

SEC NEWS DIGEST

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COMMISSION ANNOUNCEMENTS

BRIAN BUSSEY NAMED COUNSELOR TO THE CHAIRMAN

Acting Chairman Laura Unger today named Brian A. Bussey as Counselor to the Chairman. Mr. Bussey came to the Commission in December 1998 from Kirkland & Ellis, starting in the Office of Legal Policy, Office of the General Counsel. He moved to the Office of Chief Counsel, Division of Market Regulation in March 1999.

SUSAN WYDERKO NAMED ACTING DIRECTOR OF PUBLIC AFFAIRS, POLICY EVALUATION AND RESEARCH

Acting Chairman Laura Unger today named Susan Ferris Wyderko as Acting Director of Public Affairs, Policy Evaluation and Research. Ms. Wyderko, who will continue in her position as Director of the SEC's Office of Investor Education and Assistance, will coordinate media activities, investor education and the Commission's website.

CHANGE IN THE MEETING: CANCELLATION OF MEETING

The closed meeting scheduled for Wednesday, March 14, at 2:00 p.m. has been cancelled.

ENFORCEMENT PROCEEDINGS

KEVIN ORTON, CPA, SUSPENDED FROM PRACTICE BEFORE THE COMMISSION

On March 12, the Commission issued an Order forthwith suspending Kevin E. Orton from appearing or practicing before the Commission because he has been convicted of multiple felonies including securities fraud, wire fraud, money laundering, conspiracy and racketeering. On March 7, a judgment of conviction was entered against Orton in *United States v. Orton*, CR-S-96-288-PMP-(RJJ), in the United States District Court for the District of Nevada, resulting in a sentence of 108 months in a federal penitentiary. The Commission suspended Orton pursuant to Rule 102(e)(2) of the Commission's Rules of Practice, which provides that any person who has been convicted of a felony or a

misdemeanor involving moral turpitude shall be forthwith suspended from appearing or practicing before the Commission. (Rel. 34-44064; AAE Rel. 1376; File No. 3-10439)

HOLDING COMPANY ACT RELEASES

CINERGY CORP.

A notice has been issued giving interested persons until April 3, 2001, to request a hearing on a proposal by Cinergy Corp. (Cinergy), a registered holding company, to: (1) engage in marketing energy management services and consulting services anywhere in the world, (2) broker and market energy commodities anywhere in the world; (3) adjust the capital stock or other equity securities of its wholly owned subsidiaries; and (4) invest up to \$1 billion over a ten-year period in nonutility energy-related assets anywhere in the world as related to their energy marketing and brokering businesses. In addition, Cinergy requests that the Commission reserve jurisdiction over Cinergy's proposals to (1) engage in energy commodity marketing and brokering outside the United States and Canada; (2) invest up to \$1 billion over a ten-year period in nonutility energy-related assets anywhere in the world as related to their energy marketing and brokering businesses; and (3) adjust the capital securities of subsidiaries not wholly owned by Cinergy. (Rel. 35-27353)

XCEL ENERGY INC.

A notice has been issued giving interested persons until April 3, 2001, to request a hearing on a proposal by Xcel Energy Inc. (Xcel), a registered holding company, for Xcel to implement a stockholder protection rights plan. Xcel proposes to declare a dividend of one right for each outstanding share of Xcel common stock, par value \$2.50 per share, payable as of a certain date. (Rel. 35-27353)

ALLEGHENY ENERGY, INC., ET AL.

A notice has been issued giving interested persons until April 3, 2001, to request a hearing on a proposal by Allegheny Energy, Inc., a registered public utility holding company, and its subsidiaries, Allegheny Energy Service Company, Monongahela Power Company and Allegheny Energy Supply Company, LLC (Genco) (collectively, Applicants). Applicants request authority for Monongahela Power Company to form MP Transferring Agent, L.L.C. and MP Genco as wholly owned subsidiaries. Applicants request authority for Monongahela Power Company to transfer certain generation and related assets (collectively, Generation Assets) and liabilities to MP Transferring Agent, L.L.C. and then to MP Genco which would then be merged into Genco. In addition, Monongahela Power Company proposes to provide operating services at cost to certain associates with respect to the Generation Assets. (Rel. 35-27353)

AMERICAN ELECTRIC POWER COMPANY, INC.

A notice has been issued giving interested persons until April 3, 2001, to request a hearing on a proposal by American Electric Power Company, Inc. (AEP), a registered holding company. AEP proposes to organize and acquire all of the common stock or other equity interests of one or more subsidiaries financing subsidiaries (collectively, FS) for the purpose of effecting various financing transactions through June 30, 2004 involving the issuance and sale of up to an aggregate of \$1.5 billion, cash proceeds to AEP in any combination of preferred securities, debt securities, stock purchase contracts and stock purchase units, as well as its common stock issuable under the stock purchase contracts and stock purchase units. In connection with the issuance of preferred securities, AEP or the FS propose to organize one or more special purpose subsidiaries (SPS). In addition, AEP will provide guarantees and pay dividends. The proceeds of the preferred securities, debt securities, stock purchase contracts and stock purchase units may be utilized to pay dividends to AEP and to acquire the securities of associate companies and interests in other businesses, including exempt wholesale generators (EWGs) and foreign utility companies (FUCOs), or other general corporate purposes, including the refunding of short-term indebtedness (Rel. 35-27353)

SELF-REGULATORY ORGANIZATIONS

IMMEDIATE EFFECTIVENESS OF PROPOSED RULE CHANGES

A proposed rule change filed by the Philadelphia Stock Exchange (SR-Phlx-01-31) to increase the AUTO-X guarantee for options overlying the NASDAQ 100 Index Tracking Stock (QQQ) to 100 contracts has become effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication of the proposal is expected in the Federal Register during the week of March 12. (Rel. 34-44054)

A proposed rule change filed by the Philadelphia Stock Exchange (SR-Phlx-01-32) relating to trading of options on Exchange Traded Fund Shares has become effective under Section 19(b)(3)(A) of the Securities Exchange Act of 1934. Publication of the proposal is expected in the Federal Register during the week of March 12. (Rel. 34-44055)

ACCELERATED APPROVAL OF PROPOSED RULE CHANGE

The Commission granted accelerated approval to that portion of a proposed rule change submitted by the Philadelphia Stock Exchange (SR-Phlx-01-03) relating to the prohibition against harassment and certain similar improper trading practices in the Exchange Codes of Conduct. Publication of the proposal is expected in the Federal Register during the week of March 12. (Rel. 34-44057)

WITHDRAWAL GRANTED

An order has been issued granting the application of The S&P 500 (R) Protected Equity Fund, Inc. to withdraw its Common Stock, \$.10 par value, from listing and registration on the New York Stock Exchange effective at the opening of business on March 13, 2001. (Rel. 34-44063)

SECURITIES ACT REGISTRATIONS

The following registration statements have been filed with the SEC under the Securities Act of 1933. The reported information appears as follows: Form, Name, Address and Phone Number (if available) of the issuer of the security; Title and the number and/or face amount of the securities being offered; Name of the managing underwriter or depositor (if applicable); File number and date filed; Assigned Branch, and a designation if the statement is a New Issue.

Registration statements may be obtained in person or by writing to the Commission's Public Reference Branch at 450 Fifth Street, N.W., Washington, D.C. 20549 or at the following e-mail box address: <publicinfo@sec>. In most cases, this information is also available on the Commission's website. <www.sec.gov>.

- F-9 ANDERSON EXPLORATION LTD, 2300 WESTERN CANADIAN PLACE,
700 NINTH AVE S W, CALGARY ALBERTA, A0 - 800,000,000 (\$800,000,000)
STRAIGHT BONDS. (FILE 333-13216 - FEB. 28) (BR. 4)
- F-10 BROOKFIELD PROPERTIES CORP, BCE PLACE, 181 BAY ST STE 4400,
TORONTO ONTARIO CANA, A6 - 4,610,773 (\$78,383,141) FOREIGN COMMON
STOCK.
(FILE 333-13220 - MAR. 01) (BR. 8)
- S-8 GEMPLUS INTERNATIONAL SA, AEROGOLF CENTER 1 HOHENHOF L-2633,
SENNINGERBERG 011-352-2634-6100, GRAND DUCHY OF LUXEMBOURG, N4 00000 -
70,000,000 (\$483,000,000) FOREIGN COMMON STOCK. (FILE 333-13222 - MAR.
01)
(BR. 7)
- F-10 ROGERS WIRELESS COMMUNICATIONS INC, 333 BLOOR ST EAST TORONTO,
ONTARIO M4W 169 CANADA, ONTARIO, A6 00000 (416) 935-7777 - \$270,234,987
FOREIGN COMMON STOCK. (FILE 333-13226 - MAR. 02) (BR. 7 - NEW ISSUE)
- F-3 CRYSTALLEX INTERNATIONAL CORP, 700 W PENDER ST, STE 902,
VANCOUVER BRITISH COLUMBIA, A1 (604) 683-0672 - 2,063,750 (\$2,741,970)
FOREIGN COMMON STOCK. (FILE 333-13228 - MAR. 02) (BR. 4)
- S-8 SELECTICA INC, 2890 ZANKER ROAD, SAN JOSE, CA 95134 - 1,800,000
(\$14,006,250) COMMON STOCK. (FILE 333-56576 - MAR. 06) (BR. 3)

S-8 INFE COM INC, 8000 TOWERS CRESCENT DRIVE, SUITE 640, VIENNA, VA
22182
(703) 734-5650 - 1,000,000 (\$150,000) COMMON STOCK. (FILE 333-56580 -
MAR. 06) (BR. 9)

S-8 DUCK HEAD APPAREL CO INC, P O BOX 688, WINDER, GA 30680 (770) 867-
3111
- 700,000 (\$839,531.25) COMMON STOCK. (FILE 333-56582 - MAR. 06) (BR.
2)

S-8 WEB4BOATS COM INC, PO BOX 1028, LA JOLLA, CA 92038 (858) 551-8160 -
1,100,000 (\$137,500) COMMON STOCK. (FILE 333-56584 - MAR. 06) (BR. 9)

S-3 NEWTEK CAPITAL INC, 1500 HEMPSTEAD TURNPIKE, EAST MEADOW, NY 11554
(516) 390-2252 - 375,750 (\$1,164,825) COMMON STOCK. (FILE 333-56588 -
MAR. 06) (BR. 7)

S-8 AMERICAS SENIOR FINANCIAL SERVICES INC, 9501 N.E. 2ND AVE.,
MIAMI SHORES, FL 33138 (305) 751-3232 - 800,000 (\$160,000) COMMON
STOCK.
(FILE 33. 56590 - MAR. 06) (BR. 7)

S-8 ENTERTAINMENT TECHNOLOGIES & PROGRAMS INC, 16055 SPACE CENTER BLVD,
SUITE 230, HOUSTON, TX 77062 (281) 486-6115 - 2,133,333 (\$301,499.95)
COMMON STOCK. (FILE 333-56592 - MAR. 06) (BR. 4)

S-4 AMERENENERGY GENERATING CO, 1901 CHOUTEAU AVENUE, ST LOUIS, MO 63103
(314) 554-3922 - 425,000,000 (\$42,000,000) STRAIGHT BONDS. (FILE
333-56594 - MAR. 06) (BR. 2 - NEW ISSUE)

S-3 WASHINGTON MUTUAL FINANCE CORP, 8900 GRAND OAK CIRCLE, TAMPA, FL
33637
(813) 632-4500 (FILE 333-56596 - MAR. 06) (BR. 7)

S-4 FIDELITY FEDERAL BANCORP, 700 S GREEN RIVER ROAD, SUITE 2000,
EVANSVILLE, IN 47715 (812) 469-2100 - 1,500,000 (\$1,500,000)
STRAIGHT BONDS. (FILE 333-56600 - MAR. 06) (BR. 7)

SB-2 MCSMOOTHIES INC, 827 STATE STREET #14, SANTA BARBARA, CA 93101
(805) 89, 1299 - 1,000,000 (\$1,000,000) COMMON STOCK. (FILE 333-56604
-
MAR. 06) (BR. 9 - NEW ISSUE)

S-8 SUPERCONDUCTOR TECHNOLOGIES INC, 460 WARD DR, STE F, SANTA BARBARA,
CA
93111 (805) 683-7646 - 1,450,000 (\$9,742,681) COMMON STOCK. (FILE
333-56606 - MAR. 06) (BR. 7)

S-3 HEALTHCARE REALTY TRUST INC, 3310 WEST END AVE, FOURTH FL SUITE
400,
NASHVILLE, TN 37203 (615) 269-8175 (FILE 333-56608 - MAR. 06) (BR. 8)

S-8 CENTILLIUM COMMUNICATIONS INC, 47211 LAKEVIEW BLVD, FREMONT, CA
94538
(510) 771-3700 - 7,370,735 (\$195,155,815) COMMON STOCK. (FILE 333-
56610 -
MAR. 06) (BR. 7)

S-8 AMERISTAR CASINOS INC, 216 HADDON AVE, SUITE 607, WESTMONT, NJ 08108
 (702) 567-7000 - 12,000,000 (\$22,000,000) COMMON STOCK. (FILE 333-
 56612 -
 MAR. 06) (BR. 5)

S-8 DIVERSIFIED PRODUCT INSPECTIONS INC, 3 MAIN ST, SUITE 303, OAKRIDGE,
 TN
 37830 (423) 482-8480 - 1,400,000 (\$14,000) COMMON STOCK. (FILE 333-
 56614 -
 MAR. 06) (BR. 9)

S-4 BB&T CORP, 200 WEST SECOND STREET, WINSTON-SALEM, NC 27101
 (336) 733-2000 - 6,320,378 (\$191,645,113) COMMON STOCK. (FILE 333-
 56616 -
 MAR. 06) (BR. 7)

S-3 P F CHANGS CHINA BISTRO INC, 5090 N 40TH ST STE 160, PHOENIX, AZ
 85018
 - 1,250,000 (\$41,875,000) COMMON STOCK. (FILE 333-56618 - MAR. 06)
 (BR. 5)

S-3 ONYX SOFTWARE CORP/WA, 3180 139TH AVENUE SE, SUITE 500, BELLEVUE, WA
 98005 (425) 451-8060 - 337,925 (\$3,337,009) COMMON STOCK. (FILE 333-
 56620
 - MAR. 06) (BR. 3)

S-4 ASHFORD COM INC, 3800 BUFFALO SPEEDWAY SUITE 400, HOUSTON, TX 77098
 (713) 369-1300 - 8,724,600 (\$5,862,058.74) COMMON STOCK. (FILE 333-
 56622 -
 MAR. 06) (BR. 2)

S-3 MIDAMFRICAN FUNDING LLC, 666 GRAND AVENUE, DES MOINES, IA 50303
 (515) 241-4000 - 200,000,000 (\$200,000,000) STRAIGHT BONDS. (FILE
 333-56624 - MAR. 06) (BR. 2)

S-4 PATTERSON ENERGY INC, 4510 LAMESA HWY, P O DRAWER 1416, SNYDER, TX
 79549
 (915) 573-1104 - 40,700,000 (\$1,452,379,500) COMMON STOCK. (FILE
 333-56626 - MAR. 07) (BR. 4)