

CHX fixed fees, assignment fees and application fees.

The Exchange believes that the proposed change to the Schedule constitutes an appropriate means of ensuring that the Exchange continues to trade an appropriate number of NNM securities. For a variety of reasons, some specialists have deregistered from certain NNM securities formerly assigned to such specialists for trading on the CHX pursuant to unlisted trading privileges. At the same time, CHX floor brokers continue to receive orders for many of these "dropped" issues; such floor brokers view continued CHX trading of a wide variety of NNM securities to be critical to their customers and an important part of the Exchange's overall strategic plan. Accordingly, the CHX has devised the proposed fee exemption, which the CHX believes will provide sufficient economic incentive for specialists to continue trading a wide array of NNM securities.

## 2. Statutory Basis

The proposed rule change is consistent with Section 6(b) of the Act,<sup>4</sup> generally, and Section 6(b)(4) of the Act<sup>5</sup> in that it is designed to provide for the equitable allocation of reasonable dues, fees, and other charges among Exchange members.

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

The CHX does not believe that the proposed rule change will result in any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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

Written comments were neither solicited nor received.

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

The foregoing rule change has become effective on filing pursuant to Section 19(b)(3)(A) of the Act<sup>6</sup> and Rule 19b-4(f)(2) thereunder,<sup>7</sup> as establishing or changing a due, fee, or other charge paid solely by members of the CHX. At any time within 60 days of the filing of such proposed rule change, the Commission may summarily abrogate such rule change if it appears to the Commission that such action is necessary or appropriate, in the public interest, for

the protection of investors, or otherwise in furtherance of the purposes of the Act.<sup>8</sup>

## 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 CHX. All submissions should refer to File No. SR-CHX-2002-07 and should be submitted by April 26, 2002.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.<sup>9</sup>

**Margaret H. McFarland,**

*Deputy Secretary.*

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## SMALL BUSINESS ADMINISTRATION

[License No. 04/74-0285]

### **Delta Venture Partners I, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest**

Notice is hereby given that Delta Venture Partners I, L.P., 8000 Centerview Parkway, Suite 100, Cordova, TN 38018, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730 (2000)). Delta Venture Partners I, L.P., owned greater than 10 percent of Forum

Technologies, Inc., and therefore, Forum Technologies, Inc. is considered an Associate of Delta Venture Partners I, L.P. proposes to provide equity/debt security financing to Forum Technologies, Inc. (d.b.a. Appraisal Forum), 6800 Poplar Avenue, Suite 121, Memphis, TN 38138. The financing is contemplated for national sales force expansion and working capital.

The financing is brought within the purview of Section 107.730(a)(1) of the Regulations because John A. Bobango, an Associate of Delta Venture Partners I, L.P., owned greater than 10 percent of Forum Technologies Inc., and therefore, Forum Technologies, Inc., is considered an Associate of Delta Venture Partners I, L.P. as defined in Section 107.50 of the Regulations.

Notice is hereby given that any interested persons may submit written comments on the transaction to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street, SW., Washington, DC 20416.

Dated: January 22, 2002.

**Harry Haskins,**

*Acting Associate Administrator for Investment*

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## SMALL BUSINESS ADMINISTRATION

[License No. 03/73-0220]

### **Meridian Venture Partners II, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Acts, Conflicts of Interest**

Notice is hereby given that Meridian Venture Partners II, L.P., 259 Radnor Chester Road, Suite 140, Radnor, PA 19087, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") rules and regulations (13 CFR 107.730 (2000)). Meridian Venture Partners II, L.P. proposes to provide equity/debt security financing to D.C. Retail I, Inc., 55 Carter Drive, Edison, NJ 08817. The financing is contemplated for working capital and expansion of the business.

The financing is brought within the purview of Sec. 107.730(a)(1) of the Regulations because Meridian Venture Partners and MVP Distribution Partners, Associates of Meridian Venture Partners

<sup>4</sup> 15 U.S.C. 78f(b).

<sup>5</sup> 15 U.S.C. 78f(b)(4).

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b-4(f)(2).

<sup>8</sup> See Section 19(b)(3)(C) of the Act, 15 U.S.C. 78s(b)(3)(C).

<sup>9</sup> 17 CFR 200.30-3(a)(12).