
Mark L. Banks,
Chief, Technical Support Branch, Advisory Committee on Reactor Safeguards.

SUPPLEMENTARY INFORMATION:

The Commission invites comments on whether the Postal Service’s filing is consistent with 39 U.S.C. 3632, 3633, or 3642, 39 CFR part 3015, and 39 CFR part 3020, subpart B. Comments are due no later than November 13, 2015. The public portions of the filing can be accessed via the Commission’s Web site (http://www.prc.gov).

The Commission appoints Curtis E. Kidd to serve as Public Representative in this docket.

III. Ordering Paragraphs

It is ordered:
1. The Commission establishes Docket No. CP2016–16 for consideration of the matters raised by the Postal Service’s Notice.
2. Pursuant to 39 U.S.C. 505, Curtis E. Kidd is appointed to serve as an officer of the Commission to represent the interests of the general public in this proceeding (Public Representative).
3. Comments are due no later than November 13, 2015.
4. The Secretary shall arrange for publication of this order in the Federal Register.

The Commission appoints Jennaca D. Upperman to serve as an officer of the Commission (Public Representative) in this docket.

II. Notice of Filings

The Commission invites comments on whether the changes presented in the Postal Service’s Notice are consistent with the policies of 39 U.S.C. 3632, 3633, or 3642, 39 CFR 3015.5, and 39 CFR part 3020, subpart B. Comments are due no later than November 12, 2015. The public portions of these filings can be accessed via the Commission’s Web site (http://www.prc.gov).

The Commission appoints Jennaca D. Upperman to represent the interests of the general public (Public Representative) in this docket.

III. Ordering Paragraphs

It is ordered:
1. The Commission reopens Docket No. CP2014–1 for consideration of matters raised by the Postal Service’s Notice.
2. Pursuant to 39 U.S.C. 505, the Commission appoints Jennaca D. Upperman to serve as an officer of the Commission (Public Representative) to represent the interests of the general public (Public Representative) in this docket.
represent the interests of the general public in this proceeding.

3. Comments are due no later than November 12, 2015.

4. The Secretary shall arrange for publication of this order in the Federal Register.

By the Commission.

Stacy L. Ruhe,
Secretary.

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SECURITIES AND EXCHANGE COMMISSION


Self-Regulatory Organizations; NASDAQ OMX BX, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Adopt Business Continuity and Disaster Recovery Plans Testing Requirements

November 5, 2015.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),1 and Rule 19b–4 thereunder,2 the Securities and Exchange Commission (“Commission”) received a proposed rule change from the Exchange. The Commission is proposing to adopt new Rule 1170 to implement the BC/DR Plans, including its backup systems, alternative trading systems (“ATSs”), plan processors, and exempt clearing agencies (collectively, “SCI entities”), and will require these SCI entities to comply with requirements with respect to the automated systems central to the performance of their regulated activities. Among the requirements of Regulation SCI is Rule 1004(a)(2)(v), which requires the Exchange and other SCI entities to maintain “[b]usiness continuity and disaster recovery plans that include maintaining backup and recovery capabilities sufficiently resilient and geographically diverse and that are reasonably designed to achieve next business day resumption of trading and two-hour resumption of critical SCI systems following a wide-scale disruption.”6 The Exchange has put in place BC/DR Plans. Among the requirements of Regulation SCI further requires each SCI entity to “[e]stablish standards for the selection of Members and Participants that the SCI entity reasonably determines are, taken as a whole, the minimum necessary for the maintenance of fair and orderly markets in the event of the activation of such plans.”7 Paragraph (b) of Rule 1004 of Regulation SCI further requires each SCI entity to “[d]esignate members or participants pursuant to the standards established in paragraph (a) of [Rule 1004] and require participation by such designated members or participants in scheduled functional and performance testing of the operation of such plans, in the manner and frequency specified by the SCI entity, provided that such frequency shall not be less than once every 12 months.”8

In order to comply with Rule 1004 of Regulation SCI, the Exchange is proposing to implement new Rule 1170, which incorporates the requirements of Rule 1004 of Regulation SCI as part of the Exchange’s rules, and sets forth the notice, selection criteria and obligations of Members and Participants with respect to BC/DR Plans testing. BX proposes to adopt Rule 1170(a), which will set forth the Exchange’s obligations with respect to the selection of Members and Participants for testing. Specifically, the rule will require BX to “[e]stablish standards for the designation of those Members and Participants that the Exchange reasonably determines are, taken as a whole, the minimum necessary for the maintenance of fair and orderly markets in the event of the activation of such plans.” The proposed new rule further provides that “[s]uch standards may include volume-based and/or market share-based criteria, and may be adjusted from time to time by the Exchange.” Lastly, the proposed new rule will require BX to provide public notice of the standards that it adopts.

BX is proposing to adopt Rule 1170(b), which will set forth the obligations of BX and its Members and Participants with respect to testing. Specifically, the rule will require BX to “[d]esignate Members and Options Participants pursuant to the standards established in paragraph (a) of this rule and require participation by such

2 The term “Member” is defined as “any registered broker or dealer that has been admitted to membership in the Exchange.” See Exchange Rule 0120(i).
4 The term “Options Participant” is defined as a category of BX Member that is authorized to “transact business on BX Options via the Trading System. Options Participants may trade options for their own proprietary accounts or, if authorized to do so under applicable law, and consistent with these BX Options Rules and with applicable law and SEC rules and regulations, may conduct business on behalf of Customers.” See BOM Option Rules, Chapter II, Section 1(a).
7 17 CFR 242.1004(a).
8 17 CFR 242.1004(b).