

the proposed rule duplicates, overlaps, or conflicts with any other Federal rules. In light of the foregoing, the Board does not believe that the proposed rule, if adopted in final form, would have a significant economic impact on a substantial number of small entities. Nonetheless, the Board seeks comment on whether the proposed rule would impose undue burdens on, or have unintended consequences for, small organizations, and whether there are ways such potential burdens or consequences could be minimized in a manner consistent with the purpose of the proposed rule.

*C. Riegle Community Development and Regulatory Improvement Act of 1994*

In determining the effective date and administrative compliance requirements for new regulations that impose additional reporting, disclosure, or other requirements on state member banks, the Board is required to consider, consistent with the principles of safety and soundness and the public interest, any administrative burdens that such regulations would place on depository institutions, and the benefits of such regulations.<sup>17</sup> In addition, new regulations that impose additional reporting disclosures or other new requirements on insured depository institutions generally must take effect on the first day of a calendar quarter which begins on or after the date on which the regulations are published in final form.<sup>18</sup>

The proposed revision to the Board's GSIB surcharge rule are only applicable to advanced approaches bank holding companies. Therefore, these requirements are not applicable to this proposed rule.

*D. 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 has sought to present the proposed rule in a simple straightforward manner, and invites comment on the use of plain language. For example:

- Has the Board organized the material to suit your needs? If not, how could the Board present the proposed rule more clearly?
- Are the requirements in the proposed rule clearly stated? If not, how could the proposed rule be more clearly stated?
- Do the regulations contain technical language or jargon that is not clear? If so, which language requires clarification?

- Would a different format (grouping and order of sections, use of headings, paragraphing) make the regulation easier to understand? If so, what changes would achieve that?
- Is the section format adequate? If not, which of the sections should be changed and how?
- What other changes can the Board incorporate to make the regulation easier to understand?

**List of Subjects in 12 CFR Part 217**

Administrative practice and procedure, Banks, Banking, Holding companies, Reporting and recordkeeping requirements, Securities.

**BOARD OF GOVERNORS OF THE FEDERAL RESERVE SYSTEM**

**12 CFR CHAPTER II**

**Authority and Issuance**

For the reasons set forth in the preamble, the Board proposes to amend chapter II of title 12 of the Code of Federal Regulations as follows:

**PART 217—CAPITAL ADEQUACY OF BANK HOLDING COMPANIES, SAVINGS AND LOAN HOLDING COMPANIES, AND STATE MEMBER BANKS (REGULATION Q)**

- 1. The authority citation for part 217 continues to read as follows:

**Authority:** 12 U.S.C. 248(a), 321–338a, 481–486, 1462a, 1467a, 1818, 1828, 1831n, 1831o, 1831p–l, 1831w, 1835, 1844(b), 1851, 3904, 3906–3909, 4808, 5365, 5368, 5371.

- 2. In § 217.404, paragraph (b)(1) is revised to read as follows:

**§ 217.404 Method 1 score.**

\* \* \* \* \*

(b) *Systemic indicator score.* (1) Except as provided in paragraph (b)(2) of this section, the systemic indicator score in basis points for a given systemic indicator is equal to:

- (i) The ratio of:
  - (A) The amount of that systemic indicator, as reported by the bank holding company as of December 31 of the previous calendar year; to
  - (B) The aggregate global indicator amount for that systemic indicator published by the Board in the fourth quarter of that year;
- (ii) Multiplied by 10,000; and
- (iii) Multiplied by the indicator weight corresponding to the systemic indicator as set forth in Table 1 of this section.

\* \* \* \* \*

- 3. In § 217.405, paragraph (b)(1) is revised to read as follows:

**§ 217.405 Method 2 score.**

\* \* \* \* \*

(b) *Systemic indicator score.* A global systemically important BHC's score for a systemic indicator is equal to:

- (1) The amount of the systemic indicator, as reported by the bank holding company as of December 31 of the previous calendar year, expressed in billions of dollars;

\* \* \* \* \*

By order of the Board of Governors of the Federal Reserve System, April 4, 2016.

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

[FR Doc. 2016–08015 Filed 4–7–16; 8:45 am]

**BILLING CODE P**

**DEPARTMENT OF TRANSPORTATION**

**Federal Aviation Administration**

**14 CFR Part 71**

**Proposed Modification of the San Diego, CA, Class B Airspace Area; Public Meetings**

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

**ACTION:** Notice of meetings.

**SUMMARY:** This notice announces three fact-finding informal airspace meetings to solicit information from airspace users and others concerning a proposal to amend the Class B airspace area at San Diego, CA. The purpose of these meetings is to provide interested parties an opportunity to present views, recommendations, and comments on the proposal. All comments received during these meetings will be considered prior to any revision or issuance of a notice of proposed rulemaking.

**DATES:** The meetings will be held on Tuesday, June 28, 2016, at 6:00 p.m.; Wednesday, June 29, 2016, at 6:00 p.m.; and Thursday, June 30, 2016, at 6:00 p.m. Doors open 30 minutes prior to the beginning of each meeting. Comments must be received on or before August 15, 2016.

**ADDRESSES:** All meetings will be held at San Diego International Airport, Commuter Airport Terminal, 3225 North Harbor Drive, San Diego, CA 92101.

**Comments:** Send comments on the proposal, in triplicate, to: Tracey Johnson, Manager, Operations Support Group, Western Service Center, Air Traffic Organization Federal Aviation Administration, 1601 Lind Avenue SW., Renton, WA 98057, or by fax to (425) 203–4505.

**FOR FURTHER INFORMATION CONTACT:** Brian Fagan, FAA Support Manager, Southern California TRACON, 9175

<sup>17</sup> See Section 302 of the Riegle Community Development and Regulatory Improvement Act of 1994 (“RCDRIA”), 12 U.S.C. 4802.

<sup>18</sup> 12 U.S.C. 4802(b).

Kearny Villa Rd, San Diego, CA 92126, (858) 537-5830.

#### SUPPLEMENTARY INFORMATION:

##### Meeting Procedures

(a) The meetings will be informal in nature and will be conducted by one or more representatives of the FAA Western Service Center and Southern California TRACON. A representative from the FAA will present a briefing on the planned modification to the Class B airspace at San Diego, CA. Each participant will be given an opportunity to deliver comments or make a presentation, although a time limit may be imposed. Only comments concerning the plan to modify the San Diego Class B airspace will be accepted.

(b) The meetings will be open to all persons on a space-available basis. There will be no admission fee to attend and participate. Parking will be validated. Attendees needing parking validation should bring their parking stub to the meeting.

(c) Any person wishing to make a presentation to the FAA panel will be asked to sign in and estimate the amount of time needed for such presentation. This will permit the panel to allocate an appropriate amount of time for each presenter. These meetings will not be adjourned until everyone on the list has had an opportunity to address the panel.

(d) Position papers or other handout material relating to the substance of these meetings will be accepted. Participants wishing to submit handout material should present an original and two copies (three copies total) to the presiding officer. There should be additional copies of each handout available for other attendees.

(e) The meetings will not be formally recorded. However, a summary of comments made at the meeting will be filed in the docket.

##### Agenda for the Meetings

- Sign-in
- Presentation of Meeting Procedures
- Informal Presentation of the Planned Class B Airspace Area Modifications
- Solicitation of Public Comments
- Stations of Interest on Class B airspace area modification
- Drop box for written comments

**Authority:** 49 U.S.C. 106(f), 106(g); 40103, 40113, 40120; E.O. 10854, 24 FR 9565, 3 CFR, 1959-1963 Comp., p. 389.

Issued in Washington, DC, on April 4, 2016.

**Gemechu Gelgelu,**

*Acting Manager, Airspace Policy Group.*

[FR Doc. 2016-08124 Filed 4-7-16; 8:45 am]

**BILLING CODE 4910-13-P**

## COMMODITY FUTURES TRADING COMMISSION

### 17 CFR Part 1

## SECURITIES AND EXCHANGE COMMISSION

### 17 CFR Part 241

[Release No. 33-10062; 34-77506; File No. S7-05-16]

RIN 3235-AL93

### Certain Natural Gas and Electric Power Contracts

**AGENCY:** Commodity Futures Trading Commission; Securities and Exchange Commission.

**ACTION:** Proposed guidance.

**SUMMARY:** In accordance with section 712(d)(4) of the Dodd-Frank Wall Street Reform and Consumer Protection Act (the “Dodd-Frank Act”), the Commodity Futures Trading Commission (the “CFTC”) and the Securities and Exchange Commission (“SEC”), after consultation with the Board of Governors of the Federal Reserve System (“Board of Governors”), are jointly issuing the CFTC’s proposed guidance on certain contracts that provide for rights and obligations with respect to electric power and natural gas. The CFTC invites public comment on all aspects of its proposed guidance.

**DATES:** Comments must be received on or before May 9, 2016.

**ADDRESSES:** You may submit comments by any of the following methods:

- **CFTC Web site:** <http://comments.cftc.gov>. Follow the instructions for submitting comments through the Comments Online process on the Web site.
- **Mail:** Send to Christopher Kirkpatrick, Secretary of the Commission, Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581.
- **Hand Delivery/Courier:** Same as Mail, above.
- **Federal eRulemaking Portal:** <http://www.regulations.gov>. Follow the instructions for submitting comments.

Please submit your comments using only one of these methods.

All comments must be submitted in English, or if not, accompanied by an English translation. Comments will be posted as received to [www.cftc.gov](http://www.cftc.gov). You should submit only information that you wish to make available publicly. If you wish the CFTC to consider information that you believe is exempt from disclosure under the Freedom of

Information Act, a petition for confidential treatment of the exempt information may be submitted according to the procedures established in § 145.9 of the CFTC’s regulations, 17 CFR 145.9.

The CFTC reserves the right, but shall have no obligation, to review, pre-screen, filter, redact, refuse or remove any or all of a submission from [www.cftc.gov](http://www.cftc.gov) that it may deem to be inappropriate for publication, such as obscene language. All submissions that have been redacted or removed that contain comments on the merits of the notice will be retained in the public comment file and will be considered as required under all applicable laws, and may be accessible under the Freedom of Information Act.

#### FOR FURTHER INFORMATION CONTACT:

CFTC: David N. Pepper, Special Counsel, Division of Market Oversight, at (202) 418-5565 or [dpepper@cftc.gov](mailto:dpepper@cftc.gov); or Mark Fajfar, Assistant General Counsel, Office of the General Counsel, at (202) 418-6636 or [majfar@cftc.gov](mailto:majfar@cftc.gov), Commodity Futures Trading Commission, Three Lafayette Centre, 1155 21st Street NW., Washington, DC 20581. SEC: Carol McGee, Assistant Director, Office of Derivatives Policy, Division of Trading and Markets, at (202) 551-5870, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549.

#### SUPPLEMENTARY INFORMATION:

##### I. Introduction

In the final rule further defining the term “swap,” the CFTC and the SEC adopted an interpretation regarding the facts and circumstances in which certain agreements, contracts, or transactions entered into by commercial and non-profit entities should be considered not to be swaps because they are customary commercial arrangements.<sup>1</sup> Following adoption of this interpretation, the CFTC received public comments describing certain types of contracts that are closely tied to regulatory obligations in the markets for electric power and natural gas.<sup>2</sup>

<sup>1</sup> See Further Definition of “Swap,” Security-Based Swap,” and “Security-Based Swap Agreement”; Mixed Swaps; Security-Based Swap Agreement Recordkeeping, 77 FR 48207, 48246 (Aug. 13, 2012) (the “Products Release”).

<sup>2</sup> The comments were received in response to the CFTC’s proposed interpretation on Forward Contracts With Embedded Volumetric Optionality, 79 FR 69073 (Nov. 20, 2014) (comments available at <http://comments.cftc.gov/PublicComments/CommentList.aspx?id=1541>), and the CFTC’s notice of proposed rulemaking on Trade Options, 80 FR 26200 (May 7, 2015) (comments available at <http://comments.cftc.gov/PublicComments/CommentList.aspx?id=1580>). In addition, the CFTC’s Energy and Environmental Markets Advisory Committee discussed related issues at its

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