant, Unit 1
Docket No. 50–400
License No. NPF–63
5413 Shearon Harris Road
New Hill, NC 27562–0165

Mr. Dale E. Young
Vice President
Florida Power and Regulatory Programs
Crystal River Nuclear Generating Plant, Unit 3
Docket No. 50–302
License No. DPR–72
15760 W. Power Line Street
Crystal River, FL 34428
Mr. J. W. Moyer
Vice President, Carolina Power & Light Company
Progress Energy
H. B. Robinson Steam Electric Plant, Unit 2
Docket No. 50–261
License No. DPR–23
3581 West Entrance Road
Hartselle, AL 35650
Mr. Brian J. O’Grady
Site Vice President
Browns Ferry Nuclear Plant, Units 1, 2 & 3
Docket Nos. DPR–33, DPR–52 & DPR–68
10835 Shaw Rd.
Athens, AL 35611
Mr. Michael Skaggs
Site Vice President
Tennessee Valley Authority
Watts Bar Nuclear Plant, Unit 1
Site Vice President
Tennessee Valley Authority
Docket No. 50–390
License No. NPF–90
Highway 68 Near Spring City
Spring City, TN 37381
Mr. Randy Douet
Site Vice President
Sequoyah Nuclear Plant, Units 1 & 2
Tennessee Valley Authority
Docket Nos. 50–327 & 50–328
License Nos. DPR–77 & DPR–79
2000 Igou Ferry Road
Soddy Daisy, TN 37379
Mr. J. A. Stall
Senior Vice President, Nuclear & Chief Nuclear Officer
Florida Power and Light Company
St. Lucie, Units 1 & 2
Docket Nos. 50–335 & 50–389
License No. DPR–67 & NPF–16
700 Universe Boulevard
Juno Beach, FL 33408–0420
Mr. J. A. Stall
Senior Vice President, Nuclear and Chief Nuclear Officer
Florida Power and Light Company
Turkey Point Nuclear Generating Station, Units 3 and 4
Docket Nos. 50–250 & 50–251
License Nos. DPR–31 & DPR–41
700 Universe Boulevard
Juno Beach, FL 33408–0420
Mr. Mano K. Nazar
Senior Vice President & Chief Nuclear Officer
Indiana Michigan Power Company
Nuclear Generation Group
Donald C. Cook Nuclear Plant, Units 1 and 2
Docket Nos. 50–315 & 50–316
License Nos. DPR–58 & DPR–74
One Cook Place
Bridgehampton, NY 11932
Mr. Gary Van Middlesworth
Site Vice President
FLP Energy
Duane Arnold Energy Center
Docket No. 50–331
License No. DPR–49
3277 DAEC Road
Palo, IA 52234–9785
Mr. Donald K. Cobb
Assistant Vice President—Nuclear Generation
Detroit Edison Company
Ferni, Unit 2
Docket No. 50–341
License No. NPF–43
6400 North Dixie Highway
Newport, MI 48166
Mr. John Conway
Site Vice President
Nuclear Management Company, LLC
Monticello Nuclear Generating Plant
Docket No. 50–263
License No. DPR–22
2807 West County Road 75
Monticello, MN 55362–9637
Paul A. Harden
Site Vice President
Nuclear Management Company, LLC
Palisades Nuclear Plant
Docket No. 50–255
License No.DPR–20
27790 Blue Star Memorial Highway
Covert, MI 49043–9530
Mr. Dennis L. Koehl
Site Vice President
Nuclear Management Company, LLC
Point Beach Nuclear Plant, Units 1 & 2
Docket Nos. 50–266 & 50–301
License Nos. DPR–24 & DPR–27
6590 Nuclear Road
Two Rivers, WI 54241–9516
Mr. Thomas J. Palmisano
Site Vice President
Nuclear Management Company, LLC
Prairie Island Nuclear Generating Plant, Units 1 & 2
Docket Nos. 50–282 & 50–306
License Nos. DPR–42 & DPR–60
1717 Wakonda Drive East
Welch, MN 55089
Mr. Christopher M. Crane
President & Chief Nuclear Officer
Exelon Generation Company, LLC
Braidwood Station, Units 1 & 2
Docket Nos. 50–456 & 50–457
License Nos. NPF–72 & NPF–77
4300 Winfield Road
Warrenville, IL 60555
Mr. Christopher M. Crane
President & Chief Nuclear Officer
Exelon Generation Company, LLC
Oyster Creek Nuclear Generating Station
Docket No. 50–219
License No. DPR–16
4300 Winfield Road
Warrenville, IL 60555
Mr. Christopher M. Crane
President & Chief Nuclear Officer
AmerGen Energy Company, LLC
Clinton Power Station
Docket No. 50–461
License No. NPF–62
4300 Winfield Road
Warrenville, IL 60555
Mr. Christopher M. Crane
President & Chief Nuclear Officer
AmerGen Energy Company, LLC
Three Mile Island Nuclear Station, Unit 1
Docket No. 50–289
License No. DPR–50
4300 Winfield Road
Warrenville, IL 60555
Mr. Mark Bezolla
Vice President, Davis-Besse FirstEnergy Nuclear Operating Company
Davies-Besse Nuclear Power Station
Docket No. 50–246
License No. NPF–3
5501 North State Route 2
Oak Harbor, OH 43449–9760
Mr. L. W. Pearce
Vice President—Nuclear, Acting
FirstEnergy Nuclear Operating Company
Perry Nuclear Power Plant, Unit 1
Docket No. 50–440
License No. NPF–58
10 North Center Street
Perry, OH 44081
Mr. Jeffrey S. Forbes
Site Vice President
Energy Operations, Inc.
Arkansas Nuclear One, Units 1 & 2
Docket Nos. 50–313 & 50–368
Steven W. Williams,
Secretary.

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to the Extension of Time for Exercising Expiring Options and Submitting Contrary Exercise Advises

March 20, 2006.

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 March 14, 2006, the American Stock Exchange LLC (“Amex” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Amex filed the proposal as a “non-controversial” proposed rule change pursuant to Section 19(b)(3)(A) of the Act3 and Rule 19b–4(f)(6) thereunder,4 which renders it effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Amex, pursuant to section 19(b)(1) of the Act5 and Rule 19b–4 thereunder,6 proposes to amend Amex Rule 980 “Exercise of Options Contracts” to add two additional minutes to the time frame within which one may make a final decision to exercise or not exercise an option, or to deliver a contrary exercise advice (“CEA”)7 to the Exchange. The proposal

7 Amex Rule 980(b)(ii) defines a CEA as a communication either: (A) To not exercise an option that would be automatically exercised under the Options Clearing Corporation’s (“OCC”) Ex-by-Ex procedure, or (B) to exercise an option that would not be automatically exercised under the OCC’s Ex-by-Ex procedure.