

of the requirements of part 370 if circumstances exist that would make it impracticable or overly burdensome to meet those requirements. Pursuant to § 370.8(b)(2), the FDIC publishes a notice of its response to each exception request in the **Federal Register**. Pursuant to § 370.8(b)(3), a covered institution may rely upon another covered institution's exception request which the FDIC has previously granted by notifying the FDIC that it will invoke relief from certain part 370 requirements and demonstrating that the covered institution has substantially similar facts and circumstances to those of the covered institution that has already received the FDIC's approval. The notification letter must also include the information required under § 370.8(b)(1) and cite the applicable notice published pursuant to § 370.8(b)(2). Unless informed otherwise by the FDIC within 120 days after the FDIC's receipt of a complete notification for exception, the exception will be deemed granted subject to the same conditions set forth in the FDIC's published notice.

These grants of relief will be subject to ongoing FDIC review, analysis, and verification during the FDIC's routine part 370 compliance tests. The FDIC presumes each covered institution is meeting all the requirements set forth in the Rule unless relief has otherwise been granted. These grants of relief may be rescinded or modified upon: Discovery of misrepresentation; material change of circumstances or conditions related to the subject accounts; or failure to satisfy conditions applicable to each. The following exceptions were granted by the FDIC as of September 14, 2021.

**I. Certain Deposits Reflected on Loan Systems for Which the Covered Institutions Is Not Capable of Completing Deposit Insurance Calculation Process Because Additional Time Is Required for System Upgrades or Conversions**

The FDIC granted time-limited exception relief from part 370's information technology system requirements set forth in § 370.3 and recordkeeping requirements set forth in § 370.4 applicable to deposits reflected on loan systems, including deposits resulting from credit balances on an account for debt owed to the covered institution and deposits held in escrow by the covered institution. Such relief was granted to two covered institutions for up to 18 months after their compliance date. One covered institution requested exception relief from the recordkeeping requirements because it has multiple lending systems in need of recordkeeping upgrades and

technical coding fixes without which it cannot produce the requisite data within the timeframe and in the format required by § 370.4(d). The covered institution requested exception relief in order to complete its IT solution to integrate data into its part 370 calculation system and perform relevant testing. The other covered institution requested exception relief from the information technology system and recordkeeping requirements because it requires additional time to complete the conversion of its commercial loan servicing platform and make system upgrades. The FDIC granted both covered institutions a time-limited exception for up to 18 months from their respective compliance dates.

In connection with the FDIC's grants of relief, these covered institutions represented that they will maintain the capability to place holds on the deposit accounts subject to the exception in the event of failure until deposit insurance can be calculated using data manually extracted from the current loan systems. As conditions of relief, these covered institutions must submit a status report to [part370@fdic.gov](mailto:part370@fdic.gov) at the midpoint of the exception relief period and immediately bring to the FDIC's attention any change of circumstances or conditions.

Federal Deposit Insurance Corporation.

Dated at Washington, DC, on September 14, 2021.

**James P. Sheesley**,  
*Assistant Executive Secretary.*

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**BILLING CODE 6714-01-P**

**FEDERAL MARITIME COMMISSION**

[Docket No. 21-08]

**Eucatex of North America Inc.,  
Complainant v. CMA CGM (America)  
LLC and Fenix Marine Services Ltd.,  
Respondents; Notice of Filing of  
Complaint and Assignment**

Served: September 14, 2021.

Notice is given that a complaint has been filed with the Federal Maritime Commission (Commission) by Eucatex of North America Inc., hereinafter "Complainant", against CMA CGM (America) LLC (CMA) and Fenix Marine Services Ltd. (FMS), hereinafter "Respondents". Complainant state that it is a Georgia corporation. Complainant alleges that Respondent CMA is a New Jersey company and a common carrier under 46 U.S.C. 40102(7), and that Respondent FMS is a Delaware corporation and a marine terminal operator under 46 U.S.C. 40102(15).

Complainant alleges that Respondents violated 46 U.S.C. 41102(c), and 46 CFR 545.4 and 545.5, in relation to demurrage charges imposed on several shipments. The full text of the complaint can be found in the Commission's Electronic Reading Room at <https://www2.fmc.gov/readingroom/proceeding/21-08/>.

This proceeding has been assigned to Office of Administrative Law Judges. The initial decision of the presiding office in this proceeding shall be issued by September 14, 2022, and the final decision of the Commission shall be issued by March 28, 2023.

**Rachel E. Dickon**,  
*Secretary.*

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**FEDERAL RESERVE SYSTEM**

**Change in Bank Control Notices;  
Acquisitions of Shares of a Bank or  
Bank Holding Company**

The notificants listed below have applied under the Change in Bank Control Act (Act) (12 U.S.C. 1817(j)) and § 225.41 of the Board's Regulation Y (12 CFR 225.41) to acquire shares of a bank or bank holding company. The factors that are considered in acting on the applications are set forth in paragraph 7 of the Act (12 U.S.C. 1817(j)(7)).

The public portions of the applications listed below, as well as other related filings required by the Board, if any, are available for immediate inspection at the Federal Reserve Bank(s) indicated below and at the offices of the Board of Governors. This information may also be obtained on an expedited basis, upon request, by contacting the appropriate Federal Reserve Bank and from the Board's Freedom of Information Office at <https://www.federalreserve.gov/foia/request.htm>. Interested persons may express their views in writing on the standards enumerated in paragraph 7 of the Act.

Comments regarding each of these applications must be received at the Reserve Bank indicated or the offices of the Board of Governors, Ann E. Misback, Secretary of the Board, 20th Street and Constitution Avenue NW, Washington, DC 20551-0001, not later than October 4, 2021.

A. *Federal Reserve Bank of New York* (Ivan Hurwitz, Senior Vice President) 33 Liberty Street, New York, New York 10045-0001. Comments can also be sent electronically to [Comments.applications@ny.frb.org](mailto:Comments.applications@ny.frb.org):