

rest of the crowd will divide the other forty-nine equally. Thus, the 30% enhanced parity split should help to ensure that specialists in larger crowds receive participations that encourage them to make deep and liquid markets.¹¹ In addition, the proposal should allow the Exchange to recruit and retain well-capitalized specialists who attract order flow to the Exchange.

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6 of the Act,¹² in general, and with Section 6(b)(5),¹³ in particular, in that it is designed to promote just and equitable principles of trade; prevent fraudulent and manipulative acts and practices; foster cooperation and coordination with persons engaged in regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities; remove impediments to and perfect the mechanism of a free and open market and a national market system; and protect investors and the public interest. The Exchange further believes that the proposal balances the competing interests of specialists and market makers while helping specialists protect the public interest by making tight and liquid markets in assigned issues.

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

The Exchange does not believe that the proposed rule change will impose any burden on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

No written comments were solicited or received with respect to the proposed rule change.

¹¹ In those instances where three of four controlled accounts are on parity, the Exchange recognizes that the proposed 30% enhanced parity split will provide specialists with a lesser number of contracts than under the current two-for-one enhanced parity split. For example, if there is an initiating order of fifty contracts, and three controlled accounts are on parity, the specialist will currently receive twenty contracts and the controlled accounts will each receive ten contracts. In contrast, under the proposed 30% enhanced parity split the specialist will only receive fifteen contracts. However, the Exchange believes that the proposed 30% enhanced parity split will provide a more equitable treatment to all specialists such that specialists of both large and small crowds shall receive a significant enhanced participation when there are five or more controlled accounts on parity. See Amendment No. 1, *supra* note 3.

¹² 15 U.S.C. 78f.

¹³ 15 U.S.C. 78f(b)(5).

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

Within 35 days of the date of publication of this notice in the **Federal Register** or within such longer period (i) as the Commission may designate up to 90 days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which the self-regulatory organization consents, the Commission will:

(A) By order approve such proposed rule change, or

(B) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change 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 Phlx. All submissions should refer to File No. SR-PHLX-99-39 and should be submitted by December 21, 1999.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.¹⁴

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 99-30978 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed During the Week Ending November 19, 1999

The following Agreements were filed with the Department of Transportation under the provisions of 49 U.S.C. Sections 412 and 414. Answers may be filed within 21 days of date of filing.

Docket Number: OST-99-6508.

Date Filed: November 16, 1999.

Parties: Members of the International Air Transport Association.

Subject:

Mail Votes 037 and 038

PTC12 NMS-ME 0092 dated 20

September 1999

Mid Atlantic-Middle East Resolutions r1-r10

PTC12 NMS-ME 0093 dated 20

September 1999

South Atlantic-Middle East

Resolutions r11-r22

PTC12 NMS-ME 0097 and 0098 dated 5 November 1999

Adoption of Mail Votes 037 and 038

Minutes—PTC12 NMS-ME 0095

dated 1 October 1999

Tables—PTC12 NMS-ME Fares 0052

and 0053 dated 12 November 1999

Intended effective date: 1 April 2000

Docket Number: OST-99-6511.

Date Filed: November 16, 1999.

Parties: Members of the International Air Transport Association.

Subject:

PTC23 ME-TC3 0077 dated 8 October 1999

Middle East-TC3 except South East

Asia Resolutions r1-r43

PTC23 ME-TC3 0081 dated 2

November 1999 Technical

Correction

PTC23 ME-TC3 0078 dated 14

October 1999 (Mail Vote 041)

Middle East-South East Asia

Resolutions r44-r58

PTC23 ME-TC3 0082 dated 9

November 1999 (Adoption Mail

Vote 041)

Minutes—PTC23 ME-TC3 0080 dated 29 October 1999

Tables—PTC23 ME-TC3 Fares 0038

dated 15 October 1999 and PTC23

ME-TC3 Fares 0040 dated 12

November 1999

Intended effective date: 1 April 2000

Docket Number: OST-99-6512.

Date Filed: November 16, 1999.

Parties: Members of the International Air Transport Association.

Subject:

PTC1 0126 dated 16 November 1999

Mail Vote 050 Resolution 010s

TC1 Special Passenger Amending

¹⁴ 17 CFR 200.30-3(a)(12).

Resolution Excursion and Pex Fares
Within South America
Intended effective date: 1 December
1999

Docket Number: OST-99-6514.

Date Filed: November 17, 1999.

Parties: Members of the International
Air Transport Association.

Subject:

PTC2 ME-AFR 0041 dated 16

November 1999

Mail Vote 049 Resolution 010r

TC2 Middle East-Africa Special

Passenger Amending Resolution

from Iran to Libya

Intended effective date: 18 November
1999

Docket Number: OST-99-6523.

Date Filed: November 19, 1999.

Parties: Members of the International
Air Transport Association.

Subject:

PTC COMP 0530 dated 19 November
1999

Mail Vote 051—Resolution 011a
(Amending)

Mileage Manual non-TC Member/non-
IATA Carrier Sectors

New Sector between Kristianstad and
Palanga

Intended effective date: 1 December
1999

Andrea Jenkins,

Federal Register Liaison.

[FR Doc. 99-31106 Filed 11-29-99; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart Q During the Week Ending November 19, 1999

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart Q of the Department of Transportation's Procedural Regulations (See 14 CFR 302.1701 et. seq.). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: OST-99-6538.

Date Filed: November 19, 1999.

Due Date for Answers, Conforming Applications, or Motions to Modify Scope: December 17, 1999.

Description

Application of Continental Airlines, Inc. pursuant to 49 U.S.C. Sections 41108 and 41102 and Subpart Q, applies for a certificate of public convenience and necessity authorizing Continental to provide scheduled foreign air transportation of persons, property and mail between any point or points in the United States via any intermediate point or points and any point or points in Italy and beyond Italy to any point or points in third countries.

Andrea Jenkins,

Federal Register Liaison.

[FR Doc. 99-31107 Filed 11-29-99; 8:45 am]

BILLING CODE 4910-62-P

DEPARTMENT OF TRANSPORTATION

Federal Highway Administration

Reports, Forms and Recordkeeping Requirements; Agency Information Collection Activity Under OMB Review

AGENCY: Federal Highway Administration, DOT.

ACTION: Notice.

SUMMARY: In compliance with the Paperwork Reduction Act of 1995 (44 U.S.C. 3501 et seq.), this notice announces that the Information Collection Request (ICR) abstracted below has been forwarded to the Office of Management and Budget (OMB) for review and comment. The ICR describes the nature of the information collection and its expected burden. The **Federal Register** Notice with a 60-day comment period soliciting comments on the following information collection was published on May 20, 1999 (64 FR 27615).

DATES: Comments must be submitted on or before December 30, 1999.

FOR FURTHER INFORMATION CONTACT: Mr. James Getzewich, (202) 366-0175, Highway Systems Performance, Office of Highway Policy Information, Federal Highway Administration, 400 7th Street, SW., Washington, DC 20590-0001. Office hours are from 7:30 a.m. to 4 p.m., e.t., Monday through Friday, except Federal holidays.

SUPPLEMENTARY INFORMATION:

Title: Highway Performance Monitoring System (HPMS)—Field Manual.

OMB Number: 2125-0028.

Type of Request: Renewal of a currently-approved information collection.

Affected Public: State governments of the 50 United States, the District of Columbia, the Commonwealth of Puerto

Rico, and the four territories (American Samoa, Guam, Northern Marianas, and Virgin Islands).

Abstract: The HPMS data which is collected is used for management decisions affecting transportation, such as estimates of future highway needs of the Nation and assessments of the highway system performance. This data is essential to FHWA and Congress in evaluating effectiveness of the Federal-aid highway program providing miles, lane-miles, and travel components of apportionment formulae. The information is used by FHWA to develop and implement legislation and by State and Federal transportation officials to adequately plan, design, and administer effective, safe, and efficient transportation systems. A recently completed reassessment of the HPMS resulted in the elimination and/or streamlining of approximately 20 percent of the required data. Therefore, a reduction in burden hours for this currently-approved information collection is anticipated.

Frequency: Annually.

Estimated Burden: The estimated average burden per response for the annual collection and processing of the HPMS data is 1,440 hours for the States, the District of Columbia and the Commonwealth of Puerto Rico; and 20 hours for each of the four territories. The estimated total annual burden for all respondents is 74,960 hours.

ADDRESSES: Send comments to the Office of Information and Regulatory Affairs, Office of Management and Budget, 725 17th Street, NW., Washington, DC 20503, Attention: DOT Desk Officer. Comments are invited on: whether the proposed collection of information is necessary for the proper performance of the functions of the Department, including whether the information will have practical utility; the accuracy of the Department's estimate of the burden of the proposed information collection; ways to enhance the quality, utility and clarity of the information to be collected; and ways to minimize the burden of the collection of information on respondents, including the use of automated collection techniques or other forms of information technology. A comment to OMB is most effective if OMB receives it within 30 days of publication of this Notice.

Issued on: November 22, 1999.

Michael J. Vecchiotti,

Director, Office of Information and Management Services.

[FR Doc. 99-30987 Filed 11-29-99; 8:45 am]

BILLING CODE 4910-22-P