Equitable and its separate account(s), 787 Seventh Avenue, Area 36–K, New York, New York 10019. Equico, 1755 Broadway, New York, New York 10019. FOR FURTHER INFORMATION CONTACT: Joseph G. Mari, Senior Special Counsel, or Patricia M. Pitts, Special Counsel, Office of Insurance Products, Division of Investment Management, at (202) 942–0670.

SUPPLEMENTARY INFORMATION: Following is a summary of the application. The complete application is available for a fee from the Public Reference Branch of the Commission.

Applicants' Representations

- 1. Equitable, a stock life insurance company organized under the laws of the State of New York, serves as depositor of the Separate Account. Equitable may establish one or more Other Accounts in the future, for which it will serve as depositor.
- 2. The Separate Account, established on August 1, 1968, is registered with the Commission under the 1940 Act as a unit investment trust. It is used to fund benefits under group variable annuity contracts and certificates, as well as individual variable annuity contracts, issued by Equitable. The Separate Account will be used to fund the variable benefits available under the 1995 Series Contracts and the New Series Contracts. Units of interest in the Separate Account under the Contracts will be registered under the Securities Act of 1933.
- 3. The portion of the assets of the Separate Account equal to the reserves and other liabilities relating to the contracts funded by the Separate Account, including the Contracts, is not chargeable with liabilities arising out of any other business Equitable conducts. Any income, gains or losses, realized or unrealized, from assets allocated to the Separate Account are, in accordance with the applicable contracts, credited to or charged against the Separate Account without regard to other income, gains or losses of Equitable.
- 4. The Separate Account currently is subdivided into thirteen subaccounts ("Investment Funds"), each of which will be available under the Contracts. Each Investment Fund invests solely in the shares of a corresponding portfolio of The Hudson River Trust (the "Trust"). The Trust, an open-end management investment company registered under the 1940 Act, currently is divided into thirteen separate portfolios.
- 5. Contributions under the Contracts may be allocated to any one or more of the Investment Funds and the

- Guaranteed Interest Account, which is part of Equitable's General Account (together with the Investment Funds, the "Investment Options"). The Contracts consist of a basic form of group annuity contract (the "Group Contract"), a basic form of certificate ("Certificate") issued under the Group Contract, and in the case of the New Series Contracts, forms of Certificate endorsements ("Endorsements") to be used for specific forms of benefits under the Certificates. Certificates may be issued as individual contracts in certain states. The Contracts will be offered in the tax-qualified retirement plan markets and in non-qualified markets.
- 6. Equico, a wholly-owned subsidiary of Equitable, is the principal underwriter of the Separate Account and distributor of the Contracts. In the future, Equitable may organize other wholly-owned subsidiaries which are members of the National Association of Securities Dealers, Inc., and may act as principal underwriters for the Separate Account or Other Accounts (each, a "Future Underwriter"). Equico is, and any Future Underwriter will be, registered as a broker-dealer under the Securities Exchange Act of 1934.
- 7. Equitable will deduct various fees and expenses under the Contracts. Except as otherwise noted, the charges and fees described below are the maximums that may be imposed under the Contracts. Different charge structures may apply to different markets, and some charges that apply to the New Series Contracts do not apply to the 1995 Series Contracts.
- 8. Deductions from account value include charges for (i) administration of the Contracts, (ii) loan processing, (iii) transfers among Investment Options and third party transfers and exchanges, (iv) premium taxes, and (v) distribution expenses through a contingent deferred sales charge ("withdrawal charge").
- 9. Equitable may deduct an annual contract fee up to a maximum of \$65 per contract year for administration of the New Series Contracts. Equitable currently intends to charge the lesser of \$30 per contract year or 2% of account value for the first two contract years, and \$30 per contract year thereafter under the New Series Contracts, and the lesser of \$30 or 2% of account value in each contract year under the 1995 Series Contracts. Equitable has reserved the right to eliminate this charge for Certificates that have a specified minimum account value.
- 10. In markets that permit loans, Equitable has reserved the right, under the New Series Contracts, to assess a maximum loan set-up charge equal to the lesser of \$150 or 1% of the loan

amount, and a maximum loan recordkeeping charge of \$65 per year.

11. Equitable may impose a charge for any transfer among Investment Options up to \$65 per transfer under the New Series Contracts. Equitable currently makes no charge for transfers. Under the New Series Contracts, Equitable also may charge up to \$65 for a direct transfer to a third party of amounts under a Certificate or an exchange for another contract of another insurance carrier. Equitable currently intends to charge \$25 for such transfers or exchanges.

12. Although Equitable's current practice is to deduct a charge for premium taxes from the amount applied to provide an annuity benefit, it has reserved the right to deduct any such charge from contributions or from amounts withdrawn or surrendered. Equitable does not expect to profit from this charge.

13. Equitable also may assess a daily asset-based administrative charge against the Separate Account at an effective annual rate not to exceed .30% for administrative expenses associated with the New Series Contracts and .25% for administrative expenses associated with the 1995 Series Contracts.

14. Applicants do not expect that, over the period that the Contracts are in force, the total revenues from the administrative charges, including the annual contract fee, the daily assetbased administrative charge and, for the New Series Contracts, the loan processing charge and the transfer charges, will exceed the expected costs of the administrative services rendered under the 1995 Series or New Series Contracts, on average, excluding costs which are properly categorized as distribution expenses.

15. Equitable may assess each Investment Fund of the Separate Account a daily asset-based charge for mortality and expense risks not to exceed an effective annual rate of 1.25% (.65% for mortality risks and .60% for expense risks) under the New Series Contracts, and 1.15% (.60% for mortality risks and .55% for expense risks) under the 1995 Series Contracts.

16. Equitable assumes a mortality risk by its contractual obligation to pay a death benefit equal to the greater of (i) the account value as of the date Equitable receives due proof of death or (ii) the total value of all contributions made, less any applicable taxes, adjusted for withdrawals. Equitable assumes an additional mortality risk by its contractual obligation to make annuity payments for the entire life of the annuitant under guaranteed fixed annuity options involving life