

to be appropriate and publishes its reasons for so finding, or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day after publication of the notice for this proposed rule change is February 28, 2021. The Commission is extending this 45-day time period.

The Commission finds that it is appropriate to designate a longer period within which to take action on the proposal so that it has sufficient time to consider the proposed rule change. Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,⁵ designates April 14, 2021, as the date by which the Commission shall either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-Phlx-2021-03).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

J. Matthew DeLesDernier,
Assistant Secretary.

[FR Doc. 2021-04427 Filed 3-3-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Investment Company Act Release No. 34217]

[Notice of Applications for Deregistration Under Section 8(f) of the Investment Company Act of 1940]

February 26, 2021.

The following is a notice of applications for deregistration under section 8(f) of the Investment Company Act of 1940 for the month of February 2021. A copy of each application may be obtained via the Commission's website 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 emailing the SEC's Secretary at Secretarys-Office@sec.gov and serving the relevant applicant with a copy of the request by email, if an email address is listed for the relevant applicant below, or personally or by mail, if a physical address is listed for

the relevant applicant below. Hearing requests should be received by the SEC by 5:30 p.m. on March 23, 2021, 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 at Secretarys-Office@sec.gov.

ADDRESSES: The Commission:
Secretarys-Office@sec.gov.

FOR FURTHER INFORMATION CONTACT: Shawn Davis, Assistant Director, at (202) 551-6413 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.

2017 Mandatory Exchangeable Trust [File No. 811-23316]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. On December 1, 2020, applicant made liquidating distributions to its shareholders based on net asset value. Expenses of \$1,500 incurred in connection with the liquidation were paid by Inversora Carso, S.A. de C.V. (Mexico), Control Empresarial de Capitales, S.A. de C.V. (Mexico), and Banco Inbursa, S.A., Institución de Banca Múltiple, Grupo Financiero Inbursa.

Filing Date: The application was filed on December 10, 2020.

Applicant's Address: wendell.faria@dentons.com, dpuglisi@puglisiassoc.com.

Morgan Stanley New York Municipal Money Market Trust [File No. 811-05987]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On September 16, 2020, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of \$85,000 incurred in connection with the liquidation were paid by the applicant.

Filing Date: The application was filed on January 5, 2021.

Applicant's Address: Jill.Whitelaw@morganstanley.com.

Mutual of America Institutional Funds Inc. [811-08922]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. The applicant has

transferred its assets to Mutual of America Investment Corporation, and on December 16, 2020 made a final distribution to its shareholders based on net asset value. Expenses of \$457,705.50 incurred in connection with the reorganization were paid by the applicant's investment advisor.

Filing Date: The application was filed on December 21, 2020, and amended on February 9, 2021.

Applicant's Address: james.roth@mutualofamerica.com.

Nicholas High Income Fund, Inc. [File No. 811-00216]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On July 24, 2020, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of \$23,257.82 incurred in connection with the liquidation were paid by the applicant's investment advisor. Applicant also has an account receivable in the amount of \$4,500, which is retained for the payment due on a voluntary consent solicitation for a bond which was tendered prior to liquidation.

Filing Date: The application was filed on January 5, 2021.

Applicant's Address: jthompson@michaelbest.com.

Tigershares Trust [811-23371]

Summary: Applicant seeks an order declaring that it has ceased to be an investment company. On November 25, 2020, applicant made a liquidating distribution to its shareholders based on net asset value. Expenses of \$10,000 incurred in connection with the liquidation were paid by the applicant's investment adviser, and/or their affiliates.

Filing Date: The application was filed on December 11, 2020.

Applicant's Address: Stacy.Fuller@klgates.com.

XAI Octagon Credit Trust [File No. 811-23364]

Summary: Applicant, a closed-end investment company, seeks an order declaring that it has ceased to be an investment company. Applicant has never made a public offering of its securities and does not propose to make a public offering or engage in business of any kind.

Filing Date: The application was filed on January 5, 2021.

Applicant's Address: kevin.hardy@skadden.com.

⁵ *Id.*

⁶ 17 CFR 200.30-3(a)(31).

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

J. Matthew DeLesDernier,

Assistant Secretary.

[FR Doc. 2021-04411 Filed 3-3-21; 8:45 am]

BILLING CODE 8011-01-P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-91216; File No. SR-NYSEArca-2021-13]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing of Proposed Rule Change To Amend the Schedule of Wireless Connectivity Fees and Charges To Add Circuits for Connectivity Into and Out of the Data Center in Mahwah, New Jersey

February 26, 2021.

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (“Act”),² and Rule 19b-4 thereunder,³ notice is hereby given that on February 12, 2021, NYSE Arca, Inc. (“NYSE Arca” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. 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 the schedule of Wireless Connectivity Fees and Charges (the “Fee Schedule”) to (1) add circuits for connectivity into and out of the data center in Mahwah, New Jersey (the “Mahwah Data Center”); (2) add services available to customers of the Mahwah Data Center that are not colocation Users; and (3) change the name of the Fee Schedule to “Mahwah Wireless, Circuits, and Non-Colocation Connectivity Fee Schedule.” The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

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 Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to amend the Fee Schedule to add services (“NCL Services”) and related fees available to customers of the Mahwah Data Center that are not colocation Users (“NCL Customers”),⁴ as well as circuits into and out of the Mahwah Data Center that are available to both colocation Users and NCL Customers. In addition, in a conforming change, because the Fee Schedule would no longer be limited to wireless services, the Exchange proposes to change the name of the Fee Schedule from “Wireless Connectivity Fee Schedule” to “Mahwah Wireless, Circuits, and Non-Colocation Connectivity Fee Schedule.”⁵

The Exchange makes the current proposal solely as a result of its determination that the Commission’s recent interpretations of the Act’s definitions of the terms “exchange” and “facility,” as expressed in the Wireless Approval Order,⁶ apply to connectivity services described herein that are offered by entities other than the Exchange. The Exchange disagrees with the Commission’s interpretations, denies the services covered herein (and in the Wireless Approval Order) are offerings of an “exchange” or a “facility” thereof, and has sought review of the Commission’s interpretations, as

⁴ For purposes of the Exchange’s colocation services, a “User” means any market participant that requests to receive colocation services directly from the Exchange. See Securities Exchange Act Release No. 76010 (September 29, 2015), 80 FR 60197 (October 5, 2015) (SR-NYSEArca-2015-82).

⁵ Each of the Exchange’s affiliates (New York Stock Exchange LLC, NYSE American LLC, NYSE Chicago, Inc., and NYSE National, Inc.) (the “Affiliate SROs”) has submitted substantially the same proposed rule change to propose the changes described herein. See SR-NYSE-2021-14, SR-NYSEAMER-2021-10, SR-NYSECHX-2021-03, and SR-NYSEAT-2021-04.

⁶ See Securities Exchange Act Release No. 90209 (October 15, 2020), 85 FR 67044 (October 21, 2020) (SR-NYSE-2020-05, SR-NYSEAMER-2020-05, SR-NYSEArca-2020-08, SR-NYSECHX-2020-02, SR-NYSEAT-2020-03, SR-NYSE-2020-11, SR-NYSEAMER-2020-10, SR-NYSEArca-2020-15, SR-NYSECHX-2020-05, SR-NYSEAT-2020-08) (“Wireless Approval Order”).

expressed in the Wireless Approval Order, in the Court of Appeals for the District of Columbia Circuit.⁷ Pending resolution of such appeal, however, the Exchange is making this proposal in recognition that the Commission’s current interpretation brings certain offerings of the Exchange’s affiliates into the scope of the terms “exchange” or “facility.”

The Exchange expects the proposed change to be operative 60 days after the present filing becomes effective.

Mahwah Circuits

Customers can connect into and out of the Mahwah Data Center using either wireless connections or wired fiber optic circuits. Both IDS and numerous third-party telecommunications service providers offer wired circuits into and out of the Mahwah Data Center. The circuits that IDS offers are described below. Such IDS circuits are available to all colocation Users and NCL Customers, but such customers are not obligated to use them; rather, both colocation Users and NCL Customers may instead choose to contract directly with third-party telecom carriers for circuits into and out of the Mahwah Data Center.

The Exchange proposes to add to the Fee Schedule the circuit options offered by IDS to both colocation Users and NCL Customers to connect into and out of the Mahwah Data Center. Specifically, the Exchange proposes to amend the Fee Schedule to add two different types of circuits, each available in three different sizes, under the new heading “C. Mahwah Circuits.”

First, the Exchange proposes to amend the Fee Schedule to add “Optic Access” circuits, which are circuits that IDS operates and that customers can use to connect between the Mahwah Data Center and IDS access centers at the following six third-party owned data centers: (1) 111 Eighth Avenue, New York, NY; (2) 32 Avenue of the Americas, New York, NY; (3) 165 Halsey, Newark, NJ; (4) Secaucus, NJ (the “Secaucus Access Center”); (5) Carteret, NJ (the “Carteret Access Center”); and (6) Weehawken, NJ. Optic Access circuits are available in 1 Gb, 10 Gb, and 40 Gb sizes.

Second, the Exchange proposes to amend the Fee Schedule to add lower-latency Optic Low Latency circuits that IDS operates and that customers can use to connect between the Mahwah Data Center and IDS’s Secaucus Access Center or Carteret Access Center. Optic

⁷ *Intercontinental Exchange, Inc. v. SEC*, No. 20-1470 (D.C. Cir. 2020).

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.