

12. Each Regulated Fund will maintain the records required by section 57(f)(3) of the Act as if each of the Regulated Funds were a BDC and each of the investments permitted under these conditions were approved by the Required Majority under section 57(f) of the Act.

13. No Non-Interested Trustee of a Regulated Fund will also be a director, general partner, managing member or principal, or otherwise an "affiliated person" (as defined in the Act) of any of the Affiliated Investors.

14. The expenses, if any, associated with acquiring, holding or disposing of any securities acquired in a Co-Investment Transaction (including, without limitation, the expenses of the distribution of any such securities registered for sale under the 1933 Act) will, to the extent not payable by the Advisers under their respective investment advisory agreements with Affiliated Investors and the Regulated Funds, be shared by the Regulated Funds and the Affiliated Investors in proportion to the relative amounts of the securities held or to be acquired or disposed of, as the case may be.

15. Any transaction fee<sup>26</sup> (including break-up, structuring, monitoring or commitment fees but excluding broker's fees contemplated by section 17(e) or 57(k) of the Act, as applicable), received in connection with a Co-Investment Transaction will be distributed to the participating Regulated Funds and Affiliated Investors on a pro rata basis based on the amounts they invested or committed, as the case may be, in such Co-Investment Transaction. If any transaction fee is to be held by an Adviser pending consummation of the transaction, the fee will be deposited into an account maintained by the Adviser at a bank or banks having the qualifications prescribed in section 26(a)(1) of the Act, and the account will earn a competitive rate of interest that will also be divided pro rata among the participating Regulated Funds and Affiliated Investors based on the amount they invest in such Co-Investment Transaction. None of the Advisers, the Primary Advisers, the Affiliated Investors, the other Regulated Funds nor any affiliated person of the Regulated Funds or Affiliated Investors will receive additional compensation or remuneration of any kind as a result of or in connection with a Co-Investment Transaction (other than (a) in the case of the Regulated Funds and the

Affiliated Investors, the pro rata transaction fees described above and fees or other compensation described in condition 2(c)(iii)(D), and (b) in the case of an Adviser or Primary Adviser, investment advisory fees paid in accordance with their respective agreements between the Advisers and the Regulated Fund or Affiliated Investor).

16. If the Holders own in the aggregate more than 25% of the Shares, then the Holders will vote such Shares in the same percentages as the Regulated Fund's other shareholders (not including the Holders) when voting on (1) the election of trustees; (2) the removal of one or more trustees; or (3) all other matters under either the Act or applicable state law affecting the Board's composition, size or manner of election.

17. Each Regulated Fund's chief compliance officer, as defined in rule 38a-1(a)(4) under the Act, will prepare an annual report for its Board each year that evaluates (and documents the basis of that evaluation) the Regulated Fund's compliance with the terms and conditions of the application and the procedures established to achieve such compliance.

For the Commission, by the Division of Investment Management, under delegated authority.

**J. Matthew DeLesDernier,**

*Assistant Secretary.*

[FR Doc. 2021-24148 Filed 11-4-21; 8:45 am]

**BILLING CODE 8011-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. EP 670 (Sub-No. 1)]**

### **Notice of Rail Energy Transportation Advisory Committee Meeting**

**AGENCY:** Surface Transportation Board.

**ACTION:** Notice of Rail Energy Transportation Advisory Committee meeting.

**SUMMARY:** Notice is hereby given of a meeting of the Rail Energy Transportation Advisory Committee (RETAC), pursuant to the Federal Advisory Committee Act.

**DATES:** The meeting will be held on Tuesday, November 16, 2021, beginning at 1:00 p.m. E.S.T., and is expected to conclude by 4:00 p.m. E.S.T.

**ADDRESSES:** The meeting will be held virtually via Zoom. See **SUPPLEMENTARY INFORMATION** for registration details.

#### **FOR FURTHER INFORMATION CONTACT:**

Kristen Nunnally at (202) 245-0312 or *Kristen.Nunnally@stb.gov*. Assistance

for the hearing impaired is available through the Federal Relay Service at (800) 877-8339.

**SUPPLEMENTARY INFORMATION:** RETAC was formed in 2007 to provide advice and guidance to the Board, and to serve as a forum for discussion of emerging issues related to the transportation of energy resources by rail. *Establishment of a Rail Energy Transp. Advisory Comm.*, EP 670 (STB served July 17, 2007). The purpose of this meeting is to facilitate discussions regarding issues of interest, including rail service, infrastructure planning and development, and effective coordination among suppliers, rail carriers, and users of energy resources. Agenda items for this meeting may include a rail performance measures review, industry segment updates by RETAC members, and a roundtable discussion.

The meeting, which is open to the public via Zoom, will be conducted in accordance with the Federal Advisory Committee Act, 5 U.S.C. app. 2; Federal Advisory Committee Management regulations, 41 CFR pt. 102-3; the RETAC charter; and Board procedures. Members of the public who wish to attend this meeting must register in advance of the meeting. The registration link will be provided on the Board's website at <https://stb.gov/resources/stakeholder-committees/retac/>. Registrations will be accepted on a space-available basis. Further communications about this meeting may be announced through the Board's website at [www.stb.gov](http://www.stb.gov).

**Public Comments:** Members of the public may submit written comments to RETAC at any time. Comments should be emailed to Kristen Nunnally, *Kristen.Nunnally@stb.gov*, with RETAC Comments as the subject line.

**Authority:** 49 U.S.C. 1321, 49 U.S.C. 11101; 49 U.S.C. 11121.

Decided: November 1, 2021.

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

**Tammy Lowery,**

*Clearance Clerk.*

[FR Doc. 2021-24178 Filed 11-4-21; 8:45 am]

**BILLING CODE 4915-01-P**

## **SURFACE TRANSPORTATION BOARD**

**[Docket No. FD 36546]**

### **325 South Route 31 Railroad, LLC—Operation Exemption—Tracks of 325 South Route 31, LLC in Kendall County, Ill.**

325 South Route 31 Railroad, LLC (SRRR), a noncarrier, has filed a verified notice of exemption pursuant to 49 CFR

<sup>26</sup> Applicants are not requesting and the staff is not providing any relief for transaction fees received in connection with any Co-Investment Transaction.

1150.31 to operate approximately 11,245 feet of track in Kendall County, Ill. (the Line), owned by its parent company, 325 South Route 31, LLC (SR), also a noncarrier. The Line is on a 350-acre industrial site located approximately 40 miles west of Chicago, Ill. (the Site). The Line has no mileposts. According to SRRR, no common carrier services are currently being offered on the Line.

According to the verified notice, SRRR will enter into an agreement with SR that will allow SRRR the rights to lease, operate, and maintain the Line.<sup>1</sup> SRRR states that it intends to rehabilitate some of the existing tracks prior to commencing rail service operations on the Line. SRRR states that, as the Site is being developed and as industries locate on the Line in the short term, a third party will provide switching operations on the Line by contract.<sup>2</sup> SRRR states that it plans to close the transaction on or after the effective date of this exemption.

SRRR states that the proposed operation of the Line does not involve any provision or agreement that would limit future interchange on the Line with a third-party connecting carrier. SRRR certifies that its projected annual revenues are not expected to exceed \$5 million or exceed the level that would qualify it as a Class III rail carrier.

The earliest this transaction may be consummated is November 21, 2021, the effective date of the exemption (30 days after the verified notice was filed).

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 12, 2021.

All pleadings, referring to Docket No. FD 36546, should be filed with the Surface Transportation Board via e-filing on the Board's website. In addition, a copy of each pleading must be served on SRRR's representative, Thomas W. Wilcox, Law Office of Thomas W. Wilcox, LLC, 1629 K Street NW, Suite 300, Washington, DC 20006.

According to SRRR, this action is categorically excluded from

environmental review under 49 CFR 1105.6(c) and from historic preservation reporting requirements under 49 CFR 1105.8(b).

Board decisions and notices are available at [www.stb.gov](http://www.stb.gov).

Decided: November 2, 2021.

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

**Kenyatta Clay,**

*Clearance Clerk.*

[FR Doc. 2021-24282 Filed 11-4-21; 8:45 am]

**BILLING CODE 4915-01-P**

## DEPARTMENT OF TRANSPORTATION

### Federal Aviation Administration

#### Notice of request to release airport property for land disposal

**AGENCY:** Federal Aviation Administration (FAA), DOT.

**ACTION:** Notice of request to rule on release of airport property for land disposal at the Ankeny Regional Airport (IKV), Ankeny, Iowa.

**SUMMARY:** The FAA proposes to rule and invites public comment on the release of land at the Ankeny Regional Airport (IKV), Ankeny, Iowa, under the provisions of 49 U.S.C. 47107(h)(2).

**DATES:** Comments must be received on or before December 6, 2021.

**ADDRESSES:** Comments on this application may be mailed or delivered to the FAA at the following address: Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE-620G, 901 Locust, Room 364, Kansas City, MO 64106.

In addition, one copy of any comments submitted to the FAA must be mailed or delivered to: Amy S. Beattie, Brick Gentry PC, Attorney for the Polk County Aviation Authority, 6701 Westown Parkway, Suite 100, West Des Moines, Iowa 50266, (515) 274-1450.

#### FOR FURTHER INFORMATION CONTACT:

Amy J. Walter, Airports Land Specialist, Federal Aviation Administration, Airports Division, ACE-620G, 901 Locust, Room 364, Kansas City, MO 64106, (816) 329-2603, [amy.walter@faa.gov](mailto:amy.walter@faa.gov). The request to release property may be reviewed, by appointment, in person at this same location.

**SUPPLEMENTARY INFORMATION:** The FAA invites public comment on the request to release one tract of land consisting of approximately 16.06 acres of airport property at the Ankeny Regional Airport (IKV) under the provisions of 49 U.S.C. 47107(h)(2). On October 28, 2021, the

Attorney for the Polk County Aviation Authority requested a release from the FAA to sell a tract of land, 16.06 acres. Buyer, ATI Capital, LLC, will use the land for development. On November 1, 2021, the FAA determined the request to release property at the Ankeny Regional Airport (IKV) submitted by the Sponsor meets the procedural requirements of the Federal Aviation Administration and the release of the property does not and will not impact future aviation needs at the airport. The FAA may approve the request, in whole or in part, no sooner than thirty days after the publication of this notice.

The following is a brief overview of the request:

The Ankeny Regional Airport (IKV) is proposing the release of airport property containing 16.06 acres, more or less. The release of land is necessary to comply with Federal Aviation Administration Grant Assurances that do not allow federally acquired airport property to be used for non-aviation purposes. The sale of the subject property will result in the land at the Ankeny Regional Airport (IKV) being changed from aeronautical to non-aeronautical use and release the lands from the conditions of the Airport Improvement Program Grant Agreement Grant Assurances in order to dispose of the land. In accordance with 49 U.S.C. 47107(c)(2)(B)(i) and (iii), the airport will receive fair market value for the property, which will be subsequently reinvested in another eligible airport improvement project for general aviation use.

Any person may inspect, by appointment, the request in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon appointment and request, inspect the application, notice and other documents determined by the FAA to be related to the application in person at the Ankeny City Hall.

Issued in Kansas City, MO, on November 1, 2021.

**James A. Johnson,**

*Director, FAA Central Region, Airports Division.*

[FR Doc. 2021-24190 Filed 11-4-21; 8:45 am]

**BILLING CODE 4910-13-P**

<sup>1</sup> According to the verified notice, the Line historically has connected to BNSF Railway Company (BNSF) via a switch connection to two BNSF-owned ancillary tracks that run parallel to BNSF's mainline tracks that run by the Site. SRRR states that it will, through a separate agreement, also lease those ancillary tracks from BNSF.

<sup>2</sup> SRRR anticipates that Burlington Junction Railroad (BJRR) will be that third-party railroad.