

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁴

Nancy M. Morris,
Secretary.

[FR Doc. E6-195 Filed 1-11-06; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application of NiSource Inc., To Withdraw Its Common Stock, \$.01 Par Value, and the Preferred Stock Purchase Rights, From Listing and Registration on the Chicago Stock Exchange, Inc. File No. 1-09779

January 6, 2006.

On December 13, 2005, NiSource Inc., a Delaware corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 12d2-2(d) thereunder,² to withdraw its common stock, \$.01 par value, and the preferred stock purchase rights (collectively "Securities"), from listing and registration on the Chicago Stock Exchange, Inc. ("CHX").

The Board of Directors ("Board") of the Issuer approved a resolution on October 25, 2005 to withdraw the Securities from CHX and the Pacific Exchange, Inc., ("PCX"). The Issuer stated that the following reasons factored into the Board's decision to withdraw the Securities from CHX and PCX: (i) the costs and administrative burdens of complying with both CHX and PCX rules and regulations outweigh the utility to the Issuer and its shareholders of having the Securities listed on such exchange; and (ii) the Securities are listed on the New York Stock Exchange, Inc. ("NYSE") and will continue to list on NYSE.

The Issuer stated in its application that it has complied with applicable rules of CHX by complying with all applicable laws in the State of Delaware, the state in which the Issuer is incorporated, and by providing CHX with the required documents governing the withdrawal of securities from listing and registration on CHX. The Issuer's application relates solely to the withdrawal of the Securities from listing on CHX and shall not affect their continued listing on NYSE or PCX,³ or

their obligation to be registered under section 12(b) of the Act.⁴

Any interested person may, on or before February 1, 2006, comment on the facts bearing upon whether the application has been made in accordance with the rules of CHX, and what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

Electronic Comments

- Send an e-mail to rule-comments@sec.gov. Please include the File Number 1-09779 or;

Paper Comments

- Send paper comments in triplicate to Nancy M. Morris, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-9303.

All submissions should refer to File Number 1-09779. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁵

Nancy M. Morris,
Secretary.

[FR Doc. E6-213 Filed 1-11-06; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

Issuer Delisting; Notice of Application of NiSource Inc., To Withdraw Its Common Stock, \$.01 Par Value, and the Preferred Stock Purchase Rights, From Listing and Registration on the Pacific Exchange, Inc. File No. 1-09779

January 6, 2006.

On December 13, 2005, NiSource Inc., a Delaware corporation ("Issuer"), filed an application with the Securities and Exchange Commission ("Commission"), pursuant to section 12(d) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 12d2-2(d) thereunder,² to withdraw its common stock, \$.01 par value, and the preferred stock purchase rights (collectively "Securities"), from listing and registration on the Pacific Exchange, Inc. ("PCX").

The Board of Directors ("Board") of the Issuer approved a resolution on October 25, 2005 to withdraw the Securities from PCX and the Chicago Stock Exchange, Inc., ("CHX"). The Issuer stated that the following reasons factored into the Board's decision to withdraw the Securities from PCX and CHX: (i) The costs and administrative burdens of complying with both PCX and CHX rules and regulations outweigh the utility to the Issuer and its shareholders of having the Securities listed on such exchange; and (ii) the Securities are listed on the New York Stock Exchange, Inc. ("NYSE") and will continue to list on NYSE.

The Issuer stated in its application that it has complied with applicable rules of PCX by complying with all applicable laws in the State of Delaware, the state in which the Issuer is incorporated, and by providing PCX with the required documents governing the withdrawal of securities from listing and registration on PCX. The Issuer's application relates solely to the withdrawal of the Securities from listing on PCX and shall not affect their continued listing on NYSE or CHX,³ or their obligation to be registered under section 12(b) of the Act.⁴

Any interested person may, on or before February 1, 2006, comment on the facts bearing upon whether the application has been made in accordance with the rules of PCX, and

¹ 15 U.S.C. 78j(d).

² 17 CFR 240.12d2-2(d).

³ On December 13, 2005, the Issuer filed an application with the Commission to withdraw the Securities from listing and registration on CHX. Notice of such application will be published separately.

⁴ 15 U.S.C. 78j(b).

⁴ 17 CFR 200.30-3(a)(1).

¹ 15 U.S.C. 78j(d).

² 17 CFR 240.12d2-2(d).

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what terms, if any, should be imposed by the Commission for the protection of investors. All comment letters may be submitted by either of the following methods:

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All submissions should refer to File Number 1-09779. This file number should be included on the subject line if e-mail is used. To help us process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/delist.shtml>). Comments are also available for public inspection and copying in the Commission's Public Reference Room. All comments received will be posted without change; we do not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly.

The Commission, based on the information submitted to it, will issue an order granting the application after the date mentioned above, unless the Commission determines to order a hearing on the matter.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.⁵

Nancy M. Morris,
Secretary.

[FR Doc. E6-214 Filed 1-11-06; 8:45 am]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-53059; File No. SR-Amex-2005-128]

Self-Regulatory Organizations; American Stock Exchange LLC; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change and Amendment No. 1 Thereto Relating to the Trading Privileges of the Euro Currency Trust

January 5, 2006.

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934

("Act"),¹ and Rule 19b-4 thereunder,² notice is hereby given that on December 14, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed with the Securities and Exchange Commission ("Commission" or "SEC") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. On January 4, 2006, the Amex filed Amendment No. 1 to the proposed rule change.³ The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons and is approving the proposal, as amended, on an accelerated basis.

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Amex proposes new Amex Rules 1200B *et seq.* in order to permit trading, either by listing or pursuant to unlisted trading privileges ("UTP"), shares issued by a trust that holds a specified non-U.S. currency or currencies ("Currency Trust Shares") and trading, pursuant to UTP, Euro Shares ("Shares") of the Euro Currency Trust ("Trust").

The text of the proposed rule change is available on the Exchange's Web site at (<http://www.amex.com>), at the principal office of the Exchange, and at the Commission's Public Reference Room. The text of the proposed rule change is set forth below. Proposed new language is *italicized*; deletions are in [brackets].

* * * * *

Rule 1200B. Currency Trust Shares

(a) *Applicability.* The Rules in this Section (Trading of Currency Trust Shares) are applicable only to Currency Trust Shares. Except to the extent that specific Rules in this Section govern, or unless the context otherwise requires, the provisions of the Constitution and all other rules and policies of the Board of Governors shall be applicable to the trading on the Exchange of such securities. Pursuant to the provisions of Article I, Section 3(i) of the Constitution, Currency Trust Shares are included within the definitions of "security" or "securities" as such terms are used in the Constitution and Rules of the Exchange.

(b) The term "Currency Trust Shares" for purposes of this Rule means a security that (i) that is issued by a trust that holds a specified non-U.S. currency deposited with the trust; (ii) when

aggregated in some specified minimum number may be surrendered to the trust by the beneficial owner to receive the specified non U.S. currency; and (iii) pays beneficial owners interest and other distributions on the deposited non-U.S. currency, if any, declared and paid by the trust.

* * * Commentary

.01 A Currency Trust Share is a Trust Issued Receipt that holds a specified non-U.S. currency or currencies deposited with the trust.

.02 The Exchange requires that members and member organizations provide to all purchasers of newly issued Currency Trust Shares a prospectus for the series of Currency Trust Shares.

.03 Transactions in Currency Trust Shares will occur between 9:30 a.m. and either 4:00 p.m. or 4:15 p.m. for each series, as specified by the Exchange.

.04 (a) *Limit Orders—Members and member organizations shall not enter orders into the Exchange's order routing system, as principal or agent, limit orders in the same trust, for the account or accounts of the same or related beneficial owner, in such a manner that the member or beneficial owner(s) effectively is operating as a market maker by holding itself out as willing to buy and sell such Currency Trust Shares on a regular or continuous basis. In determining whether a member or beneficial owner effectively is operating as a market maker, the Exchange will consider, among other things, the simultaneous or near-simultaneous entry of limit orders to buy and sell the same Currency Trust Shares; the multiple acquisition and liquidation of positions in the same Currency Trust Shares during the same day; and the entry of multiple limit orders at different prices in the same Currency Trust Shares.*

(b) Members and member organizations may not enter, nor permit the entry of, orders into the Exchange's order routing system if those orders are (i) created and communicated electronically without manual input (i.e., order entry by public customers or associated persons of members must involve manual input such as entering the terms of an order into an order-entry screen or manually selecting a displayed order against which an off-setting order should be sent) and (ii) eligible for execution through the Exchange's automatic execution system for Currency Trust Shares. Nothing in this paragraph, however, prohibits members from electronically communicating to the Exchange orders manually entered by customers into

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ Amendment No. 1 is incorporated in this notice.

⁵ 17 CFR 200.30-3(a)(1).