

For further information contact: Dr. Sher Bahadur (telephone 301-415-0138), between 7:30 a.m. and 4:15 p.m., EDT.

Dated: August 10, 2001.

**Annette Vietti-Cook,**  
Acting Advisory Committee Management  
Officer.

[FR Doc. 01-20625 Filed 8-15-01; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 35-27431]

### Filings Under the Public Utility Holding Company Act of 1935, as Amended ("Act")

August 10, 2001.

Notice is hereby given that the following filing(s) has/have been made with the Commission pursuant to provisions of the Act and rules promulgated under the Act. All interested persons are referred to the application(s) and/or declaration(s) for complete statements for the proposed transaction(s) summarized below. The applicant(s) and/or declaration(s) and any amendment(s) is/are available for public inspection through the Commission's Branch of Public Reference.

Interested persons wishing to comment or request a hearing on the application(s) and/or declaration(s) should submit their views in writing by September 4, 2001, to the Secretary, Securities and Exchange Commission, Washington, DC 20549-0609, and serve a copy on the relevant applicant(s) and/or declarant(s) at the address(es) specified below. Proof of service (by affidavit or, in the case of an attorney at law, by certificate) should be filed with the request. Any request for hearing should identify specifically the issues of facts or law that are disputed. A person who so requests will be notified of any hearing, if ordered, and will receive a copy of any notice or order issued in the matter. After September 4, 2001, the application(s) and/or declaration(s), as filed or as amended, may be granted and/or permitted to become effective.

#### **Progress Energy Inc., et al. (70-9909)**

Progress Energy Inc. ("Progress"), a registered holding company formerly known as CP&L Energy Inc., 410 South Wilmington Street, Raleigh, North Carolina 27602, and its wholly-owned public utility subsidiaries, Carolina Power & Light Company ("CP&L") and North Carolina Natural Gas Corporation ("NCNG"), 410 South Wilmington

Street, Raleigh, North Carolina 27602, and Florida Power Corporation ("Florida Power"), One Progress Plaza, St. Petersburg, Florida 33701 (Collectively, the "Utility Subsidiaries"), have filed an application declaration under sections 6(a), 7, 9(a), 10, and 12(b) of the Act and Rules 42, 45 and 54 under the Act.

Progress and the Utility Subsidiaries have proposed certain modifications to financing transactions through September 30, 2003, which were approved by the Commission on December 12, 2000 (HCAR No. 27297) ("December Order"). Progress also requests authority to acquire long-term securities from NCNG, and NCNG requests authority to issue long-term securities to Progress, subject to any required approval from the North Carolina Utilities Commission.

The requested modifications to the December Order specifically include increasing: (1) the aggregate amount of common stock, preferred stock and under preferred securities and debentures that Progress may issue and have outstanding during the approved authorization period from \$3.8 billion to \$5 billion; (2) Progress' short-term debt limit from \$1 billion to \$2.5 billion; (3) Progress' limit for all indebtedness from \$5 billion to \$6 billion; (4) the limit of short-term debt for NCNG from \$125 million to \$400 million; and (5) the borrowing limit for NCNG from the Progress Utility Money Pool from \$125 million to \$400 million.

Progress states that the proposed increases in the authorized limits for long-term equity and debt securities and short-term debt will enable it to complete refinancing the acquisition debt incurred in November 2000 when it purchased all issued and outstanding common stock of Florida Progress, to fund inter-company loans to NCNG, and to facilitate the consolidation of external short-term borrowing facilities maintained by certain of its subsidiaries. The applicants state that any direct borrowings by NCNG from Progress Energy will have interest rates and maturities that are designed to parallel Progress' effective cost of funds.

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

**Margaret H. McFarland,**

Deputy Secretary.

[FR Doc. 01-20626 Filed 8-15-01; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-44662; File No. 4-208]

### Intermarket Trading System; Notice of Filing of the Eighteenth Amendment to the ITS Plan Relating to the Pacific Exchange, Inc.'s Implementation of the ARCA Facility

August 8, 2001.

Pursuant to section 11A of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 11A3a3-2 thereunder,<sup>2</sup> notice is hereby given that on July 24, 2001, the Intermarket Trading System Operating Committee ("ITSOC") submitted to the Securities and Exchange Commission ("Commission") a proposed amendment ("Eighteenth Amendment") to the restated ITS Plan.<sup>3</sup> The purpose of the proposed amendment is to: (1) eliminate provisions relating to the PCX's Remote Specialists; and (2) recognize the PCX's implementation of the Archipelago ("ARCA") Facility. The Commission is publishing this notice to solicit comment on the proposed amendment from interested persons.

#### I. Description of the Amendment

The proposed amendment deletes provisions of the ITS Plan relating to PCX's Remote Specialists.<sup>4</sup> In addition, the proposed amendment recognizes the PCX's implementation of the ARCA Facility. The proposed amendment defines "ARCA Facility" as the computerized electronic facility for the trading of equity securities at the PCX, through its wholly owned subsidiary, the PCX Equities, Inc. ("PCXE").<sup>5</sup> The proposed amendment also defines the "ARCA Facility Supervisory Center" as the premises of the PCX at which the

<sup>1</sup> 15 U.S.C. 78k-1.

<sup>2</sup> 17 CFR 240.11Aa3-2.

<sup>3</sup> The ITS is a National Market System ("NMS") plan, which was designed to facilitate intermarket trading in exchange-listed equity securities based on current quotation information emanating from the linked markets. See Securities Exchange Act Release No. 19456 (January 27, 1983), 48 FR 4938 (February 3, 1983).

The ITS Participants include the American Stock Exchange LLC ("Amex"), the Boston Stock Exchange, Inc. ("BSE"), the Chicago Board Options Exchange, Inc. ("CBOE"), the Chicago Stock Exchange, Inc. ("CHX"), the Cincinnati Stock Exchange, Inc. ("CSE"), the National Association of Securities Dealers, Inc. ("NASD"), the New York Stock Exchange, Inc. ("NYSE"), the Pacific Exchange, Inc. ("PCX"), and the Philadelphia Stock Exchange, Inc. ("PHLX") ("Participants").

<sup>4</sup> See ITS Plan, Sections 1(33B1) (defining "PCX Coordinating Specialist"), 1(33C) (defining "PCX Regular Specialist"), 1(33D) (defining "PCX Remote Specialist"), and 1(33E) (defining "PCX Registered Specialist").

<sup>5</sup> See PCXE Rule 7.1(a)(3) (defining term "facilities" or "trading facilities").

ITS supervisory stations are located, which monitor the PCX's Participant Market.

The ITSOC proposes to amend the ITS Plan in various sections to incorporate the usage of the ARCA Facility and the ARCA Facility Supervisory Center. In particular, the ITS Plan would be amended to include references to the ARCA Facility and the ARCA Facility Supervisory Center regarding ITS supervisory stations, the receipt of quotations, the description of ITS transactions, commitment information, implementation obligations of the pre-opening application, system access, and the operational parameters for the ARCA Facility.<sup>6</sup>

## II. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the proposed Plan amendment 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 Plan amendment that are filed with the Commission, and all written communications relating to the proposed Plan amendment 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 proposed Plan Amendment will also be available for inspection and copying at the principal office of the ITS. All submissions should refer to File No. 4-208 and should be submitted by September 6, 2001.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>7</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

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<sup>6</sup> See ITS Plan, Section 1 ("Definitions"); Section 5 ("The System"); Section 6 ("ITS"); Section 7 ("Pre-Opening Application"); and Section 8 ("Participants' Implementation Obligations") (proposing to incorporate the usage of the ARCA Facility and the ARCA Facility Supervisory Center on the PCX in these sections, respectively).

<sup>7</sup> 17 CFR 200.30-3(a)(29).

## DEPARTMENT OF TRANSPORTATION

### Federal Highway Administration

#### Environmental Impact Statement: Butte County, California

**AGENCY:** Federal Highway Administration (FHWA), DOT

**ACTION:** Notice of intent.

**SUMMARY:** The FHWA is issuing this notice to advise the public that an environmental impact statement will be prepared for a proposed highway project in Butte County, California.

**FOR FURTHER INFORMATION CONTACT:** R. Clayton Slovensky, Acting Team Leader, Program Delivery Team—North, Federal Highway Administration, California Division, 980 Ninth Street, Suite 400, Sacramento, California 95814, Telephone: (916) 498-5774.

**SUPPLEMENTARY INFORMATION:** The FHWA, in cooperation with the California Department of Transportation (Caltrans), will prepare an environmental impact statement (EIS) for a proposed gap-closure project on State Route (SR) 149 in Butte County, California. The proposed improvement would include upgrading the 4.6 miles of SR 149 to a 4-lane expressway, and constructing freeway-to-freeway interchanges at the existing SR 70/149 and SR 99/149 intersections.

Improvements to the corridor are considered necessary to improve safety, provide for existing and projected traffic demand, and to accommodate interregional traffic between the cities of Oroville and Chico, California. Alternatives under consideration include (1) taking no action; (2) constructing two additional lanes and a median on the south side of SR 149; (3) constructing two additional lanes and a median on the north side of SR 149; and (4) upgrading SR 149 by a combination of widening to the south and to the north.

Letters describing the proposed action and soliciting comments will be sent to appropriate Federal, State and local agencies, and to private organizations and citizens who have previously expressed or are known to have interest in this proposal. In addition, a public workshop will be held, with public notice being given of the time and location. The draft EIS will be available for public and agency review and comment prior to the public workshop. No formal scoping meeting is planned at this time.

To ensure that the full range of issues related to this proposed action are addressed and all significant issues are identified, comments and suggestions

are invited from all interested parties. Comments or questions concerning this proposed action and the EIS should be directed to the FHWA at the address provided above.

(Catalog of Federal Domestic Assistance Program Number 20.205, Highway Planning and Construction. The regulations implementing Executive Order 12372 regarding intergovernmental consultation on Federal programs and activities apply to this program.)

Issued on: August 9, 2001.

**R. Clayton Slovensky,**

*Acting Chief, Program Delivery—North  
Sacramento, California.*

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## DEPARTMENT OF TRANSPORTATION

### National Highway Traffic Safety Administration

[U.S. DOT Docket Number NHTSA-2001-10343]

#### Reports, Forms, and Record Keeping Requirements

**AGENCY:** National Highway Traffic Safety Administration (NHTSA), Department of Transportation.

**ACTION:** Request for public comment on proposed collection of information.

**SUMMARY:** Before a Federal agency can collect certain information from the public, it must receive approval from the Office of Management and Budget (OMB). Under procedures established by the Paperwork Reduction Act of 1995, before seeking OMB approval, Federal agencies must solicit public comment on proposed collections of information, including extensions and reinstatement of previously approved collections.

This document describes one collection of information for which NHTSA intends to seek OMB approval.

**DATES:** Comments must be received on or before October 15, 2001.

**ADDRESSES:** Comments must refer to the docket notice numbers cited at the beginning of this notice and be submitted to Docket Management, Room PL-401, 400 Seventh Street, SW., Washington, DC 20590. Please identify the proposed collection of information for which a comment is provided, by referencing its OMB clearance Number. It is requested, but not required, that 2 copies of the comment be provided. The Docket Section is open on weekdays from 10 a.m. to 5 p.m.

**FOR FURTHER INFORMATION CONTACT:** Complete copies of each request for collection of information may be