

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

No written comments were either solicited or received.

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

Because the foregoing 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 after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest, it has become effective pursuant to Section 19(b)(3)(A) of the Act<sup>10</sup> and Rule 19b-4(f)(6)<sup>11</sup> thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)<sup>12</sup> normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),<sup>13</sup> the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the Commission to waive the 30-day operative delay so that the proposed rule change may become operative upon filing. The Exchange states that waiver of the operative delay will protect investors because it will allow the Exchange to be able to list expirations for XND options that are consistent with the expirations for related NDX options, and assist market participants in more effectively utilizing both the full-value index and reduced-value option as hedging vehicles to meet their investment needs in connection with the Nasdaq-100 Index product as soon as feasible. Further, the Exchange states that there is investor demand to be able to transact in the same number of expirations for XND options as the Exchange currently lists for NDX options (that is, 12 standard monthly expirations). For these reasons, and because the proposed rule change does not raise any novel regulatory issues, the Commission believes that waiving

the 30-day operative delay is consistent with the protection of investors and the public interest. Therefore, the Commission hereby waives the operative delay and designates the proposal operative upon filing.<sup>14</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 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-Phlx-2022-42 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-Phlx-2022-42. 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 website (<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 website viewing and

<sup>14</sup> For purposes only of waiving the 30-day operative delay, the Commission has considered the proposed rule's impact on efficiency, competition, and capital formation. See 15 U.S.C. 78c(f).

printing in the Commission's Public Reference Room, 100 F Street NE, Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such 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-2022-42 and should be submitted on or before November 28, 2022.

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

**J. Matthew DeLesDernier,**

*Deputy Secretary.*

[FR Doc. 2022-24141 Filed 11-4-22; 8:45 am]

**BILLING CODE 8011-01-P**

**SMALL BUSINESS ADMINISTRATION**

[License No. 02/02-0703]

**RF Investment Partners SBIC II, L.P.; Notice Seeking Exemption Under Section 312 of the Small Business Investment Act, Conflicts of Interest**

Notice is hereby given that RF Investment Partners SBIC II, L.P. 501 Madison Avenue, 14th Floor, New York, NY 10022, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under section 312 of the Act and 13 CFR 107.730, Financings which constitute conflicts of interest of the Small Business Administration ("SBA") regulations. RF Investment Partners SBIC II, L.P., is seeking a written exemption from SBA for a proposed financing to SPATCO Energy Solutions, LLC, 8303 University Executive Park Dr. Suite 400, Charlotte, NC 28262.

The financing is brought within the purview of 13 CFR 107.730(a)(1) of the regulations because RF Investment Partners SBIC II, L.P. will provide financing to its Associate under Common Control in the company, SPATCO Energy Solutions, LLC therefore this transaction is considered *Provide financing to any of your Associates* requiring SBA's prior written exemption. RF Investment Partners SBIC II, L.P. has not made its investment in SPATCO Energy

<sup>15</sup> 17 CFR 200.30-3(a)(12).

<sup>10</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>11</sup> 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, along with a brief description and 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.

<sup>12</sup> 17 CFR 240.19b-4(f)(6).

<sup>13</sup> 17 CFR 240.19b-4(f)(6)(iii).

Solutions, LLC, and is seeking pre-financing SBA approval.

Notice is hereby given that any interested person may submit written comments on this transaction within fifteen days of the date of this publication to the Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

**Bailey DeVries,**

*Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration.*

[FR Doc. 2022-24154 Filed 11-4-22; 8:45 am]

**BILLING CODE 8026-09-P**

**SMALL BUSINESS ADMINISTRATION**

[License No. 04/04-0345]

**Plexus Fund V-A, L.P.; Conflicts of Interest Exemption**

Notice is hereby given that Plexus Fund V-A, L.P., 4242 Six Forks Road, Suite 950, Raleigh, NC 27609, a Federal Licensee under the Small Business Investment Act of 1958, as amended (“the Act”), in connection with the financing of a small business concern, has sought an exemption under section 312 of the Act and 13 CFR 107.730—*Financings which constitute conflicts of interest* of the Small Business Administration (“SBA”) regulations. Plexus Fund V-C, L.P. is seeking a written exemption from SBA for a proposed financing to Medicus IT Holdings, LLC, 100 North Point Center East, Suite 150, Alpharetta, GA 30022.

The financing is brought within the purview of 13 CFR 107.730(a) of the regulations because Medicus IT Holdings, LLC is an Associate of Plexus Fund V-A, L.P. because Associates Plexus Fund III, L.P., Plexus Fund QP III, L.P., Plexus Fund IV-A, L.P., Plexus Fund IV-B, L.P., and Plexus Fund IV-C, L.P. own a greater than ten percent interest in Medicus IT Holdings, LLC, therefore this transaction is considered *Financing which constitute conflicts of interest* requiring SBA’s prior written exemption.

Notice is hereby given that any interested person may submit written comments on this transaction within fifteen days of the date of this publication to the Associate Administrator, Office of Investment and Innovation, U.S. Small Business

Administration, 409 Third Street SW, Washington, DC 20416.

**Bailey DeVries,**

*Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.*

[FR Doc. 2022-24150 Filed 11-4-22; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

[License No. 04/04-0346]

**Plexus Fund V-B, L.P.; Conflicts of Interest Exemption**

Notice is hereby given that Plexus Fund V-B, L.P., 4242 Six Forks Road, Suite 950, Raleigh, NC 27609, a Federal Licensee under the Small Business Investment Act of 1958, as amended (“the Act”), in connection with the financing of a small business concern, has sought an exemption under Section 312 of the Act and 13 CFR 107.730—*Financings which constitute conflicts of interest* of the Small Business Administration (“SBA”) regulations. Plexus Fund V-C, L.P. is seeking a written exemption from SBA for a proposed financing to Medicus IT Holdings, LLC, 100 North Point Center East, Suite 150, Alpharetta, GA 30022.

The financing is brought within the purview of 13 CFR 107.730(a) of the regulations because Medicus IT Holdings, LLC is an Associate of Plexus Fund V-B, L.P. because Associates Plexus Fund III, L.P., Plexus Fund QP III, L.P., Plexus Fund IV-A, L.P., Plexus Fund IV-B, L.P., and Plexus Fund IV-C, L.P. own a greater than ten percent interest in Medicus IT Holdings, LLC, therefore this transaction is considered *Financing which constitute conflicts of interest* requiring SBA’s prior written exemption.

Notice is hereby given that any interested person may submit written comments on this transaction within fifteen days of the date of this publication to the Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

**Bailey DeVries,**

*Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.*

[FR Doc. 2022-24158 Filed 11-4-22; 8:45 am]

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**SMALL BUSINESS ADMINISTRATION**

[License No. 04/04-0347]

**Plexus Fund V-C, L.P.; Conflicts of Interest Exemption**

Notice is hereby given that Plexus Fund V-C, L.P., 4242 Six Forks Road, Suite 950, Raleigh, NC 27609, a Federal Licensee under the Small Business Investment Act of 1958, as amended (“the Act”), in connection with the financing of a small business concern, has sought an exemption under section 312 of the Act and 13 CFR 107.730—*Financings which constitute conflicts of interest* of the Small Business Administration (“SBA”) regulations. Plexus Fund V-C, L.P. is seeking a written exemption from SBA for a proposed financing to Medicus IT Holdings, LLC, 100 North Point Center East, Suite 150, Alpharetta, GA 30022.

The financing is brought within the purview of 13 CFR 107.730(a) of the regulations because Medicus IT Holdings, LLC is an Associate of Plexus Fund V-C, L.P. because Associates Plexus Fund III, L.P., Plexus Fund QP III, L.P., Plexus Fund IV-A, L.P., Plexus Fund IV-B, L.P., and Plexus Fund IV-C, L.P. own a greater than ten percent interest in Medicus IT Holdings, LLC, therefore this transaction is considered *Financing which constitute conflicts of interest* requiring SBA’s prior written exemption.

Notice is hereby given that any interested person may submit written comments on this transaction within fifteen days of the date of this publication to the Associate Administrator, Office of Investment and Innovation, U.S. Small Business Administration, 409 Third Street SW, Washington, DC 20416.

**Bailey DeVries,**

*Associate Administrator, Office of Investment and Innovation, United States Small Business Administration.*

[FR Doc. 2022-24149 Filed 11-4-22; 8:45 am]

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**SOCIAL SECURITY ADMINISTRATION**

[Docket No. SSA-2022-0031]

**Privacy Act of 1974; System of Records**

**AGENCY:** Social Security Administration (SSA).

**ACTION:** Notice of a modified system of records.

**SUMMARY:** In accordance with the Privacy Act of 1974, we are issuing public notice of our intent to modify an