

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)(iii) of the Act¹³ and subparagraph (f)(6) of Rule 19b-4 thereunder.¹⁴

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: (i) Necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) 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 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. Please include File Number SR-Phlx-2017-85 on the subject line.

Paper Comments

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090. All submissions should refer to File Number SR-Phlx-2017-85. 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-Phlx-2017-85 and should be submitted on or before November 29, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁵

Eduardo A. Aleman,
Assistant Secretary.

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SURFACE TRANSPORTATION BOARD

[Docket No. FD 36153]

IHR Holdings, LLC—Acquisition Exemption—Santa Teresa Capital, LLC at Santa Teresa, Dona Ana County, N.M.

IHR Holdings, LLC (IHR), a Class III carrier,¹ has filed a verified notice of exemption² under 49 CFR 1150.41 to acquire from Santa Teresa Capital, LLC (STC), a noncarrier, approximately 4.13 miles of rail line at and near Santa Teresa Industrial Park, Santa Teresa, Dona Ana County, N.M., that extends from a point of connection to Union Pacific Railroad Company (UP) at or near milepost no. 1280 on UP's Lordsburg Subdivision to holding tracks adjacent to the industrial park and to three tracks that extend from the

¹⁵ 17 CFR 200.30-3(a)(12).

¹ IHR's name has been changed from Mississippi Tennessee Holdings, LLC (MTH), to IHR. IHR is a Class III rail carrier as a result of MTH's acquisition of a rail line in *Mississippi Tennessee Holdings, LLC—Acquisition & Operation Exemption—Rail Line of Mississippi & Tennessee Railnet, Inc., between Houston, Miss., & Middleton, Tenn., in Chickasaw, Pontotoc, Union & Tippah Counties, Miss., & Hardeman County, Tenn.*, FD 34355 (STB served June 12, 2003).

² IHR filed its verified notice of exemption on October 23, 2017, and errata thereto on November 1, 2017.

holding tracks into the industrial park that terminate at Strauss Road and at Industrial Drive (the Line). According to IHR, the Line does not have milepost numbers.

IHR states that its affiliate, Santa Teresa Southern Railroad, LLC (STSR), operates over a portion of the Line. See *Santa Teresa S. R.R.—Operation Exemption—Rail Line of Verde Logistics R.R. at Santa Teresa, Dona Ana County, N.M.*, FD 35599 (STB served Mar. 8, 2012).

According to IHR, it has reached an agreement with STC to acquire the Line. IHR states that the operator of the property will be STSR.

IHR certifies that, as a result of the proposed transaction, its projected annual revenues will not result in its becoming a Class I or Class II rail carrier and will not exceed \$5 million. IHR also certifies that the proposed transaction does not involve any interchange commitments.

IHR states that the transaction will be consummated no sooner than the effective date of this notice. The earliest this transaction may be consummated is November 22, 2017 (30 days after the verified notice of exemption was filed).

According to IHR, this action is categorically excluded from environmental review under 49 CFR 1105.6(c) and from historic review under 49 CFR 1105.8(b).

If the verified notice contains false or misleading information, the exemption is void ab initio. Petitions to revoke the exemption under 49 U.S.C. 10502(d) may be filed at any time. The filing of a petition to revoke will not automatically stay the effectiveness of the exemption. Petitions for stay must be filed no later than November 15, 2017 (at least seven days before the exemption becomes effective).

An original and 10 copies of all pleadings, referring to Docket No. FD 36153, must be filed with the Surface Transportation Board, 395 E Street SW., Washington, DC 20423-0001. In addition, a copy of each pleading must be served on Thomas F. McFarland, Thomas F. McFarland, P.C., 208 South LaSalle Street, Suite 1666, Chicago, IL 60604-1228.

Board decisions and notices are available on our Web site at "WWW.STB.GOV."

Decided: November 2, 2017.

By the Board, Scott M. Zimmerman, Acting Director, Office of Proceedings.

Tammy Lowery,
Clearance Clerk.

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¹³ 15 U.S.C. 78s(b)(3)(A)(iii).

¹⁴ 17 CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file 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.