

indicated or the offices of the Board of Governors not later than December 12, 1996.

A. Federal Reserve Bank of Atlanta (Zane R. Kelley, Vice President) 104 Marietta Street, N.W., Atlanta, Georgia 30303:

1. *The Colonial BancGroup, Inc.*, Montgomery, Alabama; to merge with D/W Bankshares, Inc., Dalton, Georgia, and thereby indirectly acquire Dalton/Whitfield Bank & Trust, Dalton, Georgia.

B. Federal Reserve Bank of St. Louis (Randall C. Sumner, Vice President) 411 Locust Street, St. Louis, Missouri 63166:

1. *State Financial Services, Inc.*, Harrodsburg, Kentucky; to become a bank holding company by acquiring State Bank & Trust Company, Harrodsburg, Kentucky.

Board of Governors of the Federal Reserve System, November 12, 1996.

William W. Wiles,

Secretary of the Board.

[FR Doc. 96-29401 Filed 11-15-96; 8:45 am]

BILLING CODE 6210-01-F

[Docket No. R-0937]

### **Federal Reserve Payment System Risk Policy; Modified Procedures for Measuring Daylight Overdrafts**

**AGENCY:** Board of Governors of the Federal Reserve System.

**ACTION:** Policy Statement.

**SUMMARY:** The Board has adopted changes to the procedures for measuring daylight overdrafts. Posting times for Treasury investments resulting from electronic federal tax payments have been added to these procedures.

**EFFECTIVE DATE:** November 18, 1996.

**FOR FURTHER INFORMATION CONTACT:** Paul Bettge, Manager (202/452-3174), Heidi Richards, Senior Financial Services Analyst (202/452-2598), Division of Reserve Bank Operations and Payment Systems; for the hearing impaired *only*: Telecommunications Device for the Deaf, Dorothea Thompson (202/452-3544).

#### **SUPPLEMENTARY INFORMATION:**

##### **Background**

The U.S. Department of the Treasury is currently implementing the Electronic Federal Tax Payment System (EFTPS) to facilitate electronic payment of taxes. The transition of taxpayers who are currently required to pay taxes electronically to the new EFTPS system is expected to occur over the next several months.

Most tax payments processed through the EFTPS are expected to be settled

through the Automated Clearinghouse (ACH). ACH tax payments processed through the EFTPS will be reinvested each day through the Federal Reserve's Treasury Tax and Loan (TT&L) system into depository institutions' TT&L accounts.<sup>1</sup> Those banks choosing to receive Treasury funds as note option banks will receive EFTPS investments, which are TT&L credits to their Federal Reserve accounts for the amount of tax payments settled via ACH on a given day. Banks that do not choose to hold Treasury investments (remittance option and non-TT&L depository institutions) will not receive EFTPS investments. EFTPS investments provide a means for the Treasury Department to invest tax payments remitted to the Treasury electronically which, under the traditional paper-based tax payment system, would have been retained by depository institutions and credited to their TT&L accounts.

The Board's initial policy statement aimed at controlling daylight overdrafts became effective in 1986 (50 FR 21120, May 22, 1985). The Board's Policy Statement on Payments System Risk establishes maximum limits (caps) and fees on daylight overdrafts in accounts of depository institutions at Federal Reserve Banks. Daylight overdrafts are measured according to a set of "posting rules" established by the Board, which comprise a schedule for the posting of debits and credits to institutions' Federal Reserve accounts for different types of payments.<sup>2</sup> Currently, EFTPS investments are not explicitly included in this schedule, and thus would be posted after the close of the Fedwire Funds Transfer System (6:30 p.m. Eastern Time) unless the Board determined otherwise.<sup>3</sup>

##### **Analysis of Daylight Overdraft Posting Times**

The Board reviewed potential daylight overdraft posting times for EFTPS investments in light of its original objectives in designing the posting rules. These objectives included reducing intraday float, permitting straightforward monitoring and control of institutions' cash balances during the day, and reflecting the legal rights and obligations of parties to payments.

<sup>1</sup> See Department of the Treasury, "Treasury Tax and Loan Depositories and Payment of Federal Taxes; Proposed Rule," 61 FR 51185-51194, September 30, 1996.

<sup>2</sup> See "Federal Reserve Policy Statement on Payments System Risk," section I.A.

<sup>3</sup> Treasury investments for which advance notice is given are posted to depository institutions' accounts at the opening of the Fedwire Funds Transfer System (currently 8:30 a.m. Eastern Time), while same-day investments are posted as soon as they are processed, but by no later than 1:00 p.m.

Posting time options for EFTPS investments considered by the Board included (all times are Eastern Time): (1) post all EFTPS investments at the opening of the Fedwire Funds Transfer System (currently 8:30 a.m.); (2) post EFTPS investments resulting from ACH credit tax payments at the opening of the Fedwire Funds Transfer System and those from ACH debit tax payments at 11:00 a.m.; (3) post all EFTPS investments at 11:00 a.m.; and (4) post all EFTPS investments at 1:00 p.m.

The Board has determined that the second option is most consistent with its objectives in establishing the daylight overdraft posting rules. This option would synchronize the EFTPS investments with the posting of the corresponding ACH tax payments (currently 8:30 a.m. for ACH credit originations and 11:00 a.m. for ACH debit originations).<sup>4</sup> The impact of the EFTPS payments on the intraday Federal Reserve account balances and daylight overdrafts of depository institutions would be minimized, without creating intraday float or compromising the ability of institutions to monitor and control their account balances.

##### **Paperwork Reduction Act**

In accordance with the Paperwork Reduction Act of 1995 (44 U.S.C. ch. 3506; 5 CFR 1320 Appendix A.1), the Board reviewed the policy statement under the authority delegated to the Board by the Office of Management and Budget. No collections of information pursuant to the Paperwork Reduction Act are contained in the policy statement.

##### **Policy Statement on Payments System Risk**

The "Federal Reserve Policy Statement on Payments System Risk," section I.A., under the heading "Modified Procedures for Measuring Daylight Overdrafts" (57 FR 47104, October 14, 1992) is amended as follows:

##### **Opening Balance (Previous Day's Closing Balance)**

Post at the Opening of Fedwire Funds Transfer System:

+/- Government and commercial ACH credit transactions.

+Treasury Electronic Federal Tax Payment System (EFTPS) investments from ACH credit transactions.

+Advance-notice Treasury investments.

<sup>4</sup> Posting times for payments currently posted at the opening of the Fedwire Funds Transfer System may require modification when this opening time is moved to 12:30 a.m. Eastern Time in 1997.

+Treasury state and local government series (SLGs) interest and redemption payments.

+Treasury checks, postal money orders, local Federal Reserve Bank checks, EZ-Clear savings bond redemptions in separately sorted deposits.

\* \* \* \* \*

Post at 11:00 a.m. Eastern Time:

+/- ACH debit transaction.

+EFTPS investments from ACH debit transactions

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By order of the Board of Governors of the Federal Reserve System, November 8, 1996.

Barbara R. Lowrey,

*Associate Secretary of the Board.*

[FR Doc. 96-29289 Filed 11-15-96; 8:45 am]

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## FEDERAL TRADE COMMISSION

### Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. § 18a, as added by Title II of the Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies, in individual cases, to terminate this waiting period prior to its expiration

and requires that notice of this action be published in the Federal Register.

The following transactions were granted early termination of the waiting period provided by law and the premerger notification rules. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

### TRANSACTIONS GRANTED EARLY TERMINATION BETWEEN 10/14/96 AND 10/25/96

Acquiring person/acquired person/acquired entity	PMN No.	Date terminated
General Electric Company, First Colony Corporation, First Colony Corporation .....	96-2914	10/15/96
Mississippi Chemical Corporation, First Mississippi Corporation, First Mississippi Corporation .....	96-2961	10/15/96
W. Don Cornwell, Joel I. Ferguson, WLAJ-TV .....	96-3005	10/15/96
Cox Enterprises, Inc., Tele-Communications, Inc., Tele-Communications, Inc .....	96-3051	10/15/96
Tele-Communications, Inc., Cox Enterprises, Inc., Cox Enterprises, Inc .....	96-3052	10/15/96
PXRE Corporation, Transnational Re Corporation, Transnational Re Corporation .....	96-3053	10/15/96
Reliastar Financial Corp., Kinnard Investments, Inc., PrimeVest Financial Services, Inc .....	96-3056	10/15/96
Premier Parks Inc., Mr. Charles R. Wood, Storytown USA, Inc .....	96-3058	10/15/96
The Gillette Company, Duracell International, Inc., Duracell International, Inc .....	96-3059	10/15/96
STET—Societa Finanziaria Telefonica, p.a., Concentric Network Corporation, Concentric Network Corporation .....	96-3067	10/15/96
KELP—1987 Limited Partnership, Gaye Beasley, The Patrician Financial Company .....	96-3073	10/15/96
Energy Ventures, Inc., Parker Drilling Co., Parker Drilling Co .....	96-3081	10/15/96
Parker Drilling Company, Energy Ventures, Inc., Mallard Bay Drilling, Inc .....	96-3082	10/15/96
Hicks, Muse, Tate & Furst Equity Fund III, L.P., American Home Products Corporation, American Home Products Corporation .....	97-0009	10/15/96
Welsh, Carson, Anderson & Stowe VI, L.P., Behavioral Healthcare Corporation, Behavioral Healthcare Corporation ....	97-0010	10/15/96
Federated Department Stores, Inc., Dayton Hudson Corporation, Marshal Field Stores, Inc .....	97-0012	10/15/96
Steven L. Volla, The Bucks County Health System, The Bucks County Health System .....	97-0013	10/15/96
Northwestern Public Service Company, CGI Holdings, Inc., CGI Holdings, Inc .....	97-0014	10/15/96
Scott K. Ginsburg, Estate of Willet H. Brown, The Brown Organization .....	97-0020	10/15/96
Nationwide Mutual Insurance Company, Estate of Willet H. Brown, KGB, Inc .....	97-0023	10/15/96
HBO & Company, GMIS, Inc., GMIS Inc .....	97-0025	10/15/96
New Rio, L.L.C., Donna Karan International Inc., DKNY Jeans Logo License Agreement .....	97-0028	10/15/96
American Mutual Holding Company, Edina Financial Services, Inc., Edina Financial Services, Inc .....	97-0030	10/15/96
FiTech International Corporation, Mrs. Bruce G. Robert, Magnetic Power Systems, Inc .....	97-0031	10/15/96
Leggett & Platt, Incorporated, Steadley Company, Steadley Company .....	96-2732	10/16/96
Birmingham Steel Corporation, Hiuka America Corporation (Debtor in Bankruptcy), Hiuka America Corporation .....	96-2996	10/16/96
Wajax Limited, Spencer Industries, Inc., Spencer Industries, Inc .....	97-0034	10/16/96
OCI Holdings Corp., John C. Skoglund, Skoglkund Communications, Inc .....	97-0037	10/16/96
Sears, Roebuck & Co., Richard L. Elwood, Vulcan Tire Company, Inc .....	97-0039	10/16/96
C. H. Boehringer Sohn (a German company), Fujisawa Pharmaceutical Co., Ltd. (a Japanese company), Fujisawa USA, Inc .....	97-0040	10/16/96
AMRESO, Inc., Russell and Rebecca Jedinak, Quality Mortgage USA, Inc., Quality Funding, Inc .....	97-0045	10/16/96
Superior National Insurance Group, Inc., Richard H. Pickup, Pac Rim Holding Corporation .....	97-0046	10/16/96
Premier Parks Inc., James E. Ferrell, Family Recreational Enterprises, Concord Entertainment .....	97-0054	10/16/96
Mitsui & Co., Ltd., Hiuka America Corporation, Hiuka America Corporation .....	96-2643	10/17/96
Robert J. Tomsich, The General Electric Company, p.l.c., A. B. Dick Company .....	97-0043	10/18/96
SBC Communication Inc., HighwayMaster Communications, Inc., HighwayMaster Communications, Inc .....	97-0052	10/18/96
Air-Cure Technologies, Inc., Ohmstede, Inc., Ohmstede, Inc .....	97-0058	10/18/96
Redland PLC (an English company), Harry and Dahlia J. Rattie, Bryn Awel Corporation .....	97-0112	10/18/96
Swiss Reinsurance Company, Prudential Corporation p.l.c., Mercantile & General U.S. Holdings, Inc .....	97-0053	10/21/96
HWH Capital Partners, L.P., Castle Harlan Partners, II, Smarte Carte Corporation .....	97-0064	10/21/96
S.A. Louis Dreyfues et Cie, Electrafina S.A., Rockland Pipeline Company .....	97-0069	10/21/96
LucasVarity plc, S.B.C., Ltd., S.B.C., Ltd .....	97-0072	10/21/96
Credit local de France, Credit Communal de Belgique S.A., Credit Communal de Belgique S.A .....	97-0074	10/21/96
Credit Communal de Belgique, Credit local de France, Credit local de France .....	97-0075	10/21/96
Micro Warehouse, Inc., Philip E. Corcoran, USA Flex, Inc .....	97-0119	10/21/96
Micro Warehouse, Inc., Charles S. Wolande, USA Flex, Inc .....	97-0120	10/21/96