

the proposed increase is warranted. The Commission recognizes, as it has stated in the past, that there are no ideal limits in the sense that options positions of any given size can be stated conclusively to be free of any manipulative concerns.²⁴ The PHLX and the Commission, however, have relied largely on the absence of discernible manipulation or disruption problems under the current limit as an indicator that additional increase can be safely considered. The Commission believes for these reasons that the proposed liberalization of existing FCO position and exercise limits is appropriate.²⁵

In addition, the Commission believes that the PHLX's surveillance programs will be adequate to detect and deter position and exercise limit violations by market participants as well as detect and deter attempted manipulative activity and other trading abuses.

The Commission finds good cause for approving Amendment No. 3 to the proposed rule change prior to the thirtieth day after the date of publication of the notice thereof in the Federal Register. Specifically, Amendment No. 3 clarifies the Exchange's proposal by indicating that the proposed rule change does not alter the aggregation principles contained in PHLX Rule 1001. In addition, Amendment No. 3 provides that the position and exercise limits for options on the Italian lira and the Spanish peseta will continue to be 100,000 contracts. This clarification was necessary because at the time the proposal was originally submitted the PHLX did not have approval to trade those FCOs. In addition, the Commission believes that the 100,000 contract limit for options on the Italian lira and the Spanish peseta should remain unchanged at this time because the PHLX trades only customized options on those currencies and the market for those currencies may not be as deep and liquid as the market for other FCOs traded by the PHLX. Based on the above, the Commission finds good cause to accelerate approval of Amendment No. 3.

²⁴ See Securities Exchange Act Release No. 33288 (December 3, 1993), 58 FR 65221 (December 13, 1993) (order approving File No. SR-PHLX-93-07).

²⁵ The Commission continues to believe that proposals to increase position and exercise limits must be justified and evaluated separately. After reviewing the proposed exercise limits, the Commission has concluded that the exercise limit increase does not raise manipulation problems or increase concerns over market disruption in the underlying currencies.

Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning Amendment No. 3. Persons making written submissions should file six copies thereof with the Secretary, Securities and Exchange Commission, 450 Fifth Street, N.W., Washington, D.C. 20549. 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 at the Commission's Public Reference Section, 450 Fifth Street, N.W., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number in the caption above and should be submitted by February 8, 1996.

It is therefore ordered, pursuant to Section 19(b)(2) of the Act,²⁶ that the proposed rule change (SR-PHLX-95-13), as amended, is approved.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.²⁷

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96-1471 Filed 1-26-96; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-21693; File No. 811-2155]

Select Capital Growth Fund, Inc.

January 22, 1996.

AGENCY: U.S. Securities and Exchange Commission ("SEC").

ACTION: Notice of application for an order under the Investment Company Act of 1940 (the "1940 Act").

APPLICANT: Select Capital Growth Fund, Inc. ("Select Capital").

RELEVANT 1940 ACT SECTION: Order requested under Section 8(f) of the 1940 Act.

SUMMARY OF APPLICATION: Application seeks an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on September 19, 1995.

²⁶ 15 U.S.C. § 78s(b)(2) (1982).

²⁷ 17 CFR 200.30-3(a)(12) (1995).

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the Secretary of the SEC and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on February 16, 1996, and should be accompanied by proof of service on Applicant in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writer's interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 Fifth Street, N.W., Washington, DC 20549; Applicant, 20 Washington Avenue South, Minneapolis, Minnesota 55401.

FOR FURTHER INFORMATION CONTACT: Joseph G. Mari, Senior Special Counsel, or Patrice M. Pitts, Special Counsel, Division of Investment Management (Office of Insurance Products), at (202) 942-0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application. The complete application is available for a fee from the Public Reference Branch of the SEC.

Applicant's Representations

1. Select Capital is organized as a Minnesota corporation, and is registered under the 1940 Act as an open-end diversified management investment company. On December 28, 1970,¹ Applicant filed a registration statement under Section 8(b) of the 1940 Act, and a registration statement on Form S-5 under the Securities Act of 1933 registering an unlimited number of shares of common stock, having no designated par value (File No. 2-39128). The Form S-5 registration statement became effective on August 13, 1971, and the initial public offering commenced on August 16, 1971.

2. Applicant's only security holders were Northwestern National Life Insurance Company ("NWNL") and sub-accounts of NWNL Select Variable Account and Select*Life Variable Account (the "Variable Accounts").

3. On November 1, 1994, Applicant's board of directors unanimously (i) approved the substitution of shares of the Growth Portfolio of the Variable Insurance Products Fund (the "Fidelity Growth Portfolio") for shares of Applicant held by the Variable

¹ This date is derived from the SEC's computerized data retrieval system.

Accounts (the "Substitution"), and (ii) resolved that, contingent on shareholder approval of the Substitution and receipt of approval of the Substitution by the SEC, Applicant be liquidated and dissolved pursuant to Minnesota law. On December 21, 1994, the beneficial owners of the shares of common stock of Applicant approved the Substitution. On December 21, 1994, NWNL approved a plan of liquidation and dissolution (the "Plan") for Applicant.

4. On May 1, 1995, pursuant to an SEC staff no-action position letter, dated April 10, 1995 (Ref. No. IP-1-95), shares of Applicant held by the Variable Accounts were redeemed by NWNL, leaving NWNL as the sole security holder of Applicant. The proceeds of that redemption were used to purchase shares of the Growth Portfolio. On May 23, 1995, NWNL, as the sole security holder of Applicant, approved a proposal to liquidate and dissolve Applicant pursuant to the Plan. Applicant completed its liquidation and distributed its remaining assets (\$100) to NWNL on May 24, 1995.

5. Applicant has no assets or security holders. Applicant is not a party to any litigation or administrative proceeding and is not now engaged, nor does it intend to engage, in any business activities other than those necessary for the winding-up of its affairs.

6. Applicant has not, within the past 18 months, transferred any of its assets to a separate trust, the beneficiaries of which were or are security holders Applicant.

7. The only outstanding debts Applicant, for which Applicant has not received final invoices, are approximately \$15,000 in 1994 audit fees and fees for tax preparation services. Northstar Investment Management Corporation ("Northstar"), Applicant's investment adviser, has agreed to pay these fees on behalf of Applicant, pursuant to the reimbursement arrangement contained in the investment advisory agreement between Applicant and Northstar.

8. The only expenses associated with the liquidation of Applicant are brokerage commissions, legal and fund accounting services fees, and certain filing fees. These fees are expected to aggregate approximately \$10,000, \$2,500, and \$70, respectively. NWNL and Northstar will pay all such expenses.

9. Applicant represents that it will continue to file all reports required by Rules 30a-1 and 30b-1 under the 1940 Act until the requested order is granted.

10. Applicant intends to file Articles of Dissolution with the State of

Minnesota to terminate its existence as a Minnesota corporation.

For the Commission, by the Division of Investment Management, pursuant to delegated authority.

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 96-1477 Filed 1-26-96; 8:45 am]

BILLING CODE 8010-01-M

[Rel. No. IC-21694; File No. 811-4487]

Select Managed Fund, Inc.

January 22, 1996.

AGENCY: U.S. Securities and Exchange Commission ("SEC").

ACTION: Notice of application for an order under the Investment Company Act of 1940 (the "1940 Act").

APPLICANT: Select Managed Fund, Inc. ("Select Managed").

RELEVANT 1940 ACT SECTION: Order requested under Section 8(f) of the 1940 Act.

SUMMARY OF APPLICATION: Applicant seeks an order declaring that it has ceased to be an investment company.

FILING DATE: The application was filed on September 19, 1995.

HEARING OR NOTIFICATION OF HEARING: An order granting the application will be issued unless the SEC orders a hearing. Interested persons may request a hearing by writing to the Secretary of the SEC and serving Applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on February 16, 1996, and should be accompanied by proof of service on Applicant in the form of an affidavit or, for lawyers, a certificate of service. Hearing requests should state the nature of the writers interest, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Secretary of the SEC.

ADDRESSES: Secretary, SEC, 450 Fifth Street, NW., Washington, DC 20549; Applicant, 20 Washington Avenue South, Minneapolis, Minnesota 55401.

FOR FURTHER INFORMATION CONTACT: Joseph G. Mari, Senior Special Counsel, or Patrice M. Pitts, Special Counsel, Division of Investment Management (Office of Insurance Products), at (202) 942-0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application. The complete application is available for a fee from the Public Reference Branch of the SEC.

Applicant's Representations

1. Select Managed is organized as a Minnesota corporation, and is registered under the 1940 Act as an open-end diversified management investment company. On October 9, 1985,¹ Applicant filed a registration statement under Section 8(b) of the 1940 Act, and a registration statement on Form N-1A under the Securities Act of 1933 registering an unlimited number of shares of common stock, having no designated par value (File No. 33-765). The Form N-1A registration statement became effective and the initial public offering commenced on March 3, 1986.

2. Applicant's only security holders were Northwestern National Life Insurance Company ("NWNL") and sub-accounts of NWNL Select Variable Account and Select*Life Variable Account (the "Variable Accounts").

3. On November 1, 1994, Applicant's board of directors unanimously (i) approved the substitution of shares of the Growth Portfolio of the Variable Insurance Products Fund (the "Fidelity Growth Portfolio") for shares of Applicant held by the Variable Accounts (the "Substitution"), and (ii) resolved that, contingent on shareholder approval of the Substitution and receipt of approval of the Substitution by the SEC, Applicant be liquidated and dissolved pursuant to Minnesota law. On December 21, 1994, the beneficial owners of the shares of common stock of Applicant approved the Substitution. On December 21, 1994, NWNL approved a plan of liquidation and dissolution (the "Plan") for Applicant.

4. On May 1 1995, pursuant to an SEC staff no-action position letter, dated April 10, 1995 (Ref. No. IP-1-95), shares of Applicant held by the Variable Accounts were redeemed by NWNL, leaving NWNL as the sole security holder of Applicant. The proceeds of that redemption were used to purchase shares of the Asset Manager Portfolio of the Variable Insurance Products Fund II. On May 23, 1995, NWNL, as the sole security holder of Applicant, approved a proposal to liquidate and dissolve Applicant pursuant to the Plan. Applicant completed its liquidation and distributed its remaining assets (\$100) to NWNL on May 24, 1995.

5. Applicant has no assets or security holders. Applicant is not a party to any litigation or administrative proceeding and is not now engaged, nor does it intend to engage, in any business activities other than those necessary for the winding-up of its affairs.

¹ This date is derived from the SEC's computerized data retrieval system.