

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 No. SR-NYSEMKT-2016-123 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 No. SR-NYSEMKT-2016-123. 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 Web site (<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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street NE., Washington, DC 20549 on official business days between the hours of 10:00 a.m. and 3:00 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; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File No. SR-NYSEMKT-2016-123, and should be submitted on or before January 27, 2017.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>18</sup>

**Eduardo A. Aleman,**

*Assistant Secretary.*

[FR Doc. 2016-32040 Filed 1-5-17; 8:45 am]

**BILLING CODE 8011-01-P**

**SECURITIES AND EXCHANGE COMMISSION**

[Release No. IC-32407]

**Notice of Applications For Deregistration Under Section 8(f) of the Investment Company Act of 1940**

December 30, 2016.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of December 2016. A copy of each application may be obtained via the Commission's Web site by searching for the file number, or for an applicant using the Company name box, at <http://www.sec.gov/search/search.htm> or by calling (202) 551-8090. An order granting each application will be issued unless the SEC orders a hearing. Interested persons may request a hearing on any application by writing to the SEC's Secretary at the address below and serving the relevant applicant with a copy of the request, personally or by mail. Hearing requests should be received by the SEC by 5:30 p.m. on January 24, 2017, and should be accompanied by proof of service on applicants, in the form of an affidavit or, for lawyers, a certificate of service. Pursuant to Rule 0-5 under the Act, hearing requests should state the nature of the writer's interest, any facts bearing upon the desirability of a hearing on the matter, the reason for the request, and the issues contested. Persons who wish to be notified of a hearing may request notification by writing to the Commission's Secretary.

**ADDRESS:** The Commission: Secretary, U.S. Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.

**FOR FURTHER INFORMATION CONTACT:** Hae-Sung Lee, Attorney-Adviser, at (202) 551-7345 or Chief Counsel's Office at (202) 551-6821; SEC, Division of Investment Management, Chief Counsel's Office, 100 F Street NE., Washington, DC 20549-8010.

**Davlin Philanthropic Funds [File No. 811-22178]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. On September 30, 2016, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$5,159 incurred in connection with the liquidation were paid by applicant's investment adviser.

*Filing Date:* The application was filed on October 18, 2016.

*Applicant's Address:* 44 River Road, Suite A, Wayland, Massachusetts 01778.

**AllianceBernstein Income Fund, Inc. [File No. 811-05207]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has transferred its assets to AB Income Fund, a series of AB Bond Fund, Inc., and, on April 22, 2016, made a final distribution to its shareholders based on net asset value. Expenses of \$723,279 incurred in connection with the reorganization were paid by applicant and applicant's investment adviser.

*Filing Date:* The application was filed on November 18, 2016.

*Applicant's Address:* 1345 Avenue of the Americas, New York, NY 10105.

**Destra Investment Trust II [File No. 811-22523]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. Applicant has transferred its assets to Destra Investment Trust, and, on September 30, 2016, made a final distribution to its shareholders based on net asset value. Expenses of \$32,000 incurred in connection with the reorganization were paid by applicant's investment adviser.

*Filing Date:* The application was filed on November 22, 2016.

*Applicant's Address:* One North Wacker Drive, 48th Floor, Chicago, IL 60606.

**Realty Capital Income Funds Trust [File No. 811-22785]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. Applicant has transferred its assets to SCM Trust, and, on November 7, 2016, made a final distribution to its shareholders based on net asset value. Expenses of \$82,000 incurred in connection with the reorganization were paid by applicant's investment adviser.

*Filing Date:* The application was filed on November 22, 2016.

*Applicant's Address:* 405 Park Avenue, 14th Floor, New York, NY 10022.

**AIP Series Trust [File No. 811-22789]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. On May 25, 2016, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of \$9,264 incurred in connection with the liquidation were paid by applicant.

*Filing Dates:* The application was filed on October 28, 2016, and amended on November 28, 2016.

<sup>18</sup> 17 CFR 200.30-3(a)(12).

*Applicant's Address:* c/o Morgan Stanley AIP GP LP, 522 Fifth Avenue, New York, New York 10036.

**Montgomery Street Income Securities, Inc. [File No. 811-02340]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On December 29, 2015 applicant made a liquidating distribution to its transfer agent, based on net asset value. The applicant's transfer agent began making liquidating distributions to shareholders on January 4, 2016 and will continue to make liquidating distributions to shareholders pursuant to a Plan of Dissolution and Liquidation. If the applicant's transfer agent is unable to make a distribution due to inability to locate shareholders to whom distributions are payable, the transfer agent will manage the distributions in accordance with applicable abandoned property laws. Expenses of \$347,689 incurred in connection with the liquidation were paid by applicant.

*Filing Dates:* The application was filed on November 1, 2016, and amended on November 28, 2016.

*Applicant's Address:* c/o Atlantic Fund Administration, LLC, Three Canal Plaza, Suite 600, Portland, Maine 04101.

**Stralem Fund [File No. 811-01920]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to a corresponding series of Ultimus Managers Trust and, on October 14, 2016, made a final distribution to its shareholders based on net asset value. Expenses of \$110,700 incurred in connection with the reorganization were paid by applicant's investment adviser.

*Filing Dates:* The application was filed on October 28, 2016, and amended on November 28, 2016.

*Applicant's Address:* 225 Pictoria Drive, Suite 450, Cincinnati, Ohio 45246.

**First Trust Dividend & Income Fund [File No. 811-22080]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to First Trust High Income ETF, a series of First Trust Exchange-Traded Fund VI, and, on October 21, 2016, made a final distribution to its shareholders based on net asset value. Expenses of \$375,115 incurred in connection with the reorganization were paid by applicant,

applicant's investment adviser, and the acquiring fund.

*Filing Dates:* The application was filed on October 31, 2016, and amended on November 30, 2016.

*Applicant's Address:* 120 East Liberty Drive, Suite 400, Wheaton, Illinois 60187.

**BPV Family of Funds [File No. 811-22588]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. On August 29, 2016, applicant made a liquidating distribution to its shareholders, based on net asset value. Expenses of approximately \$118,949 incurred in connection with the liquidation were paid by applicant.

*Filing Date:* The application was filed on December 1, 2016.

*Applicant's Address:* c/o BPV Capital Management, LLC, 9202 Northshore Dr., Suite 300, Knoxville, Tennessee 37922.

**Western Asset Emerging Markets Income Fund Inc. [File No. 811-07066]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Western Asset Emerging Markets Income Fund Inc. and, on October 31, 2008, made a final distribution to its shareholders based on net asset value. Expenses of \$105,000 incurred in connection with the reorganization were paid by applicant, Legg Mason, Inc., and the acquiring fund.

*Filing Dates:* The application was filed on October 21, 2016, and amended on December 7, 2016.

*Applicant's Address:* 55 Water Street, New York, New York 10041.

**Western Asset Emerging Markets Floating Rate Fund Inc. [File No. 811-08338]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Western Asset Emerging Markets Debt Fund Inc. and, on September 14, 2009, made a final distribution to its shareholders based on net asset value. Expenses of \$105,000 incurred in connection with the reorganization were paid by applicant, Legg Mason, Inc., and the acquiring fund.

*Filing Dates:* The application was filed on October 21, 2016, and amended on December 7, 2016.

*Applicant's Address:* 55 Water Street, New York, New York 10041.

**Western Asset High Income Fund Inc. [File No. 811-07162]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Western Asset High Income Opportunity Fund Inc. and, on June 24, 2013, made a final distribution to its shareholders based on net asset value. Expenses of \$176,000 incurred in connection with the reorganization were paid by applicant and applicant's investment adviser.

*Filing Dates:* The application was filed on October 21, 2016, and amended on December 7, 2016.

*Applicant's Address:* 620 Eighth Avenue, 49th Floor, New York, New York 10018.

**Western Asset Municipal Partners Fund II Inc. [File No. 811-07812]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. The applicant has transferred its assets to Western Asset Municipal Partners Fund Inc. and, on June 23, 2007, made a final distribution to its shareholders based on net asset value. Expenses of \$195,000 incurred in connection with the reorganization were paid by applicant and the acquiring fund.

*Filing Dates:* The application was filed on October 21, 2016, and amended on December 7, 2016.

*Applicant's Address:* 125 Broad Street, New York, New York 10004.

**Westport Funds [File No. 811-08359]**

*Summary:* Applicant seeks an order declaring that it has ceased to be an investment company. Applicant has transferred its assets to Hennessy Cornerstone Mid Cap 30 Fund, a series of Hennessy Funds Trust, and, on September 22, 2016, made a final distribution to its shareholders based on net asset value. Expenses of approximately \$380,873 incurred in connection with the reorganization were paid by applicant's investment adviser and the acquiring fund's investment adviser.

*Filing Dates:* The application was filed on November 10, 2016, and amended on December 14, 2016.

*Applicant's Address:* 253 Riverside Avenue, Westport, Connecticut 06880.

**City National Rochdale International Trade Fixed Income Fund [File No. 811-22552]**

*Summary:* Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On November 18,

2016, applicant made a final liquidating distribution to its shareholders, based on net asset value. Expenses of \$33,332 incurred in connection with the liquidation were paid by applicant.

*Filing Dates:* The application was filed on December 23, 2014, and amended on December 7, 2016 and December 22, 2016.

*Applicant's Address:* 400 Park Avenue, New York, New York 10022.

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

**Eduardo A. Aleman,**  
Assistant Secretary.

[FR Doc. 2016-32041 Filed 1-5-17; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-79713; File No. SR-NYSEARCA-2016-166]

### Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending NYSE Arca Equities Rule 7.35(d)(4)

December 30, 2016.

Pursuant to Section 19(b)(1)<sup>1</sup> of the Securities Exchange Act of 1934 (the "Act")<sup>2</sup> and Rule 19b-4 thereunder,<sup>3</sup> notice is hereby given that, on December 16, 2016, NYSE Arca, Inc. (the "Exchange" or "NYSE Arca") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the self-regulatory organization. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

#### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange proposes to amend NYSE Arca Equities Rule 7.35(d)(4) to provide that the Exchange would not report an Official Closing Price, as defined under NYSE Arca Equities Rule 1.1(gg)(1), if there were no consolidated last-sale eligible trades on a trading day. The proposed rule change is available on the Exchange's Web site at [www.nyse.com](http://www.nyse.com), at the principal office of the Exchange, and at the Commission's Public Reference Room.

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 15 U.S.C. 78a.

<sup>3</sup> 17 CFR 240.19b-4.

#### II. Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of those statements may be examined at the places specified in Item IV below. The Exchange has prepared summaries, set forth in sections A, B, and C below, of the most significant parts of such statements.

##### A. Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change

###### 1. Purpose

The Exchange proposes to amend NYSE Arca Equities Rule 7.35(d)(4) to provide that the Exchange would not report an Official Closing Price, as defined under NYSE Arca Equities Rule 1.1(gg)(1), if there were no consolidated last-sale eligible trades on a trading day. This proposed rule change would not change how the Official Closing Price would be determined and disseminated if the Exchange is unable to conduct a closing transaction in one or more securities due to a systems or technical issue, as described in NYSE Arca Equities Rules 1.1(gg)(2)-(4).

The Exchange reports an Official Closing Price to the securities information processor ("SIP") as an "M" sale condition.<sup>4</sup> As set forth in the SIP Specifications, a price reported to the SIP by an exchange under the "M" sale condition, which is called the "Market Center Official Close," is not used for purposes of determining a consolidated last sale price or the high or low price of a security and does not include any volume information. Each exchange determines what price could be reported to the SIP as its "Market Center Official Close." As provided for in Rule

<sup>4</sup> For a description of all sale conditions that are reportable to the SIP, including the "M" and "6" sale conditions, see the Consolidated Tape System Participant Communications Interface Specification, dated September 15, 2016, at 87, available here: [https://www.ctaplans.com/publicdocs/ctaplan/notifications/trader-update/cts-input\\_spec.pdf](https://www.ctaplans.com/publicdocs/ctaplan/notifications/trader-update/cts-input_spec.pdf), and the UTP Plan Trade Data Feed Direct Subscriber Interface Specification, dated November 2015, at 7-3, available here: <http://www.utplplan.com/DOC/utdfspecification.pdf> (together, "SIP Specifications"). A trade reported to the SIP as a Market Center Closing Trade with a "6" sale condition includes volume information, is included in the consolidated last sale, and is included in the high or low price of a security. The Exchange reports to the SIP closing auction trades of a round lot or more with a "6" sale condition.

7.35(d)(4), the Exchange publishes an Official Closing Price for all securities that trade on the NYSE Arca Marketplace. The term "Official Closing Price" is defined in Rule 1.1(gg).

The Exchange is proposing to amend NYSE Arca Equities Rule 7.35(d)(4) to provide that an Official Closing Price, as defined in NYSE Arca Equities Rule 1.1(gg)(1), would not be reported for a security if there were no consolidated last-sale eligible trades in such security on a trading day.<sup>5</sup> The Exchange does not believe that it should publish an Official Closing Price to the SIP as an "M" value if there has not been a consolidated last-sale eligible trade in a security on a trading day. For example, based on feedback from industry participants, the Exchange understands that certain market participants, such as index providers and mutual funds, follow a different method of determining a security's closing price when there have not been any last-sale eligible trades on a trading day. Under these circumstances, the Exchange understands that an Official Closing Price reported to the SIP as an "M" sale condition that differs from how an industry market participant may determine such value for its own purposes could lead to confusion if a market participant's systems read the "M" value published by the SIP that differs from their calculation.

Accordingly, this proposed rule change is intended to amend NYSE Arca Equities Rule 7.35(d)(4) to provide that the Exchange would not report an Official Closing Price, as defined in Rule 1.1(gg)(1), in a security as an "M" sale condition to the SIP if there were no consolidated last-sale eligible trades in such security on a trading day. And, as noted above, this proposed rule change would not alter how the Official Closing Price would be disseminated under NYSE Arca Equities Rules 1.1(gg)(2)-(4).

###### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,<sup>6</sup> in general, and furthers the objectives of Section 6(b)(5) of the Act,<sup>7</sup> in particular, in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to foster cooperation and coordination with persons engaged in

<sup>5</sup> The Exchange also proposes to amend NYSE Arca Equities Rule 7.35(d)(4) to provide that the Exchange would "report" an Official Closing Price, rather than "publish" an "Official Closing Price," because the SIP, and not the Exchange, publishes the Official Closing Price.

<sup>6</sup> 15 U.S.C. 78f(b).

<sup>7</sup> 15 U.S.C. 78f(b)(5).