

## SUPPORTING STATEMENT FOR INDUSTRY GUIDES

### A. Justification

#### 1. Necessity of Information Collection

The Industry Guides (“Guides”) represent the policies and practices followed by the Commission’s Division of Corporation of Finance in administering the disclosure requirements of the federal securities laws. The Guides have been maintained as guidelines rather than formal requirements in recognition of the desired flexibility that guide status provides in the case of each of the Industry Guides. They are used by registrants in certain specified industries (electronic and gas utilities, oil and gas, banking, real estate, property – casualty insurance and mining) as guidelines for disclosure unique to the industries in registration statements filed pursuant to the 1933 and 1934 Acts, and certain other 1934 Act filings.

#### 2. Purposes of, and Consequences of Not Requiring, the Information Collection

The information filed with the Commission in the 1933 and 1934 Acts registration statements (and other 1934 filings) by registrants using the Industry Guides permits verification of compliance with securities law requirements and assures the public availability and dissemination of such information. Security holders, investors, broker dealers, investment banking firms, securities analysts and others need this information in evaluating securities and making investment and voting decisions with respect to them.

#### 3. Role of Improved Information Technology and Obstacles to Reducing Burden

Registration statements and other filings that include the disclosure set forth in the Industry Guides are filed electronically using the Electronic Data Gathering, Analysis and Retrieval (EDGAR) System.

#### 4. Efforts to Identify Duplication

The Industry Guides are the only source that set forth the guidelines to be followed when disclosing information to investors in 1933 and 1934 Act registration statements (as well as certain other 1934 Act filings) relating specifically to certain industries.

#### 5. Effect on Small Entities

The Industry Guides are intended to assist registrants in specified industries, including small entities, prepare their filings under the 1933 and 1934 Acts. They are intended to alleviate disclosure burdens by describing the type of disclosure that the Commission believes satisfies its requirements.

6. Consequences of Less Frequent Collection

The consequence of less frequent collection of information filed by registrants using the Industry Guides would be to undermine the directive of the Commission to ensure compliance with securities law requirements and the availability and dissemination of such information to the public.

7. Inconsistencies with Guidelines in 5 C.F.R. 1320.5 (d) (2)

Not applicable.

8. Consultation Outside the Agency

Securities Act Industry Guides 1-7 and Exchange Act Industry Guides 1, 2, 3, 4 and 7 were proposed for public comment. No comments were received during the 60-day comment period prior to OMB's review of this submission.

9. Payment or Gift to Respondents

Not applicable.

10. Assurance of Confidentiality

All information provided by the Industry Guides is checked on an ongoing basis with members of the securities bar to obtain their views on the adequacy and relevancy of the information described.

11. Sensitive Questions

Not applicable.

12. Estimate of Respondent Reporting Burden

The Industry Guides are assigned one burden hour for administrative convenience because the Guides simply prescribe the disclosure that must appear in other filings under the federal securities laws.

13. Estimate of Total Annualized Cost Burden

Not applicable.

14. Estimate of Cost to the Federal Government

There are no agency records specifically reflecting the costs of administering the Industry Guides or the cost of developing them.

15. Explanation of Changes in Burden

Not applicable.

16. Information Collections Planned for Statistical Purposes

Not applicable.

17. Explanation as to Why Expiration Date Will Not Be Displayed

Not applicable.

18. Exceptions to Certification

Not applicable.

B. Collection of Information Employing Statistical Methods

Not applicable.