

sec news digest

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March 13, 1979

ADMINISTRATIVE PROCEEDINGS

U.S. SECURITIES AND EXCHANGE COMMISSION

AMERICAN RESERVE CORPORATION

The Commission has entered an order instituting proceedings pursuant to Section 15(c)(4) of the Securities Exchange Act of 1934 and findings, opinion and order of the Commission with respect to American Reserve Corporation (ARC), an insurance holding company headquartered in Chicago, Illinois. The Commission found that ARC filed Annual Reports on Form 10-K for the fiscal years ended December 31, 1974 through December 31, 1977, which failed in material respects to disclose a series of reinsurance agreements between certain ARC subsidiaries and a European reinsurer and the potential impact of those agreements upon ARC. The Commission ordered that ARC promptly file with the Commission a Report on Form 8 amending ARC's Annual Reports on Form 10-K for the years 1974, 1975, 1976 and 1977. The Commission's action was taken pursuant to an offer of settlement in which ARC consented to the issuance of the Commission's order without admitting or denying the Commission's findings set forth therein. ARC's common stock is traded in the over-the-counter markets. (Rel. 34-15623)

CIVIL PROCEEDINGS

INJUNCTION AGAINST JOHN CUMMINS PHARMACEUTICAL CO., INC. DISSOLVED

The Fort Worth Regional Office announced that on February 26 Federal District Judge Woodrow Seals at Houston, Texas, entered an order conditionally dissolving a permanent injunction against John Cummins Pharmaceutical Co., Inc. This injunction, entered on January 25, 1971, enjoined the company from violating Sections 5(a), 5(c) and 17(a)2 of the Securities Act of 1933. This order conditions the dissolution of the injunction upon John Cummins Pharmaceutical Co., Inc.'s merging out of existence. (SEC v. John Cummins Pharmaceutical Co., Inc., et al., S.D. Tex., Civil Action No. 71-H-69). (LR-8685)

AMERICAN REALTY TRUST AND THOMAS J. BROYHILL ENJOINED

The Washington Regional Office announced that on February 28 the Honorable Richard B. Kellam, Eastern District of Virginia, entered an order permanently enjoining Thomas J. Broyhill and American Realty Trust (ART) from violations of Section 17(a)(2) of the Securities Act of 1933 in the offer and sale of subordinated debentures of ART or any other securities. The order was entered in accordance with the instructions of the U.S. Fourth Circuit Court of Appeals in its opinion of November 17, 1978 (SEC v. American Realty Trust, No. 77-1839, Nov. 17, 1978), reversing the prior dismissal by the District Court (SEC v. American Realty Trust, 429 F. Supp. 1148, E.D. Va. 1977) of the Commission's suit against Broyhill and ART.

Additionally, pursuant to a stipulation between the parties, ART broadened its restrictive provisions dealing with affiliated transactions and has recouped approximately \$70,000 owed to it by a once affiliated company, Virginia Hotel Management Company. With the entry of the final judgment, the Commission's suit against Broyhill and ART is terminated. (SEC v. American Realty Trust, et al., E.D. Virginia, Civil Action No. 104-A). (LR-8686)

INVESTMENT COMPANY ACT RELEASES

PROVIDENT NATIONAL ASSURANCE COMPANY

A notice has been issued giving interested persons until April 6 to request a hearing on an application of Provident National Assurance Company, a Tennessee stock life insurance company, Provident National Separate Account B, and Provident National Separate Account C (Applicants), pursuant to Section 6(c) of the Investment Company Act of 1940, for an order exempting Applicants, to the extent necessary, from the provisions of Section 27(a)(3) and Rule 27a-2 thereunder. (Rel. IC-10623 - Mar. 12)

HOLDING COMPANY ACT RELEASES

LOUISIANA POWER & LIGHT COMPANY

A notice has been issued giving interested persons until April 3 to request a hearing on a proposal of Louisiana Power & Light Company, subsidiary of Middle South Utilities, Inc., whereby Louisiana will issue and sell up to \$75 million of common stock to Middle South; Middle South raising external funds to acquire such stock through the issuance and sale of unsecured short-term promissory notes pursuant to a revolving credit agreement with a group of commercial banks. Louisiana will use the proceeds of the sale to finance in part its construction program and for payment of short-term borrowings. (Rel. 35-20953 - Mar. 12)

THE ROCKY RIVER REALTY COMPANY

A notice has been issued giving interested person until April 6 to request a hearing on a proposal of The Rocky River Realty Company, Northeast Utilities Service Company and The Hartford Electric Light Company, each a subsidiary of Northeast Utilities, whereby Hartford will assign a real estate lease and sell leasehold improvements thereon to Rocky River; Rocky River will sublease such real estate and lease such improvements to Northeast; and Rocky River will finance the purchase of such leasehold improvements and the cost of additional improvements through the issuance of notes to a bank. (Rel. 35-20954 - Mar. 12)

GULF POWER COMPANY

A notice has been issued giving interested persons until April 6 to request a hearing on proposals of Gulf Power Company, subsidiary of The Southern Company, whereby Gulf will issue and sell at competitive bidding up to an aggregate of \$30 million of first mortgage bonds and \$10 million of preferred stock. (Rel. 35-20955 - Mar. 12)

LISTING, DELISTING AND UNLISTED TRADING ACTIONS

DELISTINGS GRANTED

Orders have been issued granting the application of the following companies to strike the common stocks from listing and registration on the following stock exchanges: Midwest Stock Exchange, Inc. - Cook United, Inc. and Northrop Corporation (both \$1.00 par value). (Rel. 34-15624). New York Stock Exchange, Inc. - Aguirre Company (\$2.00 par value). (Rel. 34-15625)

MISCELLANEOUS

CARDIAC PACEMAKERS, INC.

A notice has been issued giving interested persons until March 27 to request a hearing on an application of Cardiac Pacemakers, Inc., pursuant to Section 12(h) of the Securities Exchange Act of 1934, for an order exempting Cardiac from the provisions of Sections 13 and 15(d) of the Act. (Rel. 34-15626)

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC pursuant to the Securities Act of 1933. The information noted below has been taken from the cover page and the facing sheet of the prospectus and registration statement and will appear as follows: Form; Name, address and phone number (if available) of the issuer of the security; Title and the number or face amount of the securities being offered; Name of the managing underwriter (if applicable); Whether the offering is a rights offering; and File number and date filed.

(S-8) ALASKA AIRLINES, INC., 19300 Pacific Highway S., Seattle, Wash. 98188 (206) 433-3139 - 100,000 shares of common stock. (File 2-63743 - Mar. 12)

(S-7) OTTER TAIL POWER COMPANY, 215 South Cascade St., Fergus Falls, Minn. 56537 (218) 736-5411 - 500,000 shares of common shares. Underwriters: Goldman, Sachs & Co., Dain, Kalman & Quail Inc. and Piper, Jaffray & Hopwood Inc. The company is engaged in the production, transmission, distribution and sale of electric energy. (File 2-63744 - Mar. 12)

- (S-16) BALLY MANUFACTURING CORPORATION, 2640 West Belmont Ave., Chicago, Ill. 60618 (312) 267-6060 - 40,000 shares of common stock. (File 2-63745 - Mar. 12)
- (N-2) INTERNATIONAL SATELLITE INDUSTRIES, INC., 250 West 94th St., New York, N.Y. 10025 (212) 864-3910 - 300,000 shares of common stock. The company plans eventually to construct and sell solar power satellites and other large industrial structures in space. (File 2-63746 - Mar. 5)
- (S-1) URT INDUSTRIES, INC., 9880 Northwest 77th Ave., Hialeah Gardens, Fla. 33016 - 600,000 units, consisting of 3,000,000 shares of Class C common stock and 600,000 redeemable warrants to purchase 3,000,000 shares of common stock. The company is engaged in the business of rack merchandising recorded music. (File 2-63747 - Mar. 12)
- (S-8) ILLINOIS POWER COMPANY, 500 South 27th St., Decatur, Ill. 62525 (217) 424-6600 - 25,000 shares of common stock. The company is engaged in the generation, transmission, distribution and sale of electric energy. (File 2-63748 - Mar. 12)
- In a separate statement the company seeks registration of 350,000 shares of common stock. (File 2-63749 - Mar. 12)
- In a third (S-16) statement the company seeks registration of 1,000,000 shares of common stock. (File 2-63750 - Mar. 12)
- (S-16) ANALOG DEVICES, INC., Route 1 Industrial Park, Norwood, Mass. 02062 (617) 329-4700 - 14,927 shares of common stock. (File 2-63751 - Mar. 12)

REGISTRATIONS EFFECTIVE

- Mar. 5: Riverside Group, Inc., 2-62848 (90 days).
- Mar. 6: Federated Tax Free Trust, 2-63343; Thermo Electron Corp., 2-63332.
- Mar. 7: The Corporate Income Fund, Eighty-Second Monthly Payment Series, 2-63462; Hershey Foods Corp., 2-63605; Tomlinson Oil Co., Inc., 2-63487; Whittaker Corp., 2-63599.

NOTE TO DEALERS. When applicable the 90-day period of time dealers are required to use the prospectus is noted above in parentheses after the name of the issuer. As to the other issuers, there may be no such requirement to use a prospectus, or the requirement may be for a period of only 40 days; see Section 4(3) of the Securities Act of 1933 and Rule 174 (17 CFR 230.174) thereunder.



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NOTICE

Many requests for copies of documents referred to in the SEC News Digest have erroneously been directed to the Government Printing Office. Copies of such documents and of registration statements may be ordered from the Public Reference Section, Securities and Exchange Commission, Washington, D.C. 20549. When you are ordering more than one, we prefer that the documents be listed in alphabetical order to expedite service. The reproduction cost is 10c per page plus postage (\$3.50) minimum; 20c per page plus postage for expedited service (\$5.00 minimum) and 30c per page plus postage for priority service (\$5.00) minimum. Cost estimates are given or request. All other reference material is available in the SEC Docket.

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