

October 29, 1996, The Options Clearing Corporation ("OCC") 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 OCC. 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 Substance of the Proposed Rule Change

The proposed rule change amends OCC's schedule of fees to reflect the replacement of microfiche with CD-ROM as the media for providing subscribing clearing members with copies of OCC generated reports.

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

In its filing with the Commission, OCC 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. OCC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.<sup>2</sup>

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

The purpose of the proposed rule change is to amend OCC's schedule of fees to reflect the replacement of microfiche with CD-ROM as the media for providing subscribing clearing members with copies of OCC generated reports.<sup>3</sup> OCC currently provides subscribing clearing members with microfiche copies of OCC generated reports on a fee per fiche basis. OCC now is proposing to change the media on which the clearing reports are stored from microfiche to CD-ROM. OCC will create the CD-ROMs containing reports for subscribing clearing members on a monthly basis. A reader for the CD-ROMs has been added to the enhanced clearing member interface equipment ("ECMI Equipment") used by clearing members, which will allow subscribing clearing members to access reports on their ECMI Equipment. OCC also will offer to convert the most immediate

thirty-six months' worth of historical reports to the CD-ROM format for those clearing members desiring to subscribe to that portion of the service.

The conversion to CD-ROM requires a change in OCC's schedule of fees. OCC proposes to charge subscribing clearing members \$75 per month per CD-ROM. OCC estimates that one month's worth of reports for each subscribing clearing member will currently fit into one CD-ROM. The same fee structure (i.e., \$75 per month per CD-ROM) will be applied to any clearing member desiring to obtain historical reports. During the conversion period, OCC will waive the first month fee for a CD-ROM if a clearing member also receives microfiche. While OCC intends to complete the conversion by December 1996, it has not finalized a conversion schedule. Accordingly, the fee applicable to reports on microfiche has not been deleted from OCC's schedule of fees. OCC anticipates that the conversion to CD-ROM will generate savings of nearly \$7,000 per month to its overall membership although certain individual clearing members might experience a small increase in their current monthly costs.

OCC believes that the proposed rule change is consistent with Section 17A(b)(3)(D) of the Act<sup>4</sup> and the rules and regulations thereunder because it provides for the equitable allocation of reasonable dues, fees, and other charges among OCC's participants.

##### (B) Self-Regulatory Organization's Statement on Burden on Competition

OCC does not believe that the proposed rule change will impose any burden on competition 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

No written comments have been solicited or received. OCC will notify the Commission of any written comments received by OCC.

#### 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)(ii) of the Act<sup>5</sup> and pursuant to Rule 19b-4(e)(2)<sup>6</sup> promulgated thereunder because the proposal changes a due, fee, or other charge

imposed by OCC. At any time within sixty days of the filing of such 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. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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 Section, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing also will be available for inspection and copying at the principal office of OCC. All submissions should refer to File No. SR-OCC-96-14 and should be submitted by December 26, 1996.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

Margaret H. McFarland,  
Deputy Secretary.

[FR Doc. 96-30879 Filed 12-3-96; 8:45 am]

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## DEPARTMENT OF TRANSPORTATION

### Federal Railroad Administration

[FRA Docket No. RST-95-3]

#### Addendum to Petition for Waiver of Compliance

In accordance with Part 211 of Title 49 Code of Federal Regulations (CFR), notice is hereby given that the New York State Department of Transportation (NYDOT) requested an addendum to its request for a waiver of compliance with certain requirements of the CFR in order to operate various types of equipment at higher cant deficiencies.

<sup>2</sup> The Commission has modified the text of the summaries prepared by OCC.

<sup>3</sup> These reports contain information regarding clearing members' daily clearance and settlement activity.

<sup>4</sup> 15 U.S.C. 78q-1(b)(3)(D) (1988).

<sup>5</sup> 15 U.S.C. 78s(b)(3)(A)(ii) (1988).

<sup>6</sup> 17 CFR 240.19b-4(e)(2) (1996).

<sup>7</sup> 17 CFR 200.30-3(a)(12) (1996).

In its original request (see 60 Federal Register No. 230, November 30, 1995) NYDOT requested a waiver from certain requirements of 49 CFR Part 213, *Track Safety Standards*, for the purpose of operating Rohr Turboliner trainsets at up to eight inches of cant deficiency on the Empire Corridor extending from New York City, New York, to Niagara Falls, New York.

NYDOT now requests to add the National Railroad Passenger Corporation's (Amtrak) equipment to its request: FL-9, FL-9 AC, Genesis I and II locomotives, Bombardier Shoreliner coaches, M-1 and M-3 electric-propelled coaches. NYDOT also proposes to limit its request to underbalance levels up to six inches and limit the territory of its request to that portion of the Empire Corridor extending between Penn Station, New York, and Poughkeepsie, New York, over track owned by Amtrak and Metro-North Commuter Railroad.

Interested parties are invited to participate in this proceeding by submitting written views, data, or comments on this petition. FRA does not anticipate scheduling a public hearing in connection with these proceedings since the facts do not appear to warrant a hearing. If any interested party desires an opportunity for oral comment, they should notify FRA, in writing, before the end of the comment period and specify the basis for their request.

All communications concerning this proceeding should identify the appropriate docket number (e.g., Waiver Petition Docket No. RST-95-3) and must be submitted in triplicate to the Docket Clerk, Office of Chief Counsel, Federal Railroad Administration, Nassif Building, 400 Seventh Street, SW., Washington, DC 20590. Communications received within 45 days of the date of this notice will be considered by FRA before final action is taken. Comments received after that date will be considered as far as practicable. All written communications concerning these proceedings are available for examination during regular business hours (9 a.m.-5 p.m.) at FRA's temporary docket room located at 1120 Vermont Avenue, NW., Room 7051, Washington, DC 20005.

Issued in Washington, DC, on November 25, 1996.

Phil Olekszyk,

Deputy Associate Administrator for Safety Compliance and Program Implementation.  
[FR Doc. 96-30883 Filed 12-3-96; 8:45 am]

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## Surface Transportation Board

[STB Finance Docket No. 33264]

### Indiana Harbor Belt Railroad Company—Trackage Rights Exemption—Consolidated Rail Corporation

Consolidated Rail Corporation (Conrail) has agreed to grant non-exclusive overhead trackage rights to Indiana Harbor Belt Railroad Company (IHB) over Conrail's Bernice Line from its connection with trackage which IHB operates at Dolton, Cook County, IL (M.P. 293.4±) to Acme Steel, Riverdale, Cook County, IL (M.P. 294.9±).

The transaction is scheduled to be consummated on November 26, 1996.

The trackage rights will enable IHB to provide rail service to Acme Steel.

As a condition to this exemption, any employees affected by the trackage rights will be protected by the conditions imposed in *Norfolk and Western Ry. Co.—Trackage Rights—BN*, 354 I.C.C. 605 (1978), as modified in *Mendocino Coast Ry., Inc.—Lease and Operate*, 360 I.C.C. 653 (1980).

This notice is filed under 49 CFR 1180.2(d)(7). If it contains false or misleading information, the exemption is void *ab initio*. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the transaction.

An original and 10 copies of all pleadings, referring to STB Finance Docket No. 33264, must be filed with the Surface Transportation Board, Office of the Secretary, Case Control Branch, 1201 Constitution Avenue, NW., Washington, DC 20423. In addition, a copy of each pleading must be served on Roger A. Serpe, Esq., Indiana Harbor Belt Railroad Company, 175 West Jackson Boulevard, Suite 1460, Chicago, IL 60604.

Decided: November 26, 1996.

By the Board, David M. Konschnik,  
Director, Office of Proceedings.

Vernon A. Williams,  
Secretary.

[FR Doc. 96-30717 Filed 12-3-96; 8:45 am]

BILLING CODE 4915-00-P

## DEPARTMENT OF THE TREASURY

### Office of Thrift Supervision

#### Proposed Agency Information Collection Activities; Comment Request

AGENCY: Office of Thrift Supervision, Department of Treasury.

**ACTION:** Notice and request for comments.

**SUMMARY:** The Department of the Treasury, as part of its continuing effort to reduce paperwork and respondent burden, invites the general public and other Federal agencies to take this opportunity to comment on proposed and/or continuing information collections, as required by the Paperwork Reduction Act of 1995, Public Law 104-13. Currently, the Office of Thrift Supervision within the Department of the Treasury is soliciting comments concerning the Merger Application.

**DATES:** Written comments should be received on or before February 3, 1997 to be assured of consideration.

**ADDRESSES:** Send comments to Manager, Dissemination Branch, Records Management and Information Policy, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, Attention 1550-0016. These submissions may be hand delivered to 1700 G Street, NW. From 9:00 A.M. to 5:00 P.M. on business days; they may be sent by facsimile transmission to FAX Number (202) 906-7755. Comments over 25 pages in length should be sent to FAX Number (202) 906-6956. Comments will be available for inspection at 1700 G Street, NW., from 9:00 A.M. until 4:00 P.M. on business days.

**FOR FURTHER INFORMATION CONTACT:** Requests for additional information should be directed to Pamela Schaar, Corporate Activities Division, Supervision, Office of Thrift Supervision, 1700 G Street, NW., Washington, DC 20552, (202) 906-7205.

#### SUPPLEMENTARY INFORMATION:

*Title:* Merger Application.

*OMB Number:* 1550-0016.

*Form Number:* OTS Form 1588.

*Abstract:* The Bank Merger Act and OTS regulations require thrifts that propose to combine with either another thrift or insured depository institution to obtain written approval from the OTS.

*Current Actions:* OTS is proposing to renew this information collection without revision.

*Type of Review:* Extension of currently approved collection.

*Affected Public:* Business or For Profit.

*Estimated Number of Respondents:* 96.

*Estimated Time Per Respondent:* 36 hours.

*Estimated Total Annual Burden Hours:* 3,456 hours.

*Request for Comments:* Comments submitted in response to this notice will