

ceived, the Commission decided at public meetings in December 1977—

(1) To terminate the GESMO proceeding;

(2) To terminate the proceedings on pending or future plutonium recycle-related license applications, except for—

(a) Proceedings on licenses for the fabrication or use of small quantities of mixed oxide fuel for experimental purposes, and

(b) Those portions of proceedings which involve only spent fuel storage, disposal of existing waste, or decontamination, or decommissioning of existing plants;

(3) To reexamine the above matters after the completion of the ongoing alternative fuel cycle studies, now expected to take about two years;

(4) To publish the draft safeguards supplement to the GESMO document as a staff technical report;

(5) As a consequence of the above decisions, to withdraw the November 1975 policy statement; and

(6) To reserve for decision, if it arises, the question of whether a facility such as the Barnwell facility may be licensed for experimental and feasibility purposes on a noncommercial basis to investigate processes which support the nation's nonproliferation objectives.

The proceedings affected by this decision are the generic environmental statement on mixed oxide fuel (Docket No. RM-50-5), Allied-General Nuclear Services (Barnwell nuclear fuel plant separations facility, uranium hexafluoride facility, and plutonium product facility) (Docket Nos. 50-332, 70-1327, and 70-1821), Exxon Nuclear Co., Inc. (Nuclear Fuel Recovery and Recycling Center) (Docket No. 50-564), Westinghouse Electric Corp. (recycle fuels plant) (Docket No. 70-1432), and Nuclear Fuel Services, Inc. (West Valley reprocessing plant) (Docket No. 50-201). This order shall be filed in these dockets and shall be served on all parties of record.

Commissioner Gilinsky notes that he considers the inclusion of item (6) above unnecessary and inappropriate in this order.

Commissioner Kennedy notes that he would prefer the use of the term "defer" to "terminate" in items (1) and (2) above.

The Commission will shortly publish a statement of the reasons underlying this decision. This statement will include the separate views of Commissioner Kennedy on the above-mentioned matter.

It is so ordered.

Dated at Washington, D.C., this 23rd day of December 1977.

For the Commission

SAMUEL J. CHILK.

Secretary of the Commission.

(FR Doc. 77-37169 Filed 12-29-77; 8:45 am)

[7590-01]

(Docket No. 50-549; Case 80006)

**POWER AUTHORITY OF THE STATE OF NEW YORK, ET AL.**

Hearing Schedule

DECEMBER 23, 1977.

In the Matter of Power Authority of the State of New York (Greene County Nuclear Power Plant); State of New York Department of Public Service Board on Electric Generation, Siting and the Environment; application of the Power Authority of the State of New York (Greene County Nuclear Generating Facility).

By an order dated October 12, 1977, an Atomic Safety and Licensing Board of the U.S. Nuclear Regulatory Commission and a Presiding Examiner and an Associate Examiner of the Board on Electric Generation, Siting and the Environment of the State of New York scheduled hearings in the above-indicated matter, inter alia, for the period January 3 through January 6.

The hearings scheduled for January 3 through January 6 are cancelled.

The next scheduled hearings will take place beginning at 1 p.m. on January 16, 1978, at the offices of the Public Service Commission, Agency Building 3, Empire State Plaza, Albany, N.Y.

It is so ordered.

Dated at Bethesda, Md., this 23rd day of December 1977.

For the Atomic Safety and Licensing Board.

JOHN F. WOLF,  
Chairman.

For the New York State Siting Board.

EDWARD D. COHEN,  
Presiding Examiner.

(FR Doc. 77-37166 Filed 12-29-77; 8:45 am)

[7590-01]

(Docket No. 50-305)

**WISCONSIN PUBLIC SERVICE CORP., ET AL.**

Proposed Issuance of Amendment to Facility Operating License

The U.S. Nuclear Regulatory Commission (the Commission) is considering issuance of an amendment to Facility Operating License No. DPR-43, issued to Wisconsin Public Service Corp., Wisconsin Power & Light Co. and Madison Gas & Electric Co. (the licensee), for operation of the Kewaunee Nuclear Power Plant located in Kewaunee, Wis.

The amendment would increase the spent fuel storage capacity at Kewaunee.

By January 30, 1978, the licensee may file a request for a hearing and

any person whose interest may be affected by this proceeding may file a request for a hearing in the form of a petition for leave to intervene with respect to the issuance of the amendment to the subject facility operating license. Petitions for leave to intervene must be filed under oath or affirmation in accordance with the provisions of section 2.714 of 10 CFR Part 2 of the Commission's regulations. A petition for leave to intervene must set forth the interest of the petitioner in the proceeding, how that interest may be affected by the results of the proceeding, and the petitioner's contentions with respect to the proposed licensing action. Such petitions must be filed in accordance with the provisions of this FEDERAL REGISTER notice and § 2.714, and must be filed with the Secretary of the Commission, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, Attention: Docketing and Service Section, by the above date. A copy of the petition and/or request for a hearing should be sent to the Executive Legal Director, U.S. Nuclear Regulatory Commission, Washington, D.C. 20555, and to Steven E. Keane, Esq., Foley, Sammond & Lardner, 777 East Wisconsin Avenue, Milwaukee, Wis. 53202, attorney for the licensee.

A petition for leave to intervene must be accompanied by a supporting affidavit which identifies the specific aspect or aspects of the proceeding as to which intervention is desired and specifies with particularity the facts on which the petitioner relies as to both his interest and his contentions with regard to each aspect on which intervention is requested. Petitions stating contentions relating only to matters outside the Commission's jurisdiction will be denied.

All petitions will be acted upon by the Commission or licensing board, designated by the Commission or by the Chairman of the Atomic Safety and Licensing Board Panel. Timely petitions will be considered to determine whether a hearing should be noticed or another appropriate order issued regarding the disposition of the petitions.

In the event that a hearing is held and a person is permitted to intervene, he becomes a party to the proceeding and has a right to participate fully in the conduct of the hearing. For example, he may present evidence and examine and cross-examine witnesses.

For further details with respect to this action, see the application for amendment dated November 14, 1977, which is available for public inspection at the Commission's Public Document Room, 1717 H Street NW, Washington, D.C., and at the Kewaunee Public Library, 314 Milwaukee Street, Kewaunee, Wis. 54216.

Dated at Bethesda, Md., this 17th day of December 1977.

For the Nuclear Regulatory Commission.

A. SCHWENGER,  
Chief, Operating Reactors  
Branch No. 1, Division of Operating Reactors.

(FR Doc. 77-37167 Filed 12-29-77, 8:45 am)

[8010-01]

**SECURITIES AND EXCHANGE  
COMMISSION**

(Release No. 34-14299; File No. SR-Amex-77-301)

**AMERICAN STOCK EXCHANGE, INC.**

**Self-Regulatory Organization**

Pursuant to section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), 15 U.S.C. 78s(b)(1), as amended by Pub. L. No. 94-29, 16 (June 4, 1975), notice is hereby given that on December 5, 1977, the above-mentioned self-regulatory organization filed with the Securities and Exchange Commission a proposed rule change as follows:

**American Stock Exchange, Inc. ("Amex"),  
Statement of Terms of Substance of the Proposed Rule Change**

The proposed amendments to sections 151, 152, and 153 of the American Stock Exchange Co. guide will revise the Exchange's original, supplemental and annual listing fees to help offset the increased costs of fulfilling the Exchange's self-regulatory responsibilities and providing necessary services to listed companies.

The Board directed that the increased fees set forth in section 151 of the company guide should become effective on March 1, 1978; and directed that the increased fees set forth in sections 152 and 153 should become effective on January 1, 1978.

The text of the proposed amendments is attached as Exhibit A.

**AMEX'S STATEMENT OF BASIS AND  
PURPOSE**

The basis and purpose of the foregoing proposed rule change is as follows:

The purpose of the proposed amendments to the Amex Co. guide is to revise the Exchange's listing fee schedules to reflect increased costs of providing necessary surveillance and other services to listed companies. Since 1974, the last time listing fees have been revised, listing revenues as a percentage of total Exchange income have steadily declined. At the same time, costs of maintaining the Exchange's market surveillance, specialist evaluation, and other regulatory programs have risen, owing both to inflation and increased personnel and equipment costs. Increased costs have also been experienced in the areas of market development and listed compa-

ny liaison. The revised fee schedules are necessary to offset these increased costs.

The proposed amendments to the company guide will result in a more equitable allocation of dues, fees and other charges among Amex members. Amex-listed companies and other persons using the Exchange's facilities.

The proposed amendments to the Amex Co. guide were discussed with, and unanimously approved by, the Exchange's Listed Company Advisory Committee. This committee consists of nine persons, each of whom is the chief executive officer of an Amex-listed company.

The Amex has determined that no burden on competition will be imposed by the proposed rule change.

The foregoing rule change has become effective, pursuant to section 19(b)(3) of the Securities Exchange Act of 1934. At any time within sixty 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 Securities Exchange Act of 1934.

Interested persons are invited to submit written data, views, and arguments concerning the foregoing. Persons desiring to make written submissions should file six (6) copies thereof with the Secretary of the Commission, Securities and Exchange Commission, Washington, D.C. 10549. Copies of the filing with respect to the foregoing and of all written submissions will be available for inspection and copying in the Public Reference Room, 1100 L Street NW., Washington, D.C. Copies of such filing will also be available for inspection and copying at the principal office of the above-mentioned self-regulatory organization. All submissions should refer to the file number referenced in the caption above and should be submitted on or before January 23, 1978.

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

GEORGE A. FITZSIMMONS,  
Secretary.

DECEMBER 21, 1977.

**EXHIBIT A—AMERICAN STOCK  
EXCHANGE, INC.**

Brackets [ ] indicate words to be deleted, and italics indicate words to be added.

**§ 151. Original Listing Application**

(a) Stock Issues—The original listing fees for stock issues are as follows: 1¢

Amended fees in Section 151 are effective as of March 1, 1978, and amended fees in Sections 152 and 153 are effective as of January 1, 1978.

per share for the first two million shares; ½¢ per share for the second two million shares; ¾¢ per share for the next six million shares; 1¢ per share for the balance of shares applied for. In addition to the above per-share initial fee, there is a one-time charge of \$3,500 for the original listing of stock and warrant issues of a company with no other listed issues. This charge will also apply to "back door" listings.

There is no maximum fee applicable to original listings of stock issues. Where the original listing of more than one class of stock is included in the same application, the fee is based on the aggregate number of shares of all such classes applied for.

(b) Bond Issues—The original listing fees for bond issues are as follows: \$100 per million dollars (\$1,000,000) face value, or fraction thereof. Maximum fee per issue \$5,000. Minimum fee per issue \$500. In addition, there is a one-time charge of \$1,500 for companies not presently listed.

(c) Warrant Issues—The original (as well as the continuing and supplemental) listing fees for long-term warrant issues are the same as those for stock issues, and are based upon the aggregate number of shares that the warrants evidence the right to purchase.

**§ 152. Continuing Annual Fee**

(a) Stock Issues—11/10¢ per share for the first 4,000,000 shares issued and outstanding (including shares held in the treasury) and 1/20¢ per share for the excess. Minimum Fee \$2,500, Maximum Fee \$7,500.]

*\$2,500 for the first one million shares (or fraction thereof) issued and outstanding; plus \$500 for each additional one million shares (or fraction thereof) up to a total, including the first one million shares, of ten million shares issued and outstanding; plus \$1,000 for the next one million shares (or fraction thereof) up to a total, including the first ten million shares, of eleven million shares issued and outstanding; plus \$1,000 for any shares issued and outstanding in excess thereof, with a maximum fee of \$9,000.*

*For purposes of this Section, treasury shares shall be deemed issued and outstanding.*

This fee is based on the total number of outstanding shares of all classes of stock listed on the Exchange on June 30 of each year, payable in July of each year.

The continuing annual fee is also required to be paid by companies with stock issues admitted to unlisted trading privileges on the Exchange based on the number of outstanding shares of the issue admitted to unlisted trading privileges (including shares held in the treasury).