

Twelfth Amendment to the LULD Plan and the Exchange's Trading Halt Auction Filing. Until such time as these proposed changes have been approved and operative, the price collar thresholds for Trading Halt Auctions would continue to be aligned with the clearly erroneous execution guidelines and therefore continuing with these price collar thresholds would reduce the potential for a Trading Halt Auction to be a clearly erroneous execution. In addition, the Exchange believes that extending the Exchange's interim measure pending Commission approval of the Twelfth Amendment to the LULD Plan and the Trading Halt Auction Filing would be consistent with the protection of investors and the public interest.

#### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed change is not designed to address any competitive issue but rather to provide for the interim price collar thresholds for Trading Halt Auctions on the Exchange to remain in effect until the Trading Halt Auction Filing is approved and operative.

#### *C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others*

No written comments were solicited or received with respect to the proposed rule change.

### **III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action**

Because the proposed rule change does not: (i) Significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>14</sup> and Rule 19b-4(f)(6) thereunder.<sup>15</sup>

At any time within 60 days of the filing of the proposed rule change, the

Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule change should be approved or disapproved.

### **IV. Solicitation of Comments**

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### *Electronic Comments*

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov). Please include File Number SR-NYSEArca-2016-169 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.
- All submissions should refer to File Number SR-NYSEArca-2016-169. This file number should be included on the subject line if email is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from

submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSEArca-2016-169 and should be submitted on or before January 26, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>16</sup>

**Eduardo A. Aleman,**  
*Assistant Secretary.*

[FR Doc. 2016-31937 Filed 1-4-17; 8:45 am]

BILLING CODE 8011-01-P

---

## **SURFACE TRANSPORTATION BOARD**

### **60-Day Notice of Intent To Seek Approval of an Existing Collection in Use Without an OMB Control Number: Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice and request for comments.

**SUMMARY:** As part of its continuing effort to reduce paperwork burdens, and as required by the Paperwork Reduction Act of 1995 (PRA), the Surface Transportation Board (STB or Board) gives notice that it is requesting from the Office of Management and Budget (OMB) approval of a new collection to implement a directive of the Fixing America's Surface Transportation Act of 2015, FAST Act). Title XI of the FAST Act, entitled "Passenger Rail Reform and Investment Act of 2015," gives the Board jurisdiction to resolve cost allocation and access disputes between National Railroad Passenger Corporation (Amtrak), the states, and potential non-Amtrak operators of intercity passenger rail service. The FAST Act directs the Board to establish procedures for the resolution of these disputes, "which may include the provision of professional mediation services." The Board adopted final rules to implement these procedures in *Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015*, EP 734 (STB served Nov. 29, 2016). Due to a technical omission in the notice of proposed rulemaking in EP 734 under the PRA, the Board is seeking OMB approval for this collection in this notice.

**DATES:** Comments on this information collection should be submitted by March 6, 2017.

**ADDRESSES:** Direct all comments to Chris Oehrle, PRA Officer, Surface

<sup>16</sup> 17 CFR 200.30-3(a)(12).

<sup>14</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>15</sup> 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6)(iii) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change, along with a brief description and the text of the proposed rule change, at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

Transportation Board, 395 E Street SW., Washington, DC 20423-0001, or to [PRA@stb.dot.gov](mailto:PRA@stb.dot.gov). When submitting comments, please refer to "Paperwork Reduction Act Comments, Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015."

**FOR FURTHER INFORMATION CONTACT:** For further information regarding this collection, contact Michael Higgins, Deputy Director, Office of Public Assistance, Governmental Affairs, and Compliance at (202) 245-0284 or at [michael.higgins@stb.gov](mailto:michael.higgins@stb.gov). [Assistance for the hearing impaired is available through the Federal Information Relay Service (FIRS) at 1-800-877-8339.]

**SUPPLEMENTARY INFORMATION:** Comments are requested concerning: (1) The accuracy of the Board's burden estimates; (2) ways to enhance the quality, utility, and clarity of the information collected; (3) ways to minimize the burden of the collection of information on the respondents, including the use of automated collection techniques or other forms of information technology, when appropriate; and (4) whether the collection of information is necessary for the proper performance of the functions of the Board, including whether the collection has practical utility. Submitted comments will be summarized and included in the Board's request for OMB approval.

#### Description of Collection

*Title:* Dispute Resolution Procedures Under the Fixing America's Surface Transportation Act of 2015.

*OMB Control Number:* 2140-XXXX.

*STB Form Number:* None.

*Type of Review:* Existing collection in use without an OMB control number.

*Respondents:* Parties seeking the Board's informal assistance.

*Number of Respondents:* Approximately 3.

*Estimated Time per Response:* 1 hour.

*Frequency:* On occasion.

*Total Burden Hours (annually including all respondents):* 3 (estimated hours per response (1) × total number of responses (3)).

*Total "Non-hour Burden" Cost:* None identified. Filings may be submitted electronically to the Board.

*Needs and Uses:* Under the new 49 CFR 1109.5, parties to a dispute involving the State-Sponsored Route Committee or the Northeast Corridor Committee would, even in the absence of a formal complaint before the Board, be permitted to request, by letter submitted to the Board's Office of Public Assistance, Governmental Affairs, and

Compliance, the Board's informal assistance in securing outside professional mediation services. The letter shall include a concise description of the issues for which outside professional mediation services are sought. The collection by the Board of these request letters enables the Board to meet its statutory duty under the FAST Act.

Under the PRA, a federal agency that conducts or sponsors a collection of information must display a currently valid OMB control number. A collection of information, which is defined in 44 U.S.C. 3502(3) and 5 CFR 1320.3(c), includes agency requirements that persons submit reports, keep records, or provide information to the agency, third parties, or the public. Under 44 U.S.C. 3506(c)(2)(A), federal agencies are required to provide, prior to an agency's submitting a collection to OMB for approval, a 60-day notice and comment period through publication in the **Federal Register** concerning each proposed collection of information, including each proposed extension of an existing collection of information.

Dated: December 29, 2016.

**Brendetta S. Jones,**  
*Clearance Clerk.*

[FR Doc. 2016-31956 Filed 1-4-17; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

#### Application of Maine Aviation Aircraft Charter, LLC for Commuter Air Carrier Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2016-12-24), Docket DOT-OST-2016-0114.

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Maine Aviation Aircraft Charter, LLC, fit, willing, and able, and awarding it a Commuter Air Carrier Authorization.

**DATES:** Persons wishing to file objections should do so no later than January 12, 2017.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2016-0114 and addressed to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, M-30, Room W12-140, Washington, DC and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Shabu Thomas, Air Carrier Fitness Division, (X-56, Office W86-469), U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366-9721.

Dated: December 28, 2016.

**Jenny T. Rosenberg,**

*Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 2016-31977 Filed 1-4-17; 8:45 am]

**BILLING CODE 4910-9X-P**

## DEPARTMENT OF TRANSPORTATION

### Office of the Secretary

[Docket DOT-OST-2016-0121]

#### Application of Nealco Air Charter Services, Inc., d/b/a Watermakers Air; for Commuter Air Carrier Authority

**AGENCY:** Department of Transportation.

**ACTION:** Notice of Order to Show Cause (Order 2016-12-25).

**SUMMARY:** The Department of Transportation is directing all interested persons to show cause why it should not issue an order finding Nealco Air Charter Services, Inc. d/b/a Watermakers Air, fit, willing, and able, and awarding it a Commuter Air Carrier Authorization.

**DATES:** Persons wishing to file objections should do so no later than January 12, 2017.

**ADDRESSES:** Objections and answers to objections should be filed in Docket DOT-OST-2016-0121 and addressed to the U.S. Department of Transportation, Docket Operations, 1200 New Jersey Avenue SE., West Building Ground Floor, M-30, Room W12-140, Washington, DC and should be served upon the parties listed in Attachment A to the order.

**FOR FURTHER INFORMATION CONTACT:** Shabu Thomas, Air Carrier Fitness Division, (X-56, Office W86-469), U.S. Department of Transportation, 1200 New Jersey Avenue SE., Washington, DC 20590, (202) 366-9721.

Dated: December 28, 2016.

**Jenny T. Rosenberg,**

*Acting Assistant Secretary for Aviation and International Affairs.*

[FR Doc. 2016-31979 Filed 1-4-17; 8:45 am]

**BILLING CODE 4910-9X-P**