

Transfer Agent, Standard Registrar Transfer Agency, Inc., dated March 24, 2009 (“Standard Letter”); Robert M. Stanton, dated March 25, 2009 (“Stanton Letter”); Jonathan Miller, President, StockTrans, Inc., dated March 24, 2009 (“StockTrans Letter”); Paul Abel, General Counsel and Secretary, Suburban Propane Partners, L.P., dated November 16, 2006 (“Suburban Letter”) (resubmitted on March 3, 2009); Douglas Ian Shaw, Senior Vice President and Corporate Secretary, Suffolk County National Bank, Suffolk Bancorp, dated March 13, 2009 (“Suffolk Letter”); Holly Roseberry, Director, Superlattice Power, Inc., dated March 25, 2009 (“Superlattice Letter”); Steven B. Boehm and Cynthia M. Krus, Sutherland Asbill and Brennan LLP, dated March 31, 2009 (“Sutherland Letter”); Cheryl C. Carter, Corporate Secretary, Synalloy Corporation, dated March 25, 2009 (“Synalloy Letter”); Lewis B. Campbell, Chairman and Chief Executive Officer, Textron Inc., dated March 30, 2009 (“Textron Letter”); Cynthia H. Haynes, Vice President, Assistant Secretary and Assistant General Counsel, Texas Instruments Incorporated, dated March 26, 2009 (“TI Letter”); Hye-Won Choi, Senior Vice President and Head of Corporate Governance, TIAA-CREF, dated March 27, 2009 (“TIAA-CREF Letter”); Jonas Kron, Senior Social Research Analyst, Trillium Asset Management, dated March 17, 2009 (“Trillium Letter”); Scott Renwick, Senior Vice President and General Counsel, Unitrin, dated March 27, 2009 (“Unitrin Letter”); Donald A. French, Treasurer, UQM Technologies, Inc., dated March 26, 2009 (“UQM Letter”); Gregory A. Robbins, Senior Vice President and General Counsel, Veeco Instruments Inc., dated March 26, 2009 (“Veeco Letter”); Marianne Drost, Senior Vice President, Deputy General Counsel and Corporate Secretary, Verizon Communications Inc., dated March 27, 2009 (“Verizon Letter”); David A. Katz, Wachtell, Lipton, Rosen & Katz, dated March 26, 2009 (“Wachtell Letter”); Shelly L. Angus, Senior Vice President, Investor Relations, Washington Banking Company, dated March 23, 2009 (“Washington Banking Letter”); Robert J. LaForest, Vice President and Associate General Counsel, Whirlpool Corporation, dated March 26, 2009 (“Whirlpool Letter”); Michael C. Connelly, Vice President and General Counsel, Xcel Energy, dated March 27, 2009 (“Xcel Letter”); Anne M. Mulcahy, Chairman and Chief Executive Officer, Xerox Corporation, dated March 25, 2009 (“Xerox Letter”); and William D. Zollars, Chairman of the Board, President and Chief Executive Officer, and YRC Worldwide Inc., dated March 25, 2009 (“YRC Letter”).

[FR Doc. E9-16318 Filed 7-9-09; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60234; File No. SR-NSCC-2009-04]

### Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Addendum O

July 2, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),<sup>1</sup> notice is hereby given that on June 19, 2009, the National Securities Clearing Corporation (“NSCC”) 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 primarily by NSCC. NSCC filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>2</sup> and Rule 19b-4(f)(4) thereunder<sup>3</sup> so that the proposal was 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 proposed rule change amends Addendum O to NSCC’s rules to correct Footnote 1 to make the footnote consistent with recently filed and effective changes to Addendum O.

#### II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, NSCC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. NSCC has prepared summaries, set forth in sections A, B, and C below, of the most significant aspects of such statements.

##### A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

The proposed rule change amends Footnote 1 of Addendum O (“Admission of Non-US Entities as Direct NSCC Members”) to NSCC’s

rules. The new footnote will state that Addendum O is not applicable to non-U.S. insurance companies.

NSCC inadvertently failed to update Footnote 1 when it amended Addendum O earlier this year to permit non-U.S. entities to apply to be Mutual Fund/ Insurance Services Members, Fund Members, and Insurance Carrier/ Retirement Services Members.<sup>4</sup> Those changes had the effect of making Addendum O inapplicable only to non-U.S. insurance companies since NSCC did not establish membership standards for non-U.S. insurance companies. This current rule change updates Footnote 1.

NSCC states that the proposed rule change is consistent with the requirements of Section 17A of the Act<sup>5</sup> and the rules and regulations promulgated thereunder by making technical corrections to NSCC’s rules for internal consistency.

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

NSCC does not believe that the proposed rule change will have any impact or impose any burden on competition.

##### C. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

NSCC has not solicited or received written comments relating to the proposed rule change. NSCC will notify the Commission of any written comments it receives.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(iii) of the Act<sup>6</sup> and Rule 19b-4(f)(4)<sup>7</sup> thereunder because it effects a change in an existing service of a registered clearing agency that does not adversely affect the safeguarding of securities and funds in the custody or control of the clearing agency or for which it is responsible and does not significantly affect the respective rights or obligations of the clearing agency or persons using the service. 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

<sup>4</sup> Securities Exchange Act Release No. 59413 (Feb. 18, 2009), 74 FR 8298 (Feb. 24, 2009).

<sup>5</sup> 15 U.S.C. 78q-1.

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>7</sup> 17 CFR 240.19b-4(f)(2).

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

<sup>2</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>3</sup> 17 CFR 240.19b-4(f)(4).

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-comment@sec.gov](mailto:rule-comment@sec.gov). Please include File No. SR-NSCC-2009-04 on the subject line.

##### *Paper Comments*

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File No. SR-NSCC-2009-04. 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, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. to 3 p.m. Copies of such filing also will be available for inspection and copying at NSCC's principal office and on NSCC's Web site at <http://www.nsccl.com/legal/index.html>. 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 No. SR-NSCC-2009-04 and should be submitted on or before July 31, 2009.

For the Commission by the Division of Trading and Markets, pursuant to delegated authority.<sup>8</sup>

Elizabeth M. Murphy,

Secretary.

[FR Doc. E9-16355 Filed 7-9-09; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60198; File No. SR-BX-2009-034]

##### **Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change to Amend the Fee Schedule of the Boston Options Exchange Facility**

##### *Correction*

In notice document E9-16036 beginning on page 32212 in the issue of Tuesday, July 7, 2009, make the following correction:

On page 32213, in the third column, in the 17th line from the top, "July 29, 2009" should read "July 28, 2009".

[FR Doc. Z9-16036 Filed 7-9-09; 8:45 am]

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#### SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-60235; File No. SR-CBOE-2009-046]

##### **Self-Regulatory Organizations; Chicago Board Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change To Amend Its Chicago Board Options Exchange Stock Exchange Fees Schedule To Establish an Additional Transaction Fee Related to Stock Option Trades**

July 2, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act")<sup>1</sup> and Rule 19-4 thereunder,<sup>2</sup> notice is hereby given that on July 1, 2009, the Chicago Board Options Exchange, Incorporated (the "Exchange" or "CBOE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. The Commission is publishing this notice to

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

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

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

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 Exchange proposes to amend its CBOE Stock Exchange ("CBSX") Fees Schedule to establish a new transaction fee for the stock component of a stock-option trade. The text of the proposed rule change is available on the Exchange's Web site (<http://www.cboe.org/legal>), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

##### **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 self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

##### *A. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change*

##### 1. Purpose

CBSX is increasingly processing more stock trades that are the stock component of stock option transactions. CBOE now intends to establish a fee for the execution of the stock portion of a stock option transaction in which the stock is crossed using any of the cross order types outlined in CBSX Rule 51.8 (Types of Orders Handled). The proposed fee is \$0.0025 per share subject to a \$1 per trade minimum and a \$50 per trade maximum.

##### 2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Securities Exchange Act of 1934 ("Act"),<sup>3</sup> in general, and furthers the objectives of Section 6(b)(4)<sup>4</sup> of the Act in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among CBOE members and other persons using its facilities.

<sup>3</sup> 15 U.S.C. 78f(b).

<sup>4</sup> 15 U.S.C. 78f(b)(4).