

**OFFICE OF THE UNITED STATES
TRADE REPRESENTATIVE**

**Fiscal Year 2008 Tariff-Rate Quota
Allocations of Raw Cane Sugar,
Refined and Specialty Sugar, and
Sugar-Containing Products; Correction**

AGENCY: USTR.

ACTION: Notice; correction.

SUMMARY: The Office of the United States Trade Representative published a document in the *Federal Register* of August 24, 2007 concerning Fiscal Year 2008 Tariff-Rate Quota allocations of raw cane sugar, refined and specialty sugar, and sugar-containing products. The document contained incorrect data.

Correction to Previous Notice

In the *Federal Register* of August 24, 2007, Volume 72, Page 48695, the Office of the United States Trade Representative published a notice entitled "Fiscal Year 2008 Tariff-Rate Quota Allocations of Raw Cane Sugar, Refined and Specialty Sugar, and Sugar-Containing Products." A correction is being made to the information in the table in the second column, which contains the country-specific allocations for raw sugar. The figure for the allocation for the country of Nicaragua is incorrect. The correct figure is 22,114 Metric Tons Raw Equivalent (MTRV) rather than 22,538 MTRV. All other information remains unchanged and will not be repeated in this correction.

FOR FURTHER INFORMATION CONTACT: Leslie O'Connor, Office of Agricultural Affairs, telephone: 202-395-6127 or facsimile: 202-395-4579.

Susan C. Schwab,

United States Trade Representative.

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**SECURITIES AND EXCHANGE
COMMISSION**

[Release No. 34-58324; File Nos. SR-BSE-2008-02; SR-BSE-2008-23; SR-BSE-2008-25; SR-BSECC-2008-01]

Self-Regulatory Organizations; Boston Stock Exchange, Incorporated; Boston Stock Exchange Clearing Corporation; Order Approving Proposed Rule Change, as Modified by Amendment No. 1, Amending the Certificate of Incorporation of Boston Stock Exchange, Incorporated; Notice of Filing of Amendment No. 1 to a Proposed Rule Change Relating to the Acquisition of the Boston Stock Exchange, Incorporated by The NASDAQ OMX Group, Inc., and Order Granting Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 1; Notice of Filing of Amendment No. 1 to a Proposed Rule Change Relating to a Proposal To Transfer Boston Stock Exchange, Incorporated's Ownership Interest in Boston Options Exchange Group, LLC and Order Granting Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 1; Notice of Filing of Amendment No. 1 to a Proposed Rule Change by the Boston Stock Exchange Clearing Corporation Relating to Amendment of Its Articles of Organization and By-Laws in Connection With the Planned Acquisition by The NASDAQ OMX Group, Inc., and Order Granting Accelerated Approval of the Proposed Rule Change, as Modified by Amendment No. 1

August 7, 2008.

I. Introduction

On April 21, 2008, the Boston Stock Exchange, Inc. ("BSE") filed with the Securities and Exchange Commission ("Commission" or "SEC") a proposed rule change, pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder² to: (1) Amend and restate the BSE Certificate in its entirety to reflect the planned acquisition of BSE by The NASDAQ OMX Group, Inc. ("NASDAQ OMX"), the parent corporation of The NASDAQ Stock Market LLC ("Nasdaq"); (2) replace the BSE Constitution in its entirety with proposed new BSE By-Laws; (3) adopt a written operating agreement for its subsidiary, Boston Options Exchange Regulation, LLC ("BOXR"), and amend the BOXR By-Laws; (4) obtain approval for a change of control of BSX Group,

LLC ("BSX"), which would operate, upon Commission approval of certain proposed rule changes, BSE's equities trading facility, and make related amendments to the Operating Agreement of BSX; (5) adopt two rules; and (6) obtain Commission approval for the affiliation between BSE and certain broker-dealer subsidiaries of NASDAQ OMX (collectively, the "BSE Governance Proposal"). The BSE Governance Proposal was published for comment in the *Federal Register* on May 8, 2008.³ The Commission received no comments on the BSE Governance Proposal. On July 28, 2008, BSE filed Amendment No. 1 to the BSE Governance Proposal.⁴ This order provides notice of and requests comment on Amendment No. 1 to the BSE Governance Proposal and approves the BSE Governance Proposal, as modified by Amendment No. 1, on an accelerated basis.

On April 23, 2008, BSE filed with the Commission a proposed rule change ("BOX Transfer Proposal") to transfer its ownership interest in the Boston Options Exchange Group, LLC ("BOX"), the operator of BSE's Boston Options Exchange facility ("BOX Market"), to MX U.S. 2, Inc. ("MX US"), a wholly-owned U.S. subsidiary of the Montréal Exchange Inc. ("MX"), and to amend the BOX LLC Agreement. The BOX Transfer Proposal was published for comment in the *Federal Register* on May 8, 2008.⁵ The Commission received no comments on the BOX Transfer Proposal. On July 28, 2008, BSE filed Amendment No. 1 to the BOX Transfer Proposal.⁶ This order provides notice of and requests comment on Amendment No. 1 to the BOX Transfer Proposal and approves the BOX Transfer Proposal, as modified by Amendment No. 1, on an accelerated basis.

On April 23, 2008, BSE filed with the Commission a proposed rule change ("BSE Interim Certificate Proposal") to amend the BSE Certificate to permit BSE to make distributions to BSE membership owners in connection with the transfer of its ownership interest in

³ See Securities Exchange Act Release No. 57757 (May 1, 2008), 73 FR 26159 (SR-BSE-2008-23) ("BSE Governance Proposal Notice").

⁴ In Amendment No. 1 to the BSE Governance Proposal, BSE filed NASDAQ OMX's Certificate and By-Laws, as proposed to be amended in connection with the acquisition of BSE by NASDAQ OMX, and proposed to make a non-substantive correction in the purpose section of the original filing. See *infra* note 104 and accompanying text.

⁵ See Securities Exchange Act Release No. 57762 (May 1, 2008), 73 FR 26170 (SR-BSE-2008-25) ("BOX Transfer Proposal Notice").

⁶ In Amendment No. 1 to the BOX Transfer Proposal, BSE proposes to clarify Section 8.4(g) of the BOX LLC Agreement.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.