refiling and approval of the amendment by Commission order pursuant to Rule 11Aa3–2(c)(2),[5] if it appears to the Commission that such action is necessary or appropriate in the public interest; for the protection of investors and the maintenance of fair and orderly markets; to remove impediments to, and perfect the mechanisms of, a National Market System; or otherwise in furtherance of the purposes of the Exchange Act.

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. Copies of the submission, all subsequent amendments, and 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 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 the filing will also be available at the principal offices of OPRA. All submissions should refer to File No. SR–OPRA–98–04 and should be submitted by January 12, 1999.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–33912 Filed 12–22–98; 8:45 am]

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[5] 17 CFR 240.11Aa3–2(c)(2).

[6] 17 CFR 200.30–3(a)(29).

SECURITIES EXCHANGE COMMISSION

[Release No. 34–40730A; File No. SR–CHX–98–26]

Self-Regulatory Organizations; Notice of Filing and Order Granting Accelerated Approval of Proposed Rule Change and Amendment No. 1 Thereto by the Chicago Stock Exchange, Inc. Relating to Listing Standards of Equity Linked Debt Securities

Correction

December 16, 1998.

In FR Document 98–32664, beginning on page 67958 for Wednesday, December 9, 1998, on page 67962 in the first sentence of the first paragraph in Column 2 was incorrectly stated. The sentence should read as follows:

''*It is therefore ordered,* pursuant to Section 19(b)(2) of the Act,[23] that the proposed rule change (SR–CHX–98–26) is approved.''

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–33913 Filed 12–22–98; 8:45 am]

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[23] 15 U.S.C. 78s(b)(2).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–40799; File No. SR–NSCC–98–07]

Self-Regulatory Organizations; National Securities Clearing Corporation; Order Approving a Proposed Rule Change Expanding the Annuities Processing Service

December 16, 1998.

On June 24, 1998, the National Securities Clearing Corporation (''NSCC'') filed with the Securities and Exchange Commission (''Commission'') a proposed rule change (File No. SR–NSCC–98–07) pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'').[1] Notice of the proposal was published in the **Federal Register** on October 19, 1998.[2] No comment letters were received. For the reasons discussed below, the Commission is approving the proposed rule change.

I. Description

On September 19, 1997, the Commission approved NSCC's rule filing establishing APS.[3] APS provides a centralized communication link that connects participating insurance carriers with their multiple distribution channels, including broker-dealers, banks, and the broker-dealers' or banks' affiliated insurance agencies where appropriate (collectively, ''distributors''). Phase one of APS provides NSCC's participants with the ability to send and receive daily information regarding annuity contract positions, the value of each contract's underlying assets, and settlement of commission monies.[4]

The proposed rule change implements phase two of APS. Phase two provides distributors with the ability to transmit to insurance carriers information concerning annuity applications and subsequent premium payments and to settle initial and subsequent premiums through NSCC's money settlement process. Distributors will submit application information to NSCC, and NSCC will forward the application information to the insurance carrier designated as recipient by the distributor.

The subsequent premium component allows distributors to transmit to insurance carriers information related to subsequent premium payments made by annuity contract owners. Distributors will submit subsequent premium information to NSCC, and NSCC will forward the subsequent premium information to the insurance carrier designated as recipient by the distributor.

The proposed rule change provides that a distributor that has submitted application information or subsequent premium information to NSCC may also include data with respect to the annuity contract owner's initial premium payment or subsequent premium payment. If the information regarding the initial or subsequent premium payment is included with the application information or subsequent premium information, distributors and carriers will settle these payments through NSCC's money settlement system.

Distributors initiate initial and subsequent premium payment settlement by submitting instructions to NSCC. All initial and subsequent premium payments submitted on a business day prior to that day's cutoff time (2:00 pm Eastern time) will settle on that day. Payments submitted on a business day after the cutoff time will settle on the next business day. Distributors have the ability to cancel a

[1] 15 U.S.C. 78s(b)(1).

[2] Securities Exchange Act Release No. 40540 (October 9, 1998), 63 FR 55910.

[3] Securities Exchange Act Release No. 39096 (September 19, 1997), 62 FR 50416 [order approving the establishment of APS and the implementation of phase one of APS].

[4] *Id.*

previously submitted transaction on a business day as long as the cancel instruction is initiated prior to 2:00 pm Eastern time.

If a distributor submits an instruction to NSCC to withdraw application information and an initial premium payment had been submitted with that application information, then NSCC will not settle the initial premium payment. A distributor does not have the ability to cancel a subsequent premium payment that has been included with previously submitted subsequent premium information.

Phase two will also enable insurance carriers to transmit to distributors information and details about transactions and events that have occurred with respect to existing annuity contracts. An example of a transaction that may occur with respect to an existing annuity contract is a contract owner initiated transfer of underlying annuity contract assets from one subaccount to another subaccount. An example of an event is a dividend declared by an underlying fund. Distributors often use such financial information for the monthly account statements they send to their customers.

The proposed rule change provides that if the application information submitted by a distributor to NSCC appears to contain the information required by NSCC but does not appear to contain the information required by the designated insurance carrier, NSCC will nevertheless transmit the application information to the designated insurance carrier but will not settle any initial premium payments submitted with such information. However, if the information contains four or more errors, NSCC will reject all of the submitted information and will not settle any initial premium payments submitted with such information.

II. Discussion

The Commission finds that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder and particularly with the requirements of Section 17A(b)(3)(F).[5] Section 17A(b)(3)(F) requires that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions.

The Commission believes that NSCC's rule change meets this standard because the implementation of the second phase of APS should provide more centralized communications and settlement between insurance carriers and distributors and should provide for more efficient processing. Thus, the proposal promotes prompt and accurate clearance and settlement of securities transactions.

III. Conclusion

On the basis of the forgoing, the Commission finds that the proposal is consistent with the requirements of the Act and in particular with the requirements of Section 17A(b)(3)(F) of the Act and the rules and regulations thereunder.

It Is Therefore Ordered, pursuant to Section 19(b)(2) of the Act, that the proposed rule change (File No. SR–NSCC–98–07) be and hereby is approved.

For the Commission by the Division of Market Regulation, pursuant to delegated authority.[6]

Margaret H. McFarland,

Deputy Secretary.

[FR Doc. 98–33981 Filed 12–22–98; 8:45 am]

BILLING CODE 8010–01–M

[5] 15 U.S.C. 78q–1(b)(3)(F)(1988).

[6] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–40797; File No. SR–NYSE–98–45]

Self-Regulatory Organizations; Notice of Filing of Proposed Rule Change by the New York Stock Exchange, Inc. Relating to Amendments to Rule 80A

December 15, 1998.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Exchange Act''), notice is hereby given that on December 8, 1998, the New York Stock Exchange, Inc. (''NYSE'' or ''Exchange'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II and III below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The Exchange proposes to amend the NYSE's Rule 80A. Below is the current text of Rule 80A which would be deleted under the proposed rule change and the proposed text of Rule 80A as it would read under the proposed rule change. Deletions are in brackets and additions are in italics.

[(a)(i) If, during any trading day, the price of the primary Standard and Poor's 500 Stock Price Index futures contract traded on the Chicago Mercantile Exchange (''S&P 500 futures'')* reaches a value 12 points below the S&P 500 future's closing value on the previous trading day (the ''trigger value''), for the next five minutes market orders involving program trading in each of the stocks underlying the S&P 500 futures entered into the Exchange's automated order-routing facilities shall be routed to a separate file for each such stock. Buy and sell orders for each stock will be paired in the file to determine the extent of the order imbalance, if any.

(ii) Five minutes after the price of the S&P 500 futures reaches the trigger value, the orders in the program trading file for each stock, and the order imbalance, if any, shall be reported to the specialist in the stock and the orders shall be eligible for execution; *provided, however,* that trading in a stock on the Exchange shall halt if there is not sufficient trading interest on the Exchange to allow for an orderly execution of a transaction in the stock.

(b) Whenever the price of the S&P 500 futures reaches the trigger value, no member or member organization shall enter any stop order or stop limit order for the remainder of the trading day except that a member or member organization may enter a stop order or a stop limit order of 2,099 shares or less for the account of an individual investor pursuant to instructions received directly from the individual investor.

(c) On any day when the Dow Jones Industrial Average** has advanced by 50 points or more from its closing value on the previous trading day, all index arbitrage orders to buy any component stock of the S&P 500 Stock Price Index must be entered with the instruction ''buy minus.'' If, on that day, the Dow Jones Industrial Average subsequently reaches a value that is 25 points or less above the closing value on the previous trading day, this requirement shall not apply. This principle shall govern the imposition and removal of the buy minus requirement as to all subsequent movements in the Dow Jones Industrial Average on that day. On any day when the Dow Jones Industrial Average has declined by 50 points or more from its closing value on the previous day, all index arbitrage orders to sell must be entered with the instruction ''sell plus.'' If, on that day, the Dow Jones Industrial Average subsequently reaches a value that is 25 points or less below the closing value on the previous trading day, this requirement shall not apply. This principle shall govern the imposition and removal of the sell plus requirement as to all subsequent movements in the Dow Jones Industrial