

has asked the Commission to waive the 30-day operative delay so that the proposal may become operative immediately upon filing. The Exchange has represented that it is completing testing of a functionality that would enable the electronic acceptance of orders after 4 p.m., and if successful, the Exchange expects to be able to implement the new functionality by the end of December 2010. If the Exchange will not be able to implement the new functionality by that date, it will work with the Commission to set a new target date for implementation. The Exchange also has represented that it plans to file a proposed rule change to amend Rule 123C(9) to make the pilot permanent and to remove the limitation that only Floor brokers can represent interest after 4 p.m.¹²

The Commission believes that waiving the 30-day operative delay is consistent with the protection of investors and the public interest because it will allow the pilot to continue uninterrupted, thereby permitting offsetting interest represented by floor brokers to alleviate extreme order imbalances occurring at the close until the Exchange is able to allow the electronic submission of such interest after 4 p.m. in such circumstances.¹³ Accordingly, the Commission waives the 30-day operative delay requirement and designates the proposed rule change operative upon filing with the Commission.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend 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.

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. Comments may be submitted by any of the following methods:

proposed rule change, at least five business days prior to the filing of the proposed rule change, or such shorter time as designated by the Commission. The Commission notes that the Exchange has satisfied this requirement.

¹² See NYSE Euronext E-mail, *supra* note 8.

¹³ For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

Electronic Comments

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-NYSE-2010-79 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE., Washington, DC 20549-1090.

All submissions should refer to File Number SR-NYSE-2010-79. This file number should be included on the subject line if e-mail is used. To help the Commission 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/sro.shtml>). 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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make publicly available. All submissions should refer to File Number SR-NYSE-2010-79 and should be submitted on or before January 10, 2011.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁴

Florence E. Harmon,
Deputy Secretary.

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¹⁴ 17 CFR 200.30-3(a)(12).

DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notification of Proposed Delegation Programs and Request for Comment

AGENCY: Federal Aviation Administration (DOT).

ACTION: Notice of availability and request for public comment.

SUMMARY: This notice announces the availability of and request for public comments on the proposed new delegation programs (2) that will allow organizations to perform additional functions under the Federal Aviation Administration (FAA) Organization Designation Authorization (ODA) program. These two proposed ODA programs will provide: (1) Certification functions for rotorcraft-external load operator certificates under 14 CFR part 133 and (2) the delivery of written airman knowledge tests.

DATES: Comments must be received on or before January 17, 2011.

ADDRESSES: Send all comments on both proposed delegation programs and functions to: Federal Aviation Administration, Aircraft Certification Service, Delegation and Airworthiness Programs Branch, 6500 S. MacArthur Blvd, ARB Room 308, Oklahoma City, OK 73169, *ATTN:* Sam Colasanti. Or, you may e-mail comments to: samuel.r.colasanti@faa.gov. Include in the subject line of your message the following: Comments on Proposed ODA Programs and Functions.

FOR FURTHER INFORMATION CONTACT: Sam Colasanti, Aerospace Engineer, Federal Aviation Administration, Aircraft Certification Service, Aircraft Engineering Division, Delegation and Airworthiness Programs Branch, to address listed above or by phone at 405.954.7044.

SUPPLEMENTARY INFORMATION:

Comments Invited

Interested persons are invited to comment on the two (2) proposed ODA programs listed in this notice by submitting such written data, views, or arguments as they desire to the above specified address. Comments received on the two proposed ODA programs may be examined, before and after the comment closing date by making arrangements with the person listed in the "For Further Information Contact" paragraph above. All communications received on or before the closing date will be considered by the Director of the Aircraft Certification Service before approval of the two (2) programs.

Background

Air Operator ODA

The FAA plans to establish two (2) new ODA program types in addition to those already established by FAA Order 8100.15, Organization Designation Authorization Procedures. Proposed revisions to FAA Order 8100.15 are available for review, and may be accessed at http://www.faa.gov/aircraft/draft_docs/.

This new ODA program would allow organizations to conduct certification functions for the issuance of rotorcraft external-load operator certificates, in accordance with the requirements of 14 CFR part 133. The FAA anticipates a phased-in approach to this authority, with the FAA initially retaining authority for issuance of the certificate. The actual delegation of the issuance of the certificate would only be allowed after the ODA holder had successfully shown the ability to determine compliance with all aspects of 14 CFR part 133.

Air Operator ODAs would be appointed and managed by the geographic Flight Standards District Office under the authority of the Director, Flight Standards Service. The FAA anticipates granting Air Operator ODA to only a small number of organizations based on the organization's experience and the FAA's need to delegate the authority.

Knowledge Testing ODA

This new ODA program would allow organizations to administer automated airman tests and provide certified test results to applicants. These functions are currently performed by authorized Computer Testing Designees under the provisions of FAA Order 8080.6, Conduct of Airman Knowledge Tests. Consolidation of these functions under the ODA program will standardize and align their activities and the FAA's oversight, making them consistent with other forms of ODA programs.

Knowledge Testing ODAs would be appointed and managed by The Flight Standards Airman Testing Standards Branch, AFS-630, under the authority of the Director, Flight Standards Service. The FAA anticipates that existing computer testing designees will desire to transition to the ODA program, and other organizations may be appointed as needed to make testing services available to the public.

Issued in Washington, DC, on December 15, 2010.

Susan J.M. Cabler,

Assistant Manager, Aircraft Engineering Division, Aircraft Certification Service.

[FR Doc. 2010-31861 Filed 12-17-10; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Transit Administration

[FTA Docket No. FTA 2010-0046]

Notice of Request for the Extension of a Currently Approved Information Collection

AGENCY: Federal Transit Administration (FTA), DOT.

ACTION: Notice of Request for Comments.

SUMMARY: In accordance with the Paperwork Reduction Act of 1995, this notice announces the intention of the Federal Transit Administration (FTA) to request the Office of Management and Budget (OMB) to approve the following information collection: Charter Service Operations.

DATES: Comments must be submitted before February 18, 2011.

ADDRESSES: To ensure that your comments are not entered more than once into the docket, submit comments identified by the docket number by only one of the following methods:

1. *Web site:* <http://www.regulations.gov>. Follow the instructions for submitting comments on the U.S. Government electronic docket site. (*Note:* The U.S. Department of Transportation's (DOT's) electronic docket is no longer accepting electronic comments.) All electronic submissions must be made to the U.S. Government electronic docket site at <http://www.regulations.gov>. Commenters should follow the directions below for mailed and hand-delivered comments.

2. *Fax:* 202-366-7951.

3. *Mail:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001.

4. *Hand Delivery:* U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

Instructions: You must include the agency name and docket number for this notice at the beginning of your comments. Submit two copies of your

comments if you submit them by mail. For confirmation that FTA has received your comments, include a self-addressed stamped postcard. Note that all comments received, including any personal information, will be posted and will be available to Internet users, without change, to <http://www.regulations.gov>. You may review DOT's complete Privacy Act Statement in the **Federal Register** published April 11, 2000, (65 FR 19477), or you may visit <http://www.regulations.gov>.

Docket: For access to the docket to read background documents and comments received, go to <http://www.regulations.gov> at any time. Background documents and comments received may also be viewed at the U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Docket Operations, M-30, West Building, Ground Floor, Room W12-140, Washington, DC 20590-0001 between 9 a.m. and 5 p.m., Monday through Friday, except Federal holidays.

FOR FURTHER INFORMATION CONTACT:

—Elizabeth Martineau, Office of Chief Counsel, (202) 366-1017, or e-mail: Elizabeth.Martineau@dot.gov.

SUPPLEMENTARY INFORMATION: Interested parties are invited to send comments regarding any aspect of this information collection, including: (1) The necessity and utility of the information collection for the proper performance of the functions of the FTA; (2) the accuracy of the estimated burden; (3) ways to enhance the quality, utility, and clarity of the collected information; and (4) ways to minimize the collection burden without reducing the quality of the collected information. Comments submitted in response to this notice will be summarized and/or included in the request for OMB approval of this information collection.

Title: Charter Service Operations. (OMB Number: 2132-0543).

Background: 49 U.S.C. 5323(d) requires all applicants for financial assistance from FTA to enter into a charter bus agreement with the Secretary of Transportation (delegated to the Administrator of FTA in 49 CFR 1.51(a)). 49 U.S.C. 5323(d) provides protections for private intercity charter bus operators from unfair competition by FTA recipients. 49 U.S.C. 5302(a)(10) as interpreted by the Comptroller General permits FTA recipients, but does not state that recipients have a right, to provide charter bus service with FTA-funded facilities and equipment only if it is incidental to the provision of mass transportation service. The Safe, Accountable, Flexible, Efficient Transportation Equity Act: A