

any further business in the account beginning on the next business day after the additional contribution was due. Accordingly, an offense as contemplated by the foregoing fine schedule refers to the number of times that the account was inactivated from conducting any further business for failure to furnish Philadep with the additional contribution during a calendar year.

Once active, an account will be routinely subject to the normal review and update process on a monthly basis, and the F&A Department will recalculate each participant's participants fund deposit requirement at the end of each month based upon the participant's previous three months activity, prior to the most recent month.

Philadep believes the proposed rule change is consistent with Section 17A of the Act and the rules and regulations thereunder because the proposal should help to safeguard securities and funds in their custody or control or for which they are responsible and foster cooperation and coordination with persons engaged in the clearance and settlement of securities transactions.

(B) Self-Regulatory Organization's Statement on Burden on Competition

Philadep believes that the proposed rule change will not impose any burden on competition not contemplated within the parameters of the Act.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

No written comments relating to the proposed rule change have been received. Philadep will notify the Commission of any written comments received by Philadep.

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

Within thirty-five days of the date of publication of this notice in the Federal Register or within such longer period (i) as the Commission may designate up to ninety days of such date if it finds such longer period to be appropriate and publishes its reasons for so finding or (ii) as to which Philadep consents, the Commission will:

- (a) By order approve such proposed rule change or
- (b) Institute proceedings to determine whether the proposed rule change should be disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing.

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 in the Commission's Public Reference Room, 450 Fifth Street, N.W., Washington, D.C. 20549. Copies of such filing will also be available for inspection and copying at the principal office of Philadep. All submissions should refer to the file number SR-Philadep-96-07 and should be submitted by June 21, 1996.

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

Margaret H. McFarland,
Deputy Secretary.
[FR Doc. 96-13694 Filed 5-30-96; 8:45 am]
BILLING CODE 8010-01-M

[Release No. 34-37234; File No. SR-PHILADEP-96-06]

Self-Regulatory Organizations; Philadelphia Depository Trust Company; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Amend the Fee Schedule for the Legal Deposit Service.

May 21, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹, notice is hereby given that on April 1, 1996, the Philadelphia Depository Trust Company ("Philadep") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-PHILADEP-96-06) as described in Items I, II, and III below, which Items have been prepared primarily by Philadep. The Commission is publishing this notice to solicit comments on the proposed rule change from interested parties.

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

Philadep proposes to consolidate and modify the fees and the underlying

volume categories for its Legal Deposit Service.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, Philadep included statements concerning the purposes of and the basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. Philadep has prepared summaries, as set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.²

(A) Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

Philadep proposes to modify its existing fees for its Legal Deposit Service. Under the existing schedule, medium volume depositors pay significantly greater costs than high volume depositors. In order to attract new medium volume business while offering its current users more cost competitive pricing, Philadep is consolidating the number of categories for its Legal Deposit Service and modifying the fees that the medium volume participants pay for this service.

The text of the proposed rule change is as follows:

Philadelphia Depository Trust Company—Schedule of Fees
Additions are *italicized*; deletions [bracketed]

5. Legal Deposits

Processing fees are based upon monthly deposit volume:

Volume Level:	
0-100	\$8.50.
101-500	\$6.00.
501-1,000	\$5.50.
1,001-1,700	\$5.00.
1,701-2,500	\$4.50.
2,501-3,000	\$3.50 flat fee for all legal deposits.
3,001 and over	\$2.75 flat fee for all legal deposits.]
<i>1-300</i>	<i>\$8.50</i>
<i>301-3000</i>	<i>\$3.50</i>
<i>3001 and over</i>	<i>\$2.75</i>

No charge for deposit rejects. Transfer agent charges will be passed through to the Participant on an item for item basis.

Philadep believes the proposed change complies with Section 17A of the Act because it provides for the

⁴ 17 CFR 200.30-3(a)(12) (1995).

¹ 15 U.S.C. § 78s(b)(1) (1988).

² The Commission has modified the text of the summaries prepared by Philadep.

equitable allocations of reasonable dues, fees, and other charges among participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

The proposed rule change will not impose any inappropriate burden on competition.

(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 with respect to the proposed rule change.

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

The foregoing rule change has become effective pursuant to Section 19(b)(3)(A)(ii)³ of the Act and pursuant to Rule 19b-4(e)(2)⁴ promulgated thereunder because the proposal establishes or changes a due, fee, or other charge. At any time within sixty days of the filing of such rule change, the Commission may summarily abrogate such 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.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. 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, 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 Section, 450 Fifth Street, NW, Washington, DC 20549. Copies of such filings will also be available for inspection and copying at the principal office of Philadep. All submissions should refer to File Number SR-

PHILADEP-96-06 and should be submitted by June 21, 1996.

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

Margaret H. McFarland,
Deputy Secretary.

[FR Doc. 96-13697 Filed 5-30-96; 8:45 am]

BILLING CODE 8010-01-M

[Release No. 34-37245; File No. SR-SCCP-96-03]

Self-Regulatory Organizations; Stock Clearing Corporation of Philadelphia; Notice of Filing of a Proposed Rule Change To Establish a Separate Participant Category for Inactive Accounts

May 24, 1996.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),¹ notice is hereby given that on May 8, 1996, the Stock Clearing Corporation of Philadelphia ("SCCP") filed with the Securities and Exchange Commission ("Commission") the proposed rule change (File No. SR-SCCP-96-03) as described in Items I, II, and III below, which items have been prepared primarily by SCCP. 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 purpose of the proposed rule change is to amend SCCP's rules of establishment a separate participant category for inactive accounts and to amend the participants fund formulas with respect to such inactive accounts. Specifically, the proposed rule change will define the term "Inactive Account" and will set forth the mechanism for detecting a change in a participant's status from inactive to active for the immediate collection of the additional required participants fund contribution at such time.

II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, SCCP included statements concerning the purpose of and basis for the proposed rule change and discussed any comments they received on the proposed rule changes. The text of these statements may be examined at the places specified in Item IV below. SCCP

has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of such statements.

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

SCCP proposes to amend its rules with respect to the minimum cash deposit contribution of its inactive participants to be set at the uniform rate of \$5,000 instead of at the previously approved rate of \$10,000.² "Inactive Accounts" are proposed to be defined as an account which conducts de minimis activity, currently established to be twenty or fewer trades per month.

SCCP proposes to adjust its Inactive Account contribution to the participants fund from \$10,000 to \$5,000. In proposing this amendment, SCCP recognizes that Inactive Accounts pose virtually no risk to the clearing corporation so long as they remain in such inactive status. In this regard, SCCP has established procedures to detect a change in a participant's status from inactive to active and for the immediate collection of the additional required participants fund contribution at such time.

SCCP will monitor its participants' account activities to assure that all participants post the requisite participants fund contributions. SCCP evaluates the nature and financial integrity of all participants of SCCP, even if they initially establish only Inactive Accounts. SCCP evaluates prospective participants develops a customer profile, assesses the firm's capital adequacy, determines the initial participants fund contribution, contacts the firm's Designated Examining Authority for a review of its regulatory history, and presents any and all pertinent information collected to SCCP's Admissions Committee. The Admissions Committee ultimately makes the determination about whether to admit the participant and directs management where appropriate to gather additional information so that the Committee can make such a determination. After admission, SCCP monitors participants' account activities to assure that the proper participants fund contribution is being collected from each participant.

Specifically with respect to Inactive Accounts, SCCP's Finance and Administration ("F&A") Department

² Securities Exchange Act Release No. 36875 (February 22, 1996), 61 FR 7846 [SR-SCCP-95-06] (order granting partial temporary approval and partial permanent approval of a proposed rule change).

³ 15 U.S.C. 78s(b)(3)(A)(ii) (1988).

⁴ 17 CFR 240.19b-4(e)(2) (1995).

⁵ 17 CFR 200.30-3(a)(12) (1995).

¹ 15 U.S.C. 78s(b)(1) (1988).