

effects (both positive and negative) of these actions. The Board has authorized these temporary public use limits in Resolution 09-19.

Comments: The Trust received approximately 100 individual comments as well as a petition signed by 128 residents of Area B. The comments generally fall into three categories: (1) Inconvenience—some commented that temporary road closures, specifically the closure of Presidio Boulevard, would create an inconvenience to motorists, both to those who live in the Presidio as well as to those who live outside the park; (2) safety and congestion—some worry that rerouting traffic to other streets might create safety problems, especially on West Pacific Avenue, the roadway adjacent to Julius Kahn Playground; and (3) timing and length of study.

Responses to Comments: In the 2002 Presidio Trust Management Plan, the Trust committed to mitigate traffic impacts as Area B occupancy increased and visitation grew. The Trust has implemented a number of strategies and an array of traffic-calming measures. In March 2009, the Trust took traffic counts at all Presidio gates which allowed the Trust to ascertain what percentage of the cars entering the Presidio simply drove through the park and out another gate. The Trust determined that, while the Trust appears to have succeeded in managing traffic generated by park residents, tenants and visitors, and that the Presidio has sufficient capacity for traffic generated by anticipated land uses in Area B, cut-through traffic has become a major issue representing approximately 50% of the traffic in Area B. With the anticipated transformation of Doyle Drive, the landscape of the Presidio will be changing and new traffic patterns will emerge.

This trial limitation of public use and resulting study will help the Trust in implementing its management responsibilities and in avoiding conflicts among resident, tenant and visitor activities by allowing the Trust to analyze the effects of measures that are intended to slow traffic and to discourage cut-through traffic on Area B's major streets and gateways and through the Presidio's residential neighborhoods. In particular, it will help the Trust plan for the effect the new Doyle Drive/Girard Street interchange may have on the use of Area B streets for cut-through traffic. Further, as implementation of the Presidio's Trail and Bikeways Master Plan continues, the Trust expects the numbers of pedestrian and cyclists using the park to increase. Ensuring the

safety of this growing population means prioritizing the traffic movements of park users over traffic unrelated to park uses.

The study will examine the effects of a variety of potential traffic-calming solutions. The challenge is to weigh the benefit of a potentially significant reduction in traffic in the park against the inconvenience of using other routes. Cut-through traffic, especially those vehicles using the Presidio Boulevard gate, is creating congestion elsewhere in the Presidio. During the temporary closures the Trust anticipates a reduction in traffic volume throughout the Presidio. Safety concerns along West Pacific Avenue will be addressed through the addition of a speed cushion, increased United States Park Police enforcement, signage, and altering parking patterns to create a pedestrian zone out of the roadway. The study is scheduled for a brief window before construction of the Doyle Drive Replacement Project begins later in the fall. The study is designed in part to anticipate changes that may come about as a result of Doyle Drive; gathering data before construction begins is essential to undertaking an analysis of the impacts of potential changes. All roads will remain open to MUNI, PresidioGo and emergency vehicles. The Trust has considered public comment and has decided to proceed with the temporary public use limits and to terminate the use limits no later than 45 days after they commence.

Further Information: Further information about the study can be found at <http://www.presidio.gov> or by contacting Public Affairs (415.561.5418), The Presidio Trust, 34 Graham St., P.O. Box 29052, San Francisco, CA 94129-0052.

Dated: September 22, 2009.

Karen A. Cook,

General Counsel.

[FR Doc. E9-23313 Filed 9-25-09; 8:45 am]

BILLING CODE 4310-4R-P

SECURITIES AND EXCHANGE COMMISSION

Submission for OMB Review; Comment Request

Upon Written Request, Copies Available

From: Securities and Exchange Commission, Office of Investor Education and Advocacy, Washington, DC 20549-0213.

Extension:

Form N-4, SEC File No. 270-282, OMB Control No. 3235-0318.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 *et seq.*), the Securities and Exchange Commission (the "Commission") has submitted to the Office of Management and Budget a request for extension of the previously approved collection of information discussed below.

The collection of information is entitled: "Form N-4 (17 CFR 239.17b and 274.11c) under the Securities Act of 1933 (15 U.S.C. 77a *et seq.*) and under the Investment Company Act of 1940 (15 U.S.C. 80a-1 *et seq.*) registration statement of separate accounts organized as unit investment trusts." Form N-4 is the form used by insurance company separate accounts organized as unit investment trusts that offer variable annuity contracts to register as investment companies under the Investment Company Act of 1940 and/or to register their securities under the Securities Act of 1933. The primary purpose of the registration process is to provide disclosure of financial and other information to investors and potential investors for the purpose of evaluating an investment in a security. Form N-4 also permits separate accounts organized as unit investment trusts that offer variable annuity contracts to provide investors with a prospectus containing the information required in a registration statement prior to the sale or at the time of confirmation or delivery of the securities. The estimated annual number of respondents filing on Form N-4 is 104 for those filing initial registration statements and 1,360 for those filing post-effective amendments. The proposed frequency of response is annual. The estimate of the total annual reporting burden of the collection of information is approximately 278.5 hours per initial filing and 197.25 hours for a post-effective amendment, for a total of 297,224 hours ((104 initial registration statements × 278.5 hours) + (1,360 post-effective amendments × 197.25 hour)). Providing the information required by Form N-4 is mandatory. Responses will not be kept confidential. Estimates of the burden hours are made solely for the purposes of the Paperwork Reduction Act, and are not derived from a comprehensive or even a representative survey or study of the costs of Commission rules and forms.

An agency may not conduct or sponsor, and a person is not required to respond to a collection of information unless it displays a currently valid control number.

Please direct general comments regarding the above information to the following persons: (i) Desk Officer for

the Securities and Exchange Commission, Office of Management and Budget, Room 10102, New Executive Office Building, Washington, DC 20503 or send an email to Shagufta Ahmed at Shagufta_Ahmed@omb.eop.gov; and (ii) Charles Boucher, Director/CIO, Securities and Exchange Commission, C/O Shirley Martinson, 6432 General Green Way, Alexandria, VA 22312; or send an e-mail to: PRA_Mailbox@sec.gov. Comments must be submitted to OMB within 30 days of this notice.

Dated: September 21, 2009.

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E9-23308 Filed 9-25-09; 8:45 am]

BILLING CODE 8010-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-28909; 812-13612]

Annuity Investors Life Insurance Company, et al., Notice of Application

September 22, 2009.

AGENCY: Securities and Exchange Commission ("Commission").

ACTION: Notice of application for an order pursuant to Section 6(c) of the Investment Company Act of 1940 (the "Act") granting exemptions from Sections 2(a)(32) and 27(i)(2)(A) of the Act and Rule 22c-1 thereunder for the recapture of certain bonus credits.

APPLICANTS: Annuity Investors Life Insurance Company ("Annuity Investors Life"), Annuity Investors Variable Account C ("Variable Account C"), and Great American Advisors, Inc. ("GAA").

SUMMARY OF APPLICATION: Applicants seek an order to permit, under specified circumstances, the recapture of certain Bonuses (defined below) applied to Purchase Payments (defined below) made under: (1) Certain deferred variable annuity contracts and certificates, described herein, that Annuity Investors Life has issued, currently issues, or will issue through Variable Account C under a registration statement filed with the Commission under Securities Act of 1933 File No. 333-148459 (the contracts and certificates, including applicable data pages and endorsements, are collectively referred to herein as the "Current Bonus Contracts"); and (2) deferred variable annuity contracts and certificates, including applicable data pages and endorsements, other than Current Bonus Contracts that Annuity Investors Life may issue in the future ("Future Bonus Contracts," and together

with the Current Bonus Contracts, the "Contracts") through Variable Account C, through any of its existing separate accounts (together with Variable Account C, the "Current Accounts"), or through any future separate account of Annuity Investors Life ("Future Accounts," and together with the Current Accounts, the "Accounts"). Such Future Bonus Contracts will be substantially similar to the Current Bonus Contracts in all material respects. Applicants also request that the order being sought extend to any other Financial Industry Regulatory Authority ("FINRA") member broker-dealer controlling or controlled by, or under common control with Annuity Investors Life, whether existing or created in the future, that serves as a distributor or principal underwriter of the Contracts offered through the Accounts ("Future Underwriters").

DATES: Filing Dates: The application was filed on December 12, 2008, and an amended and restated application was filed on April 14, 2009 and September 18, 2009.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the Commission orders a hearing. Interested persons may request a hearing by writing to the Secretary of the Commission and serving Applicants with a copy of the request personally or by mail. Hearing requests should be received by the Commission by 5:30 p.m. on October 19, 2009, and should be accompanied by proof of service on Applicants, in the form of an affidavit or for lawyers a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request and the issues contested. Persons may request notification of a hearing by writing to the Secretary of the Commission.

ADDRESSES: Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090. Applicants, c/o Annuity Investors Life Insurance Company, 525 Vine Street, 7th Floor, Cincinnati, OH 45202, Attn: Karen McLaughlin, Esq. Copy to: Richard Choi, Jordan Burt LLP, 1025 Thomas Jefferson Street, Suite 400 East, Washington, DC 20007.

FOR FURTHER INFORMATION CONTACT: Michael L. Kosoff, Attorney, or Harry Eisenstein, Branch Chief, Office of Insurance Products, Division of Investment Management, at (202) 551-6795.

SUPPLEMENTARY INFORMATION: The following is a summary of the application. The complete application may be obtained via the Commission's

Web site by searching for the file number or an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090.

Applicants' Representations

1. Annuity Investors Life desires the flexibility, and is requesting exemptive relief, to recapture Bonuses of up to 5% of each Purchase Payment credited to Purchase Payments under a Contract if the owner returns the Contract for a refund during the free-look period. In addition, Annuity Investors Life is seeking exemptive relief to enable it to recapture the amount of any Bonus of up to 5% of each Purchase Payment credited to a Purchase Payment made under a Contract within the 12 month period that ends on the Death Benefit Valuation Date.¹

2. Annuity Investors Life is a wholly owned subsidiary of Great American Life Insurance Company, which is a wholly owned subsidiary of Great American Financial Resources, Inc. ("GAFRI"). GAFRI is a wholly owned subsidiary of American Financial Group, Inc., a publicly traded holding company. Annuity Investors Life serves as depositor of Variable Account C, which was established on November 7, 2001. Annuity Investors Life may establish one or more Future Accounts for which it will serve as depositor.

3. Great American Advisors, Inc. ("GAA") is the principal underwriter of the variable annuity products issued by Annuity Investors Life. GAA is a wholly owned subsidiary of Great American Financial Resources, Inc. GAA is registered with the Commission as a broker-dealer under the Securities Exchange Act of 1934 ("Exchange Act") and is a member of FINRA. The Contracts are offered or will be offered through registered representatives of GAA or others who are registered broker-dealers under the Exchange Act and FINRA members, and who have entered into selling agreements with GAA or any Future Underwriter. GAA or any Future Underwriter may act as principal underwriter for any Current or Future Bonus Contracts issued through any of the Accounts.

4. Each of the Accounts is or will be a segregated asset account of Annuity Investors Life that is or will be

¹ The Death Benefit Valuation Date means the earlier of (1) the date that the Company has received both due proof of death and a written request with instructions as to the form of the death benefit or (2) the Death Benefit Commencement Date, which is the first day of the first payment interval for a death benefit that is paid as periodic payments or the date of payment for a death benefit that is paid as a lump sum.