

\_\_\_\_\_, Governor

[FR Doc. 99-6584 Filed 3-17-99; 8:45 am]

BILLING CODE 7590-01-P

## POSTAL SERVICE BOARD OF GOVERNORS

### Sunshine Act Meeting

**TIMES AND DATES:** 1:00 p.m., Monday, March 29, 1999; 8:30 a.m., Tuesday, March 30, 1999.

**PLACE:** Washington, D.C., at U.S. Postal Service Headquarters, 475 L'Enfant Plaza, S.W., in the Benjamin Franklin Room.

**STATUS:** March 29 (Closed); March 30 (Open).

#### MATTERS TO BE CONSIDERED:

*Monday, March 29—1:00 p.m. (Closed)*

1. Financial Performance Indicators.
2. Modification of External Audit Contract.
3. REMITCO Market Test Expansion.

*Tuesday, March 30—8:30 a.m. (Open)*

1. Minutes of the Previous Meeting, March 1-2, 1999.
2. Remarks of the Postmaster General/Chief Executive Officer.
3. Update on the Diversity Study.
4. Briefing on REDRESS (Resolve Employment Disputes, Reach Equitable Solutions Swiftly).

*Tuesday, March 30—8:30 a.m. (Open)*  
[continued]

5. Capital Investment.
  - a. Additional Delivery Bar Code Sorter (DBCS) Capacity.
6. Tentative Agenda for the May 3-4, 1999, meeting in Long Island, New York.

**CONTACT PERSON FOR MORE INFORMATION:** Thomas J. Koerber, Secretary of the Board, U.S. Postal Service, 475 L'Enfant Plaza, S.W., Washington, D.C. 20260-1000. Telephone (202) 268-4800.

**Thomas J. Koerber,**  
Secretary.

Certified to be a true copy of the original document.

**Stanley F. Mires,**  
Certifying Officer.

[FR Doc. 99-6737 Filed 3-16-99; 11:38 am]

BILLING CODE 7710-12-M

## RAILROAD RETIREMENT BOARD

### Proposed Collection; Comment Request

**SUMMARY:** In accordance with the requirement of Section 3506(c)(2)(A) of the Paperwork Reduction Act of 1995

which provides opportunity for public comment on new or revised data collections, the Railroad Retirement Board (RRB) will publish periodic summaries of proposed data collections.

#### Comments Are Invited on

(a) Whether the proposed information collection is necessary for the proper performance of the functions of the agency, including whether the information has practical utility; (b) the accuracy of the RRB's estimate of the burden of the collection of the information; (c) ways to enhance the quality, utility, and clarity of the information to be collected; and (d) ways to minimize the burden related to the collection of information on respondents, including the use of automated collection techniques or other forms of information technology.

#### Title and Purpose of Information Collection

Aged Monitoring Questionnaire: OMB 3220-0178

As outlined in 20 CFR 219.3(b), once a claimant establishes entitlement to an annuity under the Railroad Retirement Act (RRA), the RRB may ask that annuitant to produce evidence needed to decide whether he or she may continue to receive an annuity or whether the annuity should be reduced or stopped.

The RRB utilizes Form G-19c, *Aged Monitoring Questionnaire*, to monitor select aged annuitants. Use of the form assists RRB efforts to discover unreported deaths and also to determine if an aged annuitant is able to manage their own affairs. One response is requested from each respondent. Completion is voluntary. The RRB proposes no changes to Form G-19c.

The estimated annual respondent burden is as follows:

*Estimated number of responses:*  
3,000.

*Estimated completion time per response:* 6 minutes.

*Estimated annual burden hours:* 300.

#### ADDITIONAL INFORMATION OR COMMENTS:

To request more information or to obtain a copy of the information collection justification, forms, and/or supporting material, please call the RRB Clearance Officer at (312) 751-3363. Comments regarding the information collection should be addressed to Ronald J. Hodapp, Railroad Retirement Board, 844 N. Rush Street, Chicago, Illinois 60611-2092. Written comments

should be received within 60 days of this notice.

**Chuck Mierzwa,**

Clearance Officer.

[FR Doc. 99-6546 Filed 3-17-99; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

### Issuer Delisting; Notice of Application To Withdraw From Listing and Registration; (Delmarva Power & Light Company, 3.7%, 4.0%, 4.20%, 4.28%, 4.56%, 5.00%, 6.75% and 7.75% Cumulative Preferred Stock; Adjustable Rate Cumulative Preferred Stock, Series A; and Auction Rate Cumulative Preferred Stock, Series A) File No. 1-1405

March 11, 1999.

Delmarva Power & Light Company ("Company") has filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act") and Rule 12d2-2(d) promulgated thereunder, to withdraw the above specified securities ("Securities") from listing and registration on the Philadelphia Stock Exchange, Inc. ("PHLX" or "Exchange").

The reasons cited in the application for withdrawing the Securities from listing and registration include the following:

Effective March 1, 1998, the Company became a wholly owned subsidiary of Conectiv, a company registered under the Public Utility Holding Company Act of 1935. The decision to delist the securities from the Exchange is due to the need to reduce administrative costs and provide for a more efficient subsidiary management structure. The Securities are either held by institutions or have less than 500 holders in total and trade infrequently. The decision to delist the securities from the PHLX will not affect the ability to trade them over-the-counter.

The Company has complied with Rule 809 of the Exchange by filing with the Exchange a certified copy of the resolutions adopted by the Company's Board of Directors authorizing the withdrawal of its Securities from listing on the Exchange and by setting forth in detail to the Exchange the reasons for the proposed withdrawal, and the facts in support thereof. In making the decision to withdraw its Securities from listing on the Exchange, the Company considered the direct and indirect costs and expenses of listing its Securities on the Exchange.

The Exchange has informed the Company that it has no objection to the withdrawal of the Company's Securities from listing on the Exchange.

The application refers only to the Securities set forth above and would not affect the Company's obligations, by reason of Section 12(b) of the Act and the rules and regulations of the Commission thereunder, to continue to file reports with the Commission under Section 13 of the Act with respect to its other issues.

Any interested person may, on or before, April 1, 1999, submit by letter to the Secretary of the Securities and Exchange Commission, 450 Fifth Street, NW, Washington, DC 20549, facts bearing upon whether the application has been made in accordance with the rules of the Exchange and what terms, if any should be imposed by the Commission for the protection of investors. The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 99-6550 Filed 3-17-99; 8:45 am]

BILLING CODE 8010-01-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. IC-23737; 812-111532]

### Bankers Trust Company; Temporary Order

March 12, 1999.

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

**ACTION:** Temporary order under section 9(c) of the Investment Company Act of 1940 (the "Act").

**SUMMARY:** Applicant Bankers Trust Company has received a temporary order exempting it and entities of which it is or becomes an affiliated person from section 9(a) of the Act, with respect to a cooperation and plea agreement entered into on March 11, 1999 between applicant and the U.S. Attorney for the Southern District of New York, until the Commission takes final action on an application for a permanent order or, if earlier, May 11, 1999.

**Filing Date:** The application was filed on March 12, 1999.

**ADDRESSES:** Secretary, Securities and Exchange Commission, 450 Fifth Street,

N.W., Washington, D.C. 20549; Applicant, One Bankers Trust Plaza, New York, New York 10006.

**FOR FURTHER INFORMATION CONTACT:** Nadya B. Roytblat, Assistant Director, at (202) 942-0693, Division of Investment Management, Office of Investment Company Regulation.

**SUPPLEMENTARY INFORMATION:** The following is a temporary order and a summary of the application. The complete application is available for a fee from the Commission's Public Reference Branch, 450 Fifth Street, N.W., Washington, D.C. 20549 (tel. 202-942-8090).

### Applicant's Representations

1. Applicant, a New York banking corporation, is the principal bank subsidiary of Bankers Trust Corporation, a New York corporation that, together with its subsidiaries and affiliates, performs a wide range of banking and financial services worldwide. Applicant is the investment adviser or subadviser to numerous investment companies registered under the Act ("funds"). Applicant is exempt from registration under the Investment Advisers Act of 1940 ("Advisers Act"). Certain entities of which applicant is an affiliated person ("Covered Entities") and which are registered under the Advisers Act also serve as investment advisers or subadvisers to funds.<sup>1</sup> Applicant and Covered Entities currently advise or subadvise funds having aggregate net assets in excess of \$60 billion.

2. Applicant acts as custodian and transfer agent for certain funds advised by it or by the Covered Entities. Applicant also acts as custodian (but not transfer agent) for certain other funds. Applicant is registered as a transfer agent under the Securities Exchange Act of 1934.

3. On March 11, 1999, the U.S. Attorney for the Southern District of New York filed a three-count felony information (the "Information") in the U.S. District Court for the Southern District of New York alleging violations of 18 U.S.C. 1005. The Information charges applicant with making false entries on its books and records as a result of the conduct of certain employees in 1994-1996 in applicant's processing services businesses. The conduct involved the transfer to reserve accounts and to income of aged credit items that should have been paid to

<sup>1</sup> Upon consummation of the pending acquisition of the parent company of applicant by Deutsche Bank AG, Covered Entities also would include entities of which as a result of the acquisition applicant becomes an affiliated person.

customers or other third parties, or paid to state abandoned property authorities.

4. On March 11, 1999, applicant entered a plea of guilty to the charges in the Information pursuant to a written cooperation and plea agreement ("Cooperation and Plea Agreement."<sup>2</sup>) In the Cooperation and Plea Agreement, applicant agreed to pay a fine of \$60 million and to place the amount in escrow pending sentencing. The Cooperation and Plea Agreement provides that sentencing will be adjourned to on or before May 12, 1999.

### Applicant's Legal Analysis

1. Section 9(a) of the Act, in relevant part, prohibits a person from serving or acting in the capacity of an investment adviser, principal underwriter, or depositor for any registered investment company if the person has been (i) convicted of any felony or misdemeanor arising out of the person's conduct, among other things, as an underwriter, broker, dealer, investment adviser, or transfer agent, or (ii) enjoined from acting, among other things, as a principal underwriter, investment adviser, or transfer agent. Applicant does not concede that the Cooperation and Plea Agreement would disqualify it under section 9(a) of the Act. In order to resolve any uncertainty, however, applicant seeks a temporary order exempting it and the Covered Entities from section 9(a) of the Act as it relates to the Cooperation and Plea Agreement.

2. Section 9(c) of the Act provides that the Commission shall grant an application for an exemption from the disqualification provisions of section 9(a) if it is established that these provisions, as applied to the applicant, are unduly or disproportionately severe or that the conduct of applicant has been such as not to make it against the public interest or the protection of investors to grant the application.

3. Applicant states that the prohibitions of section 9(a) as applied to it and the Covered Entities would be unduly and disproportionately severe. Applicant states that, if the exemption were not granted, the prohibition of section 9(a) would have a devastating impact on the businesses of applicant and the Covered Entities. Applicant asserts that those businesses were not involved in the matters underlying the Corporation and Plea Agreement.

4. Applicant believes that the inability of applicant and the Covered Entities to provide investment advisory services would disrupt services to the funds and

<sup>2</sup> Applicant has agreed to promptly file a copy of the Information and the Cooperation and Plea Agreement as an amendment to this application.