

NRC's Public Document Room (PDR), Public File Area O1F21, One White Flint North, 11555 Rockville Pike, Rockville, Maryland. The regulatory guide and related documents, including comments, can be viewed and downloaded electronically via the NRC's rulemaking Web site at <http://ruleforum.llnl.gov>.

Also, publicly available documents created or received at the NRC are available electronically at the NRC's Electronic Reading Room at <http://www.nrc.gov/NRC/reading-rm/adams.html>. From this site, the public can gain entry into the NRC's Agencywide Document Access and Management System (ADAMS), which provides text and image files of NRC's public documents. If you do not have access to ADAMS or if there are problems in accessing the documents located in ADAMS, contact the NRC Public Document Room (PDR) Reference staff at 1-800-397-4209, 301-415-4737 or by e-mail to [PDR@nrc.gov](mailto:PDR@nrc.gov).

Although a deadline is given for comments on this draft guide, comments and suggestions in connection with items for inclusion in guides currently being developed or improvements in all published guides are encouraged at any time. Requests for single copies of draft or final regulatory guides (which may be reproduced) or for placement on an automatic distribution list for single copies of future draft guides in specific divisions should be made in writing to the U.S. Nuclear Regulatory Commission, Washington, DC 20555, Attention: Reproduction and Distribution Services Section, or by fax to (301) 415-2289; e-mail [Distribution@nrc.gov](mailto:Distribution@nrc.gov). Telephone requests cannot be accommodated. Regulatory guides are not copyrighted, and NRC approval is not required to reproduce them.

(5 U.S.C. 552(a))

Dated at Rockville, Maryland, this 3rd day of July 2003.

For the Nuclear Regulatory Commission.

**Karen M. Fitch,**

*Deputy Director, Program Management, Policy Development and Analysis Staff, Office of Nuclear Regulatory Research.*

[FR Doc. 03-17582 Filed 7-10-03; 8:45 am]

BILLING CODE 7590-01-P

## POSTAL SERVICE BOARD OF GOVERNORS

### Sunshine Act Meeting

#### Board Votes To Close July 21, 2003, Meeting

At its meeting on June 2, 2003, and by paper vote July 3-7, 2003, the Board of Governors of the United States Postal Service voted unanimously to close to public observation its meeting scheduled for July 21, 2003, in McLean, Virginia.

#### ITEMS TO BE CONSIDERED:

1. Strategic Planning.
2. Personnel Matters.

**GENERAL COUNSEL CERTIFICATION:** The General Counsel of the United States Postal Service has certified that the meeting was properly closed under the Government in the Sunshine Act.

#### FOR FURTHER INFORMATION CONTACT:

Requests for information about the meeting should be addressed to the Secretary of the Board, William T. Johnstone, at (202) 268-4800.

**William T. Johnstone,**

*Secretary*

[FR Doc. 03-17775 Filed 7-9-03; 3:27 pm]

BILLING CODE 7710-12-M

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-48129; File No. SR-ISE-2003-16]

### Self-Regulatory Organizations; Notice of Filing and Immediate Effectiveness of Proposed Rule Change by the International Securities Exchange, Inc., Relating to Fee Changes

July 3, 2003.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on June 4, 2003, the International Securities Exchange, Inc. ("ISE" or "Exchange") 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 by the ISE. 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 Exchange is proposing changes to its Schedule of Fees in order to extend

the term of certain existing fee waivers, to remove language to a fee waiver that has expired, and to eliminate the fee for the Rule 11Ac1-6 Order Report.

#### 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 Exchange 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 and is set forth in Sections A, B, and C below.

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

###### 1. Purpose

The Exchange is proposing changes to its Schedule of Fees in order to extend the term of certain existing fee waivers, to remove language referring to a certain fee waiver that is not being renewed and to eliminate the fee for the Rule 11Ac1-6 Order Report.

With respect to the fee waivers, the Exchange is proposing to extend the terms, as follows: (i) the waiver of customer Execution Fees is extended through June 30, 2004;<sup>3</sup> (ii) the waiver of firm proprietary Execution Fees in the iShares S&P 100 Index Fund is extended through June 30, 2004;<sup>4</sup> (iii) the waiver of the firm proprietary Surcharge in the iShares S&P 100 Index Fund is extended through June 30, 2004;<sup>5</sup> (iv) the waiver of the Marketing Fee is extended until December 31, 2003;<sup>6</sup> (v) the waiver of the Comparison Fee for customer trades is extended through June 30, 2004;<sup>7</sup> (vi) the waiver of the Click@/Trade Review Terminal Software License & Maintenance Fee for a second and subsequent terminals is extended through June 30, 2004;<sup>8</sup> and (vii) the waiver of the EAM/Trade Review Terminal Session/API Fee associated with a second and

<sup>3</sup> Initial fee waiver made in Securities Exchange Act Release No. 42473 (February 29, 2000), 65 FR 11818 (March 6, 2000).

<sup>4</sup> Initial fee waiver made in Securities Exchange Act Release No. 46698 (October 21, 2002), 67 FR 65818 (October 28, 2002).

<sup>5</sup> *Id.*

<sup>6</sup> Initial fee waiver made in Securities Exchange Act Release No. 46189 (July 11, 2002), 67 FR 47587 (July 17, 2002).

<sup>7</sup> Initial fee waiver made in Securities Exchange Act Release No. 42473 (February 29, 2000), 65 FR 11818 (March 6, 2000).

<sup>8</sup> Initial fee waiver made in Securities Exchange Act Release No. 45840 (April 29, 2002), 67 FR 30408 (May 6, 2002).

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

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

subsequent Click terminals is extended through June 30, 2004.<sup>9</sup> The Exchange represents that it is extending the term of the fee waivers for competitive purposes. The Exchange is also removing language in its Schedule of Fees that relates to a fee waiver that expired on May 31, 2003 and has not been renewed—namely, firm proprietary Execution Fees for trades executed in the Block Order Mechanism.

With respect to the fee elimination, the Exchange is proposing to eliminate the fee for preparing a Rule 11Ac1-6 Order Report, or specialized best execution report, that the Exchange currently offers to members who specifically request this report. The Exchange is eliminating the fee since the Exchange has recovered the technical development costs associated with producing the report, as well as for competitive purposes.

## 2. Statutory Basis

The basis under the Act for this proposed rule change is the requirement under Section 6(b)(4) of the Act that an exchange have an equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities.<sup>10</sup>

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

The proposed rule change does not impose any burden on competition that is 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*

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

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

The foregoing proposed rule change has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the Act<sup>11</sup> and Rule 19b-4(f)(2) thereunder.<sup>12</sup> Accordingly, the proposal will take effect upon filing with the Commission. 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 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 proposal is consistent with the Act. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street NW., Washington, DC 20549-0609. 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.

Copies of such filing will also be available for inspection and copying at the principal office of the ISE. All submissions should refer to File No. SR-ISE-2003-16 and should be submitted by August 1, 2003.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>13</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

[FR Doc. 03-17588 Filed 7-10-03; 8:45 am]

**BILLING CODE 8010-01-P**

## SECURITIES AND EXCHANGE COMMISSION

**[Release No. 34-48122; File No. SR-NSCC-2003-14]**

### **Self-Regulatory Organizations; National Securities Clearing Corporation; Notice of Filing of a Proposed Rule Change Relating to Anonymity Features on Trading Systems**

July 2, 2003.

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, 2003, the National Securities Clearing Corporation ("NSCC") filed with the Securities and Exchange Commission ("Commission"), and on

June 23, 2003, amended the proposed rule change as described in Items I, II, and III below, which items have been prepared primarily by NSCC. 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 would modify NSCC's procedures to accommodate the reporting of trades executed on a system that provides trading anonymity.

### **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.<sup>2</sup>

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

NSCC may receive locked-in trade data from an SRO that operates a trading system that provides anonymity. At the request of the SRO, NSCC may report back to members such trades identifying an acronym selected by the SRO instead of naming the actual contraside. The purpose of the proposed rule filing is to add language to section II.C.1 of NSCC Rules and Procedures that would provide that in such an event the contraside is one of the members eligible to execute trades on the anonymous trading system. New language would also be added to that section that would provide that if NSCC ceases to act for the unnamed contraside, the applicable entity providing the anonymous trading system will be responsible for identifying to members which of their trades are with the affected member.

The National Association of Securities Dealers, Inc. ("NASD") recently filed a proposed rule change that would allow it to add an anonymity feature to the Nasdaq Stock Market's SuperMontage trading system.<sup>3</sup> NSCC's proposed rule

<sup>9</sup> *Id.*

<sup>10</sup> 15 U.S.C. 78f(b)(4).

<sup>11</sup> 15 U.S.C. 78s(b)(3)(A)(ii).

<sup>12</sup> 17 CFR 240.19b-4(f)(2).

<sup>13</sup> 17 CFR 200.30-3(a)(12).

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

<sup>2</sup> The Commission has modified parts of these statements.

<sup>3</sup> File No. SR-NASD-2003-85 (filed May 22, 2003).