

compliance with those requirements will be one element of a broader qualitative and quantitative assessment of capital adequacy.<sup>11</sup>

Noncomplex SLHCs under \$1 billion will be assigned an abbreviated version of the RFI rating system consistent with the Board's practice for BHCs outlined in SR 13–21.<sup>12</sup> An offsite review of the SLHC will be conducted upon receipt of the lead depository institution's report of examination. The supervisory cycle will be determined by the examination frequency of the lead depository institution and the SLHC will be assigned only a risk management rating and a composite rating.

Finally, elements of the RFI rating system that are codified in the Board's *Bank Holding Company Supervision Manual*<sup>13</sup> and a policy letter issued by the staff of the Board's Division of Banking Supervision and Regulation will be revised if the proposal to fully apply the RFI system to certain SLHCs is finalized.<sup>14</sup>

#### *Assessment of Capital Adequacy for SLHCs That Receive Indicative Ratings*

For SLHCs that would continue to receive an indicative rating under the RFI rating system, the Board proposes that examiners, in the evaluation of capital adequacy of an SLHC, consider the risks inherent in the SLHC's activities and the ability of capital to absorb unanticipated losses, provide a base for growth, and support the level and composition of the parent company and subsidiaries' debt.

#### *Supervisory Guidance for SLHCs With Less Than \$10 Billion in Assets*

In 2013, Board staff published several supervisory letters extending the use of the RFI rating system for and assignment of indicative ratings to SLHCs and extending the scope and frequency requirements for supervised holding companies with total

consolidated assets of \$10 billion or less to SLHCs. Until such time as the Board adopts a final rule on the application of the RFI rating system to SLHCs, SLHCs may refer to these letters for staff-level guidance on the use of indicative ratings.

The Board invites comment on all aspects of this proposal.

### III. Regulatory Analysis

#### *Paperwork Reduction Act*

There is no collection of information required by this proposal that would be subject to the Paperwork Reduction Act of 1995, 44 U.S.C. 3501 *et seq.*

#### *Regulatory Flexibility Analysis*

The Regulatory Flexibility Act (RFA) requires an agency to publish an initial regulatory flexibility analysis with a proposed rule or certify that the proposed rule will not have a significant economic impact on a substantial number of small entities. Based on its analysis, and for the reasons stated below, the rule would not have a significant economic impact on a substantial number of small entities. Nevertheless, the Board is publishing an initial regulatory flexibility analysis and requests public comment on all aspects of its analysis. The Board will, if necessary, conduct a final regulatory flexibility analysis after considering the comments received during the public comment period.

1. *Statement of the need for, and objectives of, the proposed rule.* The proposed rule would apply the same supervisory rating system to SLHCs as currently applies to bank holding companies. The RFI rating system is an effective approach to communicating supervisory expectations to SLHCs. This proposal furthers the Board's goal of ensuring that holding companies that control depository institutions are subject to consistent standards and supervisory programs.

2. *Small entities affected by the proposed rule.* Under regulations issued by the Small Business Administration, a small entity includes an SLHC with total assets of \$550 million or less. As of October 31, 2016, there were approximately 157 small SLHCs. The proposed rule will not have a significant economic impact on the entities that it affects because the proposal does not impose any recordkeeping, reporting, or compliance requirements. The Board invites comment on the effect of the proposed rule on small entities.

3. *Recordkeeping, reporting, and compliance requirements.* The proposed rule would not impose any recordkeeping, reporting, or compliance requirements.

4. *Other Federal rules.* The Board has not identified any likely duplication, overlap and/or potential conflict between the proposed rule and any Federal rule.

5. *Significant alternatives to the proposed revisions.* The Board believes that this proposal will not have a significant economic impact on small banking organizations supervised by the Board and therefore believes that there are no significant alternatives to this proposal that would reduce the economic impact on small banking organizations supervised by the Board.

The Board solicits comment on any significant alternatives that would reduce the regulatory burden associated on small entities with this proposed rule.

#### *Solicitation of Comments on Use of Plain Language*

Section 722 of the Gramm-Leach-Bliley Act requires the Board to use plain language in all proposed and final rules published after January 1, 2000. The Board invites comment on how to make this proposed rule easier to understand. For example:

- Has the Board organized the material to suit your needs? If not, how could the proposal be more clearly stated?
- Are the requirements in the proposal clearly stated? If not, how could the proposal be more clearly stated?
- Does the proposal contain technical language or jargon that is not clear? If so, what language requires clarification?
- Would a different format (grouping and order of sections, use of headings, paragraphing) make the proposal easier to understand? If so, what changes would make the proposal easier to understand?
- Would more, but shorter, sections be better? If so, which sections should be changed?
- What else could the Board do to make the proposal easier to understand?

By order of the Board of Governors of the Federal Reserve System, December 8, 2016.

**Robert deV. Frierson,**  
Secretary of the Board.

[FR Doc. 2016–29891 Filed 12–12–16; 8:45 am]

BILLING CODE 6210–01–P

## FEDERAL TRADE COMMISSION

### Granting of Request for Early Termination of the Waiting Period Under the Premerger Notification Rules

Section 7A of the Clayton Act, 15 U.S.C. 18a, as added by Title II of the

<sup>11</sup> See Sections 4060 and 4061 of the *Bank Holding Company Supervision Manual*; Supervision and Regulation Letter 15–19 (December 18, 2015), available at <https://www.federalreserve.gov/bankinforeg/srletters/sr1519.htm>; Supervision and Regulation Letter 15–6 (April 6, 2015), available at <https://www.federalreserve.gov/bankinforeg/srletters/sr1506.htm>; Supervision and Regulation Letter 09–04 (February 24, 2009, revised December 21, 2015), available at <http://www.federalreserve.gov/boarddocs/srletters/2009/sr0904.htm>.

<sup>12</sup> Supervision and Regulation Letter 13–21 (December 17, 2013), available at <https://www.federalreserve.gov/bankinforeg/srletters/sr1321.htm>.

<sup>13</sup> Available at [http://www.federalreserve.gov/boarddocs/supmanual/supervision\\_bhc.htm](http://www.federalreserve.gov/boarddocs/supmanual/supervision_bhc.htm).

<sup>14</sup> See Supervision and Regulation Letter 04–18 (December 6, 2014), available at <http://www.federalreserve.gov/boarddocs/srletters/2004/sr0418.htm>.

Hart-Scott-Rodino Antitrust Improvements Act of 1976, requires persons contemplating certain mergers or acquisitions to give the Federal Trade Commission and the Assistant Attorney General advance notice and to wait designated periods before consummation of such plans. Section 7A(b)(2) of the Act permits the agencies,

in individual cases, to terminate this waiting period prior to its expiration and requires that notice of this action be published in the **Federal Register**.

The following transactions were granted early termination—on the dates indicated—of the waiting period provided by law and the premerger notification rules. The listing for each transaction includes the transaction

number and the parties to the transaction. The grants were made by the Federal Trade Commission and the Assistant Attorney General for the Antitrust Division of the Department of Justice. Neither agency intends to take any action with respect to these proposed acquisitions during the applicable waiting period.

EARLY TERMINATIONS GRANTED NOVEMBER 1, 2016 THRU NOVEMBER 30, 2016

11/01/2016

20170004	G	Sofina s.a.; BCP CC Holdings L.P.; Sofina s.a.
20170060	G	Roche Holding Ltd; Hanmi Pharmaceutical Co., Ltd.; Roche Holding Ltd
20170110	G	Wellspring Capital Partners V, L.P.; MM Hoffmaster Holdings L.P.; Wellspring Capital Partners V, L.P.

11/02/2016

20161726	G	Berry Plastics Group, Inc.; AEP Industries Inc.; Berry Plastics Group, Inc.
20170008	G	Tech Data Corporation; Avnet, Inc.; Tech Data Corporation.
20170013	G	B&G Foods, Inc.; The Garfield Weston Charitable Foundation; B&G Foods, Inc.
20170114	G	RHI AG; Magnesita Refratarios S.A.; RHI AG.

11/03/2016

20170104	G	Tenex Capital Partners II, L.P.; Pugh Oil Company, Inc.; Tenex Capital Partners II, L.P.
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11/04/2016

20170026	G	Francisco Partners IV, L.P.; Eric and Amy Huang Legacy Trust u/a 9/30/11; Francisco Partners IV, L.P.
20170027	G	Francisco Partners IV, L.P.; Amy B. Huang Legacy Trust u/a 2/1/12; Francisco Partners IV, L.P.
20170084	G	Equistone V FPCI; Wayzata Opportunities Fund II, L.P.; Equistone V FPCI.
20170117	G	Comvest Investment Partners V, L.P.; Lasko Group, Inc.; Comvest Investment Partners V, L.P.
20170118	G	Acrisure Investors FO, LLC; Genstar Capital Partners VI, L.P.; Acrisure Investors FO, LLC.
20170124	G	Onex Partners IV LP; Supervalu Inc.; Onex Partners IV LP.
20170125	G	Wynnchurch Capital Partners IV, L.P.; Rosboro, LLC; Wynnchurch Capital Partners IV, L.P.
20170126	G	Kayne Anderson Energy Fund VI, L.P.; RSP Permian, Inc.; Kayne Anderson Energy Fund VI, L.P.
20170127	G	Kayne Anderson Energy Fund VII, L.P.; RSP Permian, Inc.; Kayne Anderson Energy Fund VII, L.P.
20170132	G	Nationwide Mutual Insurance Company; JNF Investors LLC; Nationwide Mutual Insurance Company.
20170135	G	Carlyle Partners VI Cayman, L.P.; Total S.A.; Carlyle Partners VI Cayman, L.P.
20170138	G	ITOCHU Corporation; Empire Gen Holdings, Inc.; ITOCHU Corporation.
20170145	G	Unibel; White Knight VIII FPCI; Unibel.

11/07/2016

20170035	G	Warburg Pincus Private Equity XII, L.P.; Ascentium Capital LLC; Warburg Pincus Private Equity XII, L.P.
20170039	G	Hanwha General Chemical Co., Ltd.; Hanwha Q Cells Korea Corp.; Hanwha General Chemical Co., Ltd.
20170071	G	Allergan plc; AstraZeneca PLC; Allergan plc.
20170115	G	Verizon Communications Inc.; AT&T Inc.; Verizon Communications Inc.
20170116	G	AT&T Inc.; Verizon Communications Inc.; AT&T Inc.
20170123	G	Novartis AG; Selexys Pharmaceuticals Corporation; Novartis AG.
20170147	G	Hainan Cihang Charitable Foundation; CIT Group Inc.; Hainan Cihang Charitable Foundation.
20170157	G	H.I.G. Middle Market LBO Fund II, L.P.; Mercury Capital, L.P.; H.I.G. Middle Market LBO Fund II, L.P.

11/08/2016

20170085	G	Endeavour Capital Fund VII, L.P.; OFD Holdco, Inc.; Endeavour Capital Fund VII, L.P.
20170130	G	Oaktree Principal Fund VI, L.P.; SunOpta, Inc.; Oaktree Principal Fund VI, L.P.
20170142	G	AEA Investors Fund VI LP; CHS Private Equity V L.P.; AEA Investors Fund VI LP.

11/10/2016

20161294	G	Promotora de Inversiones Mexicanas, S.A.; CEMEX S.A.B. de C.V.; Promotora de Inversiones Mexicanas, S.A.
20170152	G	Platte River Equity III, L.P.; H. J. Baker & Bro., Inc.; Platte River Equity III, LP.

11/14/2016

20170119	G	HKW Capital Partners IV, L.P.; Xirgo Technologies, Inc.; HKW Capital Partners IV, L.P.
20170133	G	j2 Global, Inc.; Everyday Health, Inc.; j2 Global, Inc.

11/15/2016

20160836	G	Verizon Communications Inc.; Carl C. Icahn; Verizon Communications Inc.
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## EARLY TERMINATIONS GRANTED NOVEMBER 1, 2016 THRU NOVEMBER 30, 2016—Continued

20170153	G	Mitsubishi Materials Corporation; Nordic Capital V, L.P.; Mitsubishi Materials Corporation.
20170154	G	CONSOL Energy Inc.; Noble Energy, Inc.; CONSOL Energy Inc.
20170158	G	Quad-C Partners VIII, L.P.; Fusion Partners, LLC; Quad-C Partners VIII, L.P.
20170160	G	Buckeye Partners, L.P.; Vitol Investment Partnership Limited; Buckeye Partners, L.P.
20170161	G	Buckeye Partners, L.P.; Vitol Holding B.V.; Buckeye Partners, L.P.
20170168	G	Quantum Energy Partners VI, LP; Freeport-McMoRan Inc.; Quantum Energy Partners VI, LP.
20170176	G	Soohyung Kim; Twin River Worldwide Holdings, Inc.; Soohyung Kim.
20170177	G	InPhi Corporation; ClariPhy Communications, Inc.; InPhi Corporation.
20170183	G	Quad-C Partners VIII, L.P.; Wells Fargo & Company; Quad-C Partners VIII, L.P.
20170190	G	Richard Webb; Kinder Morgan, Inc.; Richard Webb.
20170191	G	Galanos Investments L.P.; KPS Special Situations Fund IV, LP; Galanos Investments L.P.
<b>11/16/2016</b>		
20170170	G	Audax Private Equity Fund V-A, L.P.; Silver Oak Services Partners, L.P.; Audax Private Equity Fund V-A, L.P.
20170196	G	PMHC II, Inc.; Eramet, S.A.; PMHC II, Inc.
<b>11/17/2016</b>		
20170129	G	Amgen Inc.; Arrowhead Pharmaceuticals, Inc.; Amgen Inc.
20170164	G	Daiichi Sankyo Co., Ltd.; Inspirion Delivery Technologies LLC; Daiichi Sankyo Co., Ltd.
20170167	G	NextEra Energy, Inc.; Energy Future Holdings Corp.; NextEra Energy, Inc.
20170187	G	Thomas A. Garrett; Cerberus Partners, L.P.; Thomas A. Garrett.
20170188	G	Archrock Partners, L.P.; Archrock, Inc.; Archrock Partners, L.P.
<b>11/18/2016</b>		
20170097	G	CBOE Holdings, Inc.; Bats Global Markets; CBOE Holdings, Inc.
20170102	G	Joseph Mansueto; PitchBook Data, Inc.; Joseph Mansueto.
20170162	G	Constellation Brands, Inc.; Eugenie Patri Sebastien EPS, SA; Constellation Brands, Inc.
20170163	G	Constellation Brands, Inc.; Jorge Paulo Lemann; Constellation Brands, Inc.
<b>11/21/2016</b>		
20161824	G	Blackfriars Corp.; Saudi Basic Industries Corp.; Blackfriars Corp.
20170209	G	Odyssey Investment Partners Fund V, L.P.; HSM Tek, Inc.; Odyssey Investment Partners Fund V, L.P.
20170215	G	SG Growth Partners III, LP; Weston Presidio V, L.P.; SG Growth Partners III, LP.
20170220	G	Enviva Partners, LP; Riverstone/Carlyle Renewable and Alternative Energy Fund II.; Enviva Partners, LP.
20170225	G	Sun Hydraulics Corporation; Frank W. Murphy III; Sun Hydraulics Corporation.
20170229	G	Bain Capital Europe Fund IV, L.P.; ASF Park Acquisition LP; Bain Capital Europe Fund IV, L.P.
20170250	G	Bed Bath & Beyond Inc.; Daniel R. Randolph; Bed Bath & Beyond Inc.
<b>11/22/2016</b>		
20170208	G	Nestle S.A.; Aimmune Therapeutics, Inc.; Nestle S.A.
<b>11/23/2016</b>		
20170137	G	Henderson Group plc; Janus Capital Group Inc.; Henderson Group plc.
20170173	G	Huntington Ingalls Industries, Inc.; New Mountain Partners III, L.P.; Huntington Ingalls Industries, Inc.
20170174	G	BW NHC Co-Invest, L.P.; Wellspring Capital Partners V, L.P.; BW NHC Co-Invest, L.P.
20170179	G	Comcast Corporation; Racecar Holdings, LLC; Comcast Corporation.
20170180	G	Steven E. Grosser; Racecar Holdings, LLC; Steven E. Grosser.
20170181	G	Patrick J. McAdaragh; Racecar Holdings, LLC; Patrick J. McAdaragh.
20170217	G	Synopsys, Inc.; LLR Equity Partners IV, L.P.; Synopsys, Inc.
<b>11/28/2016</b>		
20170113	G	Micro Focus International plc; Hewlett Packard Enterprise Company; Micro Focus International plc.
20170136	G	GTCR Fund XI/A LP; DPC Holdings, LLC; GTCR Fund XI/A LP.
20170156	G	Lintec Corporation; Platinum Equity Capital Evergreen Partners, L.P.; Lintec Corporation.
20170213	G	HollyFrontier Corporation; Suncor Energy Inc.; HollyFrontier Corporation.
20170218	G	SpeedCast International Limited; Harris Corporation; SpeedCast International Limited.
20170226	G	The Kansai Electric Power Co., Inc.; Marubeni Corporation; The Kansai Electric Power Co., Inc.
20170228	G	American Midstream Partners, LP; ArcLight Energy Partners Fund V, L.P.; American Midstream Partners, LP.
20170234	G	Shangtex Holding Co. Ltd.; Dr. Henry Tan; Shangtex Holding Co. Ltd.
20170238	G	JLL Partners Fund VII, L.P.; MedPlast Holdings, Inc.; JLL Partners Fund VII, L.P.
20170239	G	Water Street Healthcare Partners III, L.P.; MedPlast Holdings, Inc.; Water Street Healthcare Partners III, L.P.
20170241	G	Genstar Capital Partners VII, L.P.; David D. Morgan; Genstar Capital Partners VII, L.P.
20170246	G	Blackstone Capital Partners VII L.P.; Team Health Holdings, Inc.; Blackstone Capital Partners VII L.P.
20170252	G	Greencore Group plc; Charlesbank Equity Fund VII, Limited Partnership; Greencore Group plc.
20170260	G	Leviton Manufacturing Co., Inc.; Allan B. Hubbard; Leviton Manufacturing Co., Inc.
20170264	G	NuStar Energy L.P.; Martin Midstream Partners L.P.; NuStar Energy L.P.
20170266	G	AP VIII DSB Holdings, L.P.; Ascension Health Alliance; AP VIII DSB Holdings, L.P.
20170268	G	Kendall Automotive Group, Inc.; Gayle and James Chalfant; Kendall Automotive Group, Inc.

## EARLY TERMINATIONS GRANTED NOVEMBER 1, 2016 THRU NOVEMBER 30, 2016—Continued

20170269	G	Kendall Automotive Group, Inc.; David and Lorraine Edmark; Kendall Automotive Group, Inc.
20170271	G	Ascent Holdings, LLC; Fulcrum BioEnergy, Inc.; Ascent Holdings, LLC.
20170272	G	JBG SMITH Properties; JBG/Operating Partners, L.P.; JBG SMITH Properties.
20170280	G	Blue Star Parent, L.P.; Ansira Holdings, LLC; Blue Star Parent, L.P.
20170289	G	Antelope NewCo, Inc.; AlixPartners Holdings, LLP; Antelope NewCo, Inc.

## 11/30/2016

20170159	G	The Hearst Family Trust; GTCR Fund X/A LP; The Hearst Family Trust.
20170169	G	Insight MB Parent LLC; MB Parent Holdings, LLC; Insight MB Parent LLC.
20170274	G	Quintiles IMS Holdings, Inc.; Jon C. Anderson; Quintiles IMS Holdings, Inc.
20170279	G	Calpine Corporation; NAPGS Holdco, LLC; Calpine Corporation.
20170281	G	Adobe Systems Incorporated; TubeMogul, Inc.; Adobe Systems Incorporated.
20170284	G	CENTRO ARTE SCIENZA E TECNOLOGIA S.R.L.; Nestle S. A.; CENTRO ARTE SCIENZA E TECNOLOGIA S.R.L.
20170296	G	Bain Capital Fund XI, L.P.; Blue Nile, Inc.; Bain Capital Fund XI, L.P.
20170298	G	AIPCF VI AIV Moly-Cop (Cayman), LP; Arrium Limited; AIPCF VI AIV Moly-Cop (Cayman), LP.
20170300	G	Wind Point Partners, VIII-A, L.P.; Michael J. Baab; Wind Point Partners, VIII-A, L.P.
20170306	G	AIM Marina Holdings, LLC; John D. Brewer, Jr. and Margaret S. Brewer; AIM Marina Holdings, LLC.

**FOR FURTHER INFORMATION CONTACT:**

Theresa Kingsberry Program Support Specialist, Federal Trade Commission Premerger Notification Office Bureau of Competition, Room CC-5301, Washington, DC 20024, (202) 326-3100.

By direction of the Commission.

**Donald S. Clark**

*Secretary.*

[FR Doc. 2016-29771 Filed 12-12-16; 8:45 am]

**BILLING CODE 6750-01-P**

## DEPARTMENT OF HEALTH AND HUMAN SERVICES

### Food and Drug Administration

[Docket No. FDA-2016-E-0625]

#### Determination of Regulatory Review Period for Purposes of Patent Extension; NUCALA

**AGENCY:** Food and Drug Administration, HHS.

**ACTION:** Notice.

**SUMMARY:** The Food and Drug Administration (FDA) has determined the regulatory review period for NUCALA and is publishing this notice of that determination as required by law. FDA has made the determination because of the submission of an application to the Director of the U.S. Patent and Trademark Office (USPTO), Department of Commerce, for the extension of a patent which claims that human biological product.

**DATES:** Anyone with knowledge that any of the dates as published (see the **SUPPLEMENTARY INFORMATION** section) are incorrect may submit either electronic or written comments and ask for a redetermination by February 13, 2017. Furthermore, any interested person may petition FDA for a determination regarding whether the applicant for

extension acted with due diligence during the regulatory review period by June 12, 2017. See “Petitions” in the **SUPPLEMENTARY INFORMATION** section for more information.

**ADDRESSES:** You may submit comments as follows:

#### *Electronic Submissions*

Submit electronic comments in the following way:

- *Federal eRulemaking Portal:* <https://www.regulations.gov>. Follow the instructions for submitting comments. Comments submitted electronically, including attachments, to <https://www.regulations.gov> will be posted to the docket unchanged. Because your comment will be made public, you are solely responsible for ensuring that your comment does not include any confidential information that you or a third party may not wish to be posted, such as medical information, your or anyone else’s Social Security number, or confidential business information, such as a manufacturing process. Please note that if you include your name, contact information, or other information that identifies you in the body of your comments, that information will be posted on <https://www.regulations.gov>.

- If you want to submit a comment with confidential information that you do not wish to be made available to the public, submit the comment as a written/paper submission and in the manner detailed (see “Written/Paper Submissions” and “Instructions”).

#### *Written/Paper Submissions*

Submit written/paper submissions as follows:

- *Mail/Hand delivery/Courier (for written/paper submissions):* Division of Dockets Management (HFA-305), Food and Drug Administration, 5630 Fishers Lane, Rm. 1061, Rockville, MD 20852.

- For written/paper comments submitted to the Division of Dockets Management, FDA will post your comment, as well as any attachments, except for information submitted, marked and identified, as confidential, if submitted as detailed in “Instructions.”

*Instructions:* All submissions received must include the Docket No. FDA-2016-E-0625 for “Determination of Regulatory Review Period for Purposes of Patent Extension; NUCALA.” Received comments will be placed in the docket and, except for those submitted as “Confidential Submissions,” publicly viewable at <https://www.regulations.gov> or at the Division of Dockets Management between 9 a.m. and 4 p.m., Monday through Friday.

- **Confidential Submissions—**To submit a comment with confidential information that you do not wish to be made publicly available, submit your comments only as a written/paper submission. You should submit two copies total. One copy will include the information you claim to be confidential with a heading or cover note that states “THIS DOCUMENT CONTAINS CONFIDENTIAL INFORMATION.” The Agency will review this copy, including the claimed confidential information, in its consideration of comments. The second copy, which will have the claimed confidential information redacted/blacked out, will be available for public viewing and posted on <https://www.regulations.gov>. Submit both copies to the Division of Dockets Management. If you do not wish your name and contact information to be made publicly available, you can provide this information on the cover sheet and not in the body of your comments and you must identify this information as “confidential.” Any