

provides for the equitable allocation of reasonable dues, fees, and other charges among its members and other persons using its facilities.

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

The Exchange 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*

Written comments on the proposed rule change were neither solicited nor received.

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

The foregoing proposed rule change is subject to Section 19(b)(3)(A)(ii) of the Act<sup>9</sup> and subparagraph (f)(2) of Rule 19b-4 thereunder<sup>10</sup> because it establishes or changes a due, fee, or other charge applicable only to a member imposed by the self-regulatory organization. Accordingly, the proposal is effective upon Commission receipt of the filing. At any time within 60 days of the filing of the proposed 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. 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-NYSEArca-2007-23 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-NYSEArca-2007-23. 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 Room. Copies of the filing also will be available for inspection and copying at the principal office of NYSE Arca. 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 available publicly. All submissions should refer to File Number SR-NYSEArca-2007-23 and should be submitted on or before April 6, 2007.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>11</sup>

**Florence E. Harmon,**  
*Deputy Secretary.*

[FR Doc. E7-4787 Filed 3-15-07; 8:45 am]  
BILLING CODE 8010-01-P

## **SECURITIES AND EXCHANGE COMMISSION**

[Release No. 34-55442; File No. SR-NYSEArca-2007-09]

### **Self-Regulatory Organizations; NYSE Arca, Inc.; Order Granting Approval of Proposed Rule Change Relating to the Expansion of Business Activities of Archipelago Securities, L.L.C.**

March 12, 2007.

#### **I. Introduction**

On January 25, 2007, the NYSE Arca, Inc. ("NYSE Arca" or the "Exchange") 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 proposal to allow Archipelago Securities, L.L.C. ("Archipelago Securities") to act as a marketing agent on behalf of the NYSE Arca Tech 100 Index (the "Index") and the NYSE Arca Tech 100 ETF (the "ETF") and provide reasonable services attendant thereto. The proposed rule change was published for comment in the **Federal Register** on February 9, 2007.<sup>3</sup> The Commission received no comments regarding the proposal. This order approves the proposed rule change.

#### **II. Description of the Proposal**

Archipelago Securities<sup>4</sup> succeeded Wave Securities, L.L.C. ("Wave"), which was approved by the Commission to operate as a facility of the Exchange,<sup>5</sup> and assumed some of Wave's duties, including Wave's function as the outbound router for the Exchange. Pursuant to the order approving rule changes proposed by the Exchange in connection with the acquisition of the Exchange (formerly Pacific Exchange, Inc.) by Archipelago Holdings, Inc., now the parent company of the Exchange, any expansion of the business activities of Archipelago Securities must be approved by the Commission.<sup>6</sup>

NYSE Arca is now proposing to expand the business activities of Archipelago Securities to allow Archipelago Securities to act as a marketing agent on behalf of the Index and the ETF and provide reasonable services attendant thereto.<sup>7</sup> In the proposal, the Exchange represents that as marketing agent for the Index and the ETF, Archipelago Securities will develop a marketing plan designed to advertise, promote, and increase public awareness of the Index and the ETF within the financial services industry and investing public ("Marketing Plan"), including: branding; promotional activities; development and design of marketing materials, collateral

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

<sup>3</sup> See Securities Exchange Act Release No. 55232 (February 2, 2007), 72 FR 6308.

<sup>4</sup> Archipelago Securities is a registered broker-dealer, a member of several self-regulatory organizations including the NASD, and a facility of the Exchange.

<sup>5</sup> See Securities Exchange Act Release No. 44983 (October 25, 2001), 66 FR 55225 (November 1, 2001) (SR-PCX-00-25).

<sup>6</sup> See Securities Exchange Act Release No. 52497 (September 22, 2005), 70 FR 56949 (September 29, 2005) (SR-PCX-2005-90) ("Archipelago/PCX Acquisition Release").

<sup>7</sup> Recently, the Commission approved the expansion of the business activities of Archipelago Securities to include, as a facility of the Exchange, the function of routing option orders for members of the Exchange. See Securities Exchange Act Release No. 54238 (July 28, 2006), 71 FR 44758 (August 7, 2006) (SR-NYSEArca-2006-13).

<sup>9</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>10</sup> 17 CFR 240.19b-4(f)(2).

<sup>11</sup> 17 CFR 200.30-3(a)(12).

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

and media campaigns (*i.e.*, electronic media, print media, Internet, etc.); and hosting a Web site for the ETF. The Exchange also represents that this proposed marketing activity has no connection to Archipelago Securities' facility functions.

**III. Discussion**

After careful consideration, 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 exchange<sup>8</sup> and, in particular, the requirements of Section 6 of the Act.<sup>9</sup> Specifically, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>10</sup> which requires, among other things, that the rules of a national securities exchange be designed to promote just and equitable principles of trade, 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 finds that the proposed rule change also furthers the objectives of Section 6(b)(8)<sup>11</sup> of the Act in that it does not impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. Based on the Exchange's representation that this proposed marketing activity has no connection to Archipelago Securities' facility functions, the Commission believes that the proposal is consistent with the Act and the Archipelago/PCX Acquisition Release.

**IV. Conclusion**

*It is therefore ordered*, pursuant to Section 19(b)(2) of the Act,<sup>12</sup> that the proposed rule change (SR-NYSEArca-2007-09) is hereby approved.

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

**Florence E. Harmon,**

*Deputy Secretary.*

[FR Doc. E7-4815 Filed 3-15-07; 8:45 am]

**BILLING CODE 8010-01-P**

<sup>8</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>9</sup> 15 U.S.C. 78f.

<sup>10</sup> 15 U.S.C. 78f(b)(5).

<sup>11</sup> 15 U.S.C. 78f(b)(8).

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

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

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #10827 and #10828]**

**Arkansas Disaster #AR-00011**

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Administrative declaration of a disaster for the State of Arkansas dated 03/12/2007.

*Incident:* Heavy Rainfall, High Winds and Tornadoes.

*Incident Period:* 02/24/2007.

*Effective Date:* 03/12/2007.

*Physical Loan Application Deadline Date:* 05/11/2007.

*Economic Injury (EIDL) Loan Application Deadline Date:* 12/12/2007.

**ADDRESSES:** Submit completed loan applications to: Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's disaster declaration, applications for disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary Counties:* Desha

*Contiguous Counties:*

Arkansas: Arkansas, Chicot, Drew,

Lincoln, Phillips

Mississippi: Bolivar

The Interest Rates are:

	Percent
Homeowners With Credit Available Elsewhere .....	5.750
Homeowners Without Credit Available Elsewhere .....	2.875
Businesses With Credit Available Elsewhere .....	8.000
Businesses & Small Agricultural Cooperatives Without Credit Available Elsewhere .....	4.000
Other (Including Non-Profit Organizations) With Credit Available Elsewhere .....	5.250
Businesses and Non-Profit Organizations Without Credit Available Elsewhere .....	4.000

The number assigned to this disaster for physical damage is 10827 C and for economic injury is 10828 O.

The States which received an EIDL Declaration # are Arkansas and Mississippi.

(Catalog of Federal Domestic Assistance Numbers 59002 and 59008)

Dated: March 12, 2007.

**Steven C. Preston,**  
*Administrator.*

[FR Doc. E7-4871 Filed 3-15-07; 8:45 am]

**BILLING CODE 8025-01-P**

**SMALL BUSINESS ADMINISTRATION**

**[Disaster Declaration #10826]**

**Washington Disaster #WA-00010 Declaration of Economic Injury**

**AGENCY:** Small Business Administration.

**ACTION:** Notice.

**SUMMARY:** This is a notice of an Economic Injury Disaster Loan (EIDL) declaration for the State of Washington, dated 03/12/2007.

*Incident:* Winter Storm.

*Incident Period:* 11/26/2006 through 12/04/2006.

*Effective Date:* 03/12/2007.

*EIDL Loan Application Deadline Date:* 12/12/2007.

**ADDRESSES:** Submit completed loan applications to : Small Business Administration, Processing and Disbursement Center, 14925 Kingsport Road, Fort Worth, TX 76155.

**FOR FURTHER INFORMATION CONTACT:** A. Escobar, Office of Disaster Assistance, U.S. Small Business Administration, 409 3rd Street, SW., Suite 6050, Washington, DC 20416.

**SUPPLEMENTARY INFORMATION:** Notice is hereby given that as a result of the Administrator's EIDL declaration, applications for economic injury disaster loans may be filed at the address listed above or other locally announced locations.

The following areas have been determined to be adversely affected by the disaster:

*Primary County:* San Juan.

*Contiguous Counties:* No Eligible Contiguous Counties.

*The Interest Rate is:* 4.000.

The number assigned to this disaster for economic injury is 108260.

The State which received an EIDL Declaration # is Washington.

(Catalog of Federal Domestic Assistance Number 59002)

Dated: March 12, 2007.

**Steven C. Preston,**  
*Administrator.*

[FR Doc. E7-4872 Filed 3-15-07; 8:45 am]

**BILLING CODE 8025-01-P**