

available for inspection and copying in the Commission's Public Reference Room. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. 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 Number SR-NYSEArca-2006-33 and should be submitted on or before January 23, 2007.

#### IV. Commission's Findings and Order Granting Accelerated Approval of the Proposed Rule Change

After careful review, the Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder applicable to a national securities exchange.<sup>10</sup> In particular, the Commission finds that the proposed rule change is consistent with Section 6(b)(5) of the Act,<sup>11</sup> which requires that an exchange have rules designed, among other things, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system, and in general to protect investors and the public interest. The Commission believes that this proposal should benefit investors by increasing competition among markets that trade the Shares.

In addition, the Commission finds that the proposal is consistent with Section 12(f) of the Act,<sup>12</sup> which permits an exchange to trade, pursuant to UTP, a security that is listed and registered on another exchange.<sup>13</sup> The Commission notes that it previously approved the listing and trading of the Shares on Amex and subsequently on NYSE.<sup>14</sup> The Commission also finds that the proposal is consistent with Rule 12f-5 under the Act,<sup>15</sup> which provides that an

exchange shall not extend UTP to a security unless the exchange has in effect a rule or rules providing for transactions in the class or type of security to which the exchange extends UTP. The Exchange has represented that it meets this requirement because it deems the Shares to be equity securities, thus rendering trading in the Shares subject to the Exchange's existing rules governing the trading of equity securities.

The Commission further believes that the proposal is consistent with Section 11A(a)(1)(C)(iii) of the Act,<sup>16</sup> which sets forth Congress' finding that it is in the public interest and appropriate for the protection of investors and the maintenance of fair and orderly markets to assure the availability to brokers, dealers, and investors of information with respect to quotations for and transactions in securities. Quotations for and last sale information regarding the Shares are disseminated through the Consolidated Quotation System. Furthermore, the IOPV calculator updates the IOPV for the Fund every 15 seconds to reflect price changes of the Index components in the principal foreign markets, and converts such prices into U.S. dollars based on the current currency exchange rate. When the foreign market or markets are closed but NYSE is open for trading, the IOPV will be updated every 15 seconds to reflect changes in currency exchange rates. Furthermore, NYSE Arca Equities Rule 7.34 describes the circumstances where the Exchange would halt trading when the IOPV or the value of the underlying Index is not calculated or widely available.

The Commission notes that, if the Shares should be delisted by the listing exchange, the Exchange would no longer have authority to trade the Shares pursuant to this order.

In support of this proposal, the Exchange has made the following representations:

1. The Exchange's surveillance procedures are adequate to monitor the trading of the Shares.

2. In connection with the trading of the Shares, the Exchange would inform ETP Holders in an Information Circular of the special characteristics and risks associated with trading the Shares.

3. The Information Circular would inform participants of the prospectus or product delivery requirements applicable to the Shares.

This approval order is conditioned on the Exchange's adherence to these representations.

The Commission finds good cause for approving this proposal before the thirtieth day after the publication of notice thereof in the **Federal Register**. As noted previously, the Commission previously found that the listing and trading of the Shares on Amex and subsequently on NYSE is consistent with the Act. The Commission presently is not aware of any regulatory issue that should cause it to revisit that earlier finding or preclude the trading of the Shares on the Exchange pursuant to UTP. Therefore, accelerating approval of this proposal should benefit investors by creating, without undue delay, additional competition in the market for the Shares.

#### V. Conclusion

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,<sup>17</sup> that the proposed rule change (SR-NYSEArca-2006-33) is approved on an accelerated basis.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>18</sup>

Jill M. Peterson,

Assistant Secretary.

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BILLING CODE 8011-01-P

## SOCIAL SECURITY ADMINISTRATION

### Agency Information Collection Activities: Emergency Request

The Social Security Administration (SSA) publishes a list of information collection packages that will require clearance by the Office of Management and Budget (OMB) in compliance with P.L. 104-13, the Paperwork Reduction Act of 1995, effective October 1, 1995. The information collection package that is included in this notice is for an emergency approval request for use of an existing OMB-approved form.

SSA is soliciting comments on the accuracy of the Agency's burden estimate; the need for the information; its practical utility; ways to enhance its quality, utility, and clarity; and on ways to minimize burden on respondents, including the use of automated collection techniques or other forms of information technology. Written comments and recommendations regarding the information collection(s) should be submitted to the OMB Desk Officer and the SSA Reports Clearance Officer. The information can be mailed and/or faxed to the individuals at the addresses and fax numbers listed below:

<sup>10</sup> In approving this rule change, the Commission notes that it has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

<sup>11</sup> 15 U.S.C. 78f(b)(5).

<sup>12</sup> 15 U.S.C. 78l(f).

<sup>13</sup> Section 12(a) of the Act, 15 U.S.C. 78l(a), generally prohibits a broker-dealer from trading a security on a national securities exchange unless the security is registered on that exchange pursuant to Section 12 of the Act. Section 12(f) of the Act excludes from this restriction trading in any security to which an exchange "extends UTP." When an exchange extends UTP to a security, it allows its members to trade the security as if it were listed and registered on the exchange even though it is not so listed and registered.

<sup>14</sup> See *supra* notes 3 and 4.

<sup>15</sup> 17 CFR 240.12f-5.

<sup>16</sup> 15 U.S.C. 78k-1(a)(1)(C)(iii).

<sup>17</sup> 15 U.S.C. 78s(b)(2).

<sup>18</sup> 17 CFR 200.30-3(a)(12).

(OMB) Office of Management and Budget, Attn: Desk Officer for SSA, Fax: 202-395-6974. (SSA) Social Security Administration, DCBPM, Attn: Reports Clearance Officer, 1333 Annex Building, 6401 Security Blvd., Baltimore, MD 21235, Fax: 410-965-6400.

The information collection listed directly below has been submitted to OMB for Emergency Clearance. SSA is requesting Emergency Clearance from OMB on the date this Notice is published. Please note however, that we will begin a regular clearance period for the collection almost immediately following emergency clearance, so your comments are still necessary and welcome. You can obtain a copy of the OMB clearance package by calling the SSA Reports Clearance Officer at 410-965-0454, or by writing to the address listed above.

SSA Guidance for Use of the Tax Information Authorization Form—0960-NEW. The Internal Revenue Service (IRS) Form 8821 is used by taxpayers to authorize the release of tax information to a third party. The IRS agrees that a properly completed IRS Form 8821 is an appropriate means of designating the Department of Health and Human Services (HHS) to receive the tax information of a Medicare Part B beneficiary who has appealed a determination of Income-Related Monthly Adjustment Amount (IRMAA). Specifically, Medicare Part B beneficiaries who wish to appeal SSA's reconsideration of their IRMAA amounts will be sent a copy of the HA-501 (Request for Hearing by an Administrative Law Judge) and with it the IRS Form 8821, which will enable beneficiaries to authorize disclosure of their relevant beneficiary tax data to HHS for use in conducting the appeals hearing. The respondents are Medicare Part B beneficiaries who want to request an appeal of their IRMAA amount.

*Type of Request:* Request for emergency approval for use of an existing OMB-approved information collection.

*Number of Respondents:* 6,000.

*Frequency of Response:* 1.

*Average Burden Per Response:* 15 minutes.

*Estimated Annual Burden:* 1,500 hours.

Dated: December 27, 2006.

**Elizabeth A. Davidson,**

*Reports Clearance Officer, Social Security Administration.*

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**BILLING CODE 4191-02-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Notice of Intent To Release Certain Properties From All Terms, Conditions, Reservations, and Restrictions of a Quitclaim Deed Agreement Between the Sarasota Manatee Airport Authority and the Federal Aviation Administration for the Sarasota Bradenton International Airport, Sarasota, FL**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Request for public comment.

**SUMMARY:** The FAA hereby provides notice of intent to release certain airport properties 3.795 acres at the Sarasota Bradenton International Airport, Sarasota, FL from the conditions, reservations, and restrictions as contained in a Quitclaim Deed agreement between the FAA and the Sarasota Manatee Airport Authority, dated March 18, 1947. The release of property will allow the Sarasota Manatee Airport Authority to dispose of the property for other than aeronautical purposes. The property is located in the land lying and being in the northwest ¼ of section 1, township 36 south, range 17 east, Sarasota County, Florida, being more particularly described as follows:

- The parcel is currently designated as non-aeronautical use. The property will be disposed of for the purpose of constructing an administration/mixed use building to contain administrative offices, classrooms, and seminar rooms; and to construct a gymnasium.

- The fair market value of the property has been determined by appraisal to be \$4,140,000. The airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project or in operating and maintenance of the airport.

Documents reflecting the Sponsor's request are available, by appointment only, for inspection at the Sarasota Manatee Airport Authority Offices and the FAA Airports District Office.

**SUPPLEMENTARY INFORMATION:** Section 125 of The Wendell H. Ford Aviation Investment and Reform Act for the 21st Century (AIR-21) requires the FAA to provide an opportunity for public notice and comment prior to the "waiver" or "modification" of a sponsor's Federal obligation to use certain airport land for non-aeronautical purposes.

**DATES:** February 1, 2007.

**ADDRESSES:** Documents are available for review at the Sarasota Manatee Airport Authority Office, 6000 Airport Circle,

Sarasota, Florida 34243, and the FAA Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822. Written comments on the Sponsor's request must be delivered or mailed to: Krystal Hudson, Program Manager, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822-5024.

#### **FOR FURTHER INFORMATION CONTACT:**

Krystal Hudson, Program Manager, Orlando Airports District Office, 5950 Hazeltine National Drive, Suite 400, Orlando, FL 32822-5024.

**W. Dean Stringer,**

*Manager, Orlando Airports District Office, Southern Region.*

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## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### **Agency Information Collection Activity Seeking OMB Approval**

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice.

**SUMMARY:** The FAA invites public comments about our intention to request the Office of Management and Budget's (OMB) revision of a current information collection. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following collection of information was published on August 11, 2006, vol. 71, no. 155, page 46253. This action responds to the Wendall H. Ford Investment and Reform Act for the 21st Century by requiring that all persons who remove any life-limited aircraft part have a method to prevent the installation of that part after it has reached its life limit.

**DATES:** Please submit comments by February 2, 2007.

**FOR FURTHER INFORMATION CONTACT:** Carla Mauney at [Carla.Mauney@faa.gov](mailto:Carla.Mauney@faa.gov).

#### **SUPPLEMENTARY INFORMATION:**

#### **Federal Aviation Administration (FAA)**

*Title:* Safe Disposition of Life-Limited Aircraft Parts.

*Type of Request:* Extension without change of a currently approved collection.

*OMB Control Number:* 2120-0665.

*Form(s):* There are no forms associated with this collection.

*Affected Public:* An estimated 8,000 respondents.

*Frequency:* This information is collected on occasion.