

SECURITIES AND EXCHANGE COMMISSION

Self-Regulatory Organizations; Order Granting Application to Strike from Listing and Registration on the American Stock Exchange LLC (Thermoview Industries, Inc., Common Stock, \$.001 par value) File No. 1-15469

October 14, 2005

On October 6, 2005, the American Stock Exchange LLC ("Amex" or "Exchange") filed an application with the Securities and Exchange Commission ("Commission"), pursuant to Section 12(d) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 12d2-2(c) thereunder,² to strike the common stock, \$.001 par value ("Security"), of Thermoview Industries, Inc. ("Company") from listing and registration on Amex.

Amex listing standards provide, among other things, that Amex may consider removing the security of an issuer from listing and registration when: (i) the financial condition and/or operating results of the issuer appear to be unsatisfactory; (ii) the issuer has failed to comply with its listing agreements with the Exchange; or (iii) any other event shall occur or any condition shall exist which makes further dealings on the Exchange unwarranted.

In applying these standards, Amex considers delisting the securities of a company that: (i) has shareholders' equity of less than \$2,000,000 if the company has reported losses from continuing operations and/or net losses in two of its past three most recent fiscal years (Section 1003(a)(i) of the Amex Company Guide ("Company Guide")); (ii) has shareholders' equity of less than \$4,000,000 if the company has reported losses from continuing operations and/or net losses in three of its past four most recent fiscal years (Section 1003(a)(ii) of the Company Guide); or (iii) is financially impaired (Section 1003(a)(iv) of the Company Guide).

¹ 15 U.S.C. 78l(d).

² 17 CFR 240.12d2-2(c).

Amex stated in its application filed with the Commission that the Security no longer qualifies for continued listing and registration, listing the following reasons:

1. The Company has incurred net losses as follows:

<u>Six months ended</u>	<u>Net Income/(Loss)</u>
June 30, 2005	(\$9,480,000)
<u>Fiscal years ended</u>	<u>Net Income/(Loss)</u>
December 31, 2004	(\$10,281,000)
December 31, 2003	(\$2,173,000)
December 31, 2002	(\$29,342,000)
December 31, 2001	\$5,022,000
December 31, 2000	(\$23,275,000)

2. For the six-months ended June 30, 2005, the Company reported a shareholders' deficit of \$13,109,000, a working capital deficit of \$15,579,000, and an accumulated deficit of \$77,655,000.
3. The Company filed voluntary petitions for reorganization under Chapter 11 of the United States Bankruptcy Code for the Western District of Kentucky on September 26, 2005. According to the petition, the Company has \$3,000,000 in assets and \$34,000,000 in liabilities.

By letter dated April 29, 2005, in accordance with Section 1009 of the Company Guide, Amex advised the Company of its status in relation to the standards of the Exchange and offered the Company an opportunity to submit a business plan in support of continued listing. The Exchange's letter advised the Company that it would need to regain compliance with the Exchange's continued listing standards within a period of 18 months. The Company submitted its business plan via correspondence dated May 31, 2005. The Exchange determined that the Company's business plan made a reasonable demonstration of its ability to regain compliance

with the Exchange's continued listing standards and accepted the Company's plan via letter dated June 28, 2005.

By letter dated September 26, 2005, the Company notified the Exchange that: (i) the Company filed voluntary petitions for reorganization under Chapter 11 of the US Bankruptcy Code; and (ii) the Company's Board of Directors resolved on September 22, 2005 to inform the Exchange of the Company's inability to satisfy the Exchange's continued listing standards within the time extension provided. Therefore, in accordance Section 1009 of the Company Guide, the Exchange determined that the Security did not qualify for continued listing. This determination, along with the Company's right to appeal, was communicated to the Company by letter dated September 27, 2005. The Company did not appeal the Exchange's determination within the requisite time period or thereafter.

The Commission, having considered the facts stated in Amex's application and having due regard for the public interest and protection of investors, orders that the application be, and it hereby is, granted, effective at the opening of business on October 17, 2005.

For the Commission, by the Division of Market Regulation, pursuant to delegated authority.³

Jonathan G. Katz
Secretary

³ 17 CFR 200.30-3(a)(1).