

be conducting meetings that will include some Members being physically present at the NRC while other Members participate remotely. Interested members of the public are encouraged to participate remotely in any open sessions via MSTeams or via phone at 301-576-2978, passcode 5733356#. A more detailed agenda including the MSTeams link may be found at the ACRS public website at <https://www.nrc.gov/reading-rm/doc-collections/acrs/agenda/index.html>. If you would like the MSTeams link forwarded to you, please contact the Designated Federal Officer as follows: Quynh.Nguyen@nrc.gov or Lawrence.Burkhart@nrc.gov.

### Wednesday, June 1, 2022

*8:30 a.m.–8:35 a.m.: Opening Remarks by the ACRS Chairman (Open)*—The ACRS Chairman will make opening remarks regarding the conduct of the meeting.

*8:35 a.m.–10:30 a.m.: Outline for Draft SECY Paper to Allow for Consideration of Risk-Informed Alternatives for Addressing Digital Instrumentation and Control (DI&C) Common Cause Failure (CCF)/SHINE Memoranda Review (Open)*—The Committee will have presentations and discussion with representatives from the NRC staff and the Nuclear Energy Institute (NEI).

*10:30 a.m.–11:30 a.m.: Committee Deliberation on Outline for Draft SECY Paper to Allow for Consideration of Risk-Informed Alternatives for Addressing DI&C CCF/SHINE Memoranda Review (Open)*—The Committee will deliberate regarding the subject topic.

*1:00 p.m.–3:00 p.m.: Proposed Rulemaking Language for 10 CFR Part 53, Framework A/SHINE Memoranda Review (Open)*—The Committee will have presentations and discussion with representatives from the NRC staff regarding the subject topic.

*3:00 p.m.–4:00 p.m.: Committee Deliberation on Proposed Rulemaking Language for 10 CFR part 53, Framework A/SHINE Memoranda Review (Open)*—The Committee will deliberate regarding the subject topic.

*4:00 p.m.–6:00 p.m.: SHINE Memoranda Review/Report Preparation (Open/Closed)*—The Committee will deliberate regarding the subject topic and will continue its discussion of proposed ACRS reports. [NOTE: Pursuant to 5 U.S.C 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

### Thursday, June 2, 2022

*8:30 a.m.–11:30 a.m.: Future ACRS Activities/Report of the Planning and Procedures Subcommittee and Reconciliation of ACRS Comments and Recommendations/Preparation of Reports/Commission Meeting Preparation (Open/Closed)*—The Committee will hear discussion of the recommendations of the Planning and Procedures Subcommittee regarding items proposed for consideration by the Full Committee during future ACRS meetings, and/or proceed to preparation of reports as determined by the Chairman. [NOTE: Pursuant to 5 U.S.C. 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.] [NOTE: Pursuant to 5 U.S.C. 552b(c)(2) and (6), a portion of this meeting may be closed to discuss organizational and personnel matters that relate solely to internal personnel rules and practices of the ACRS, and information the release of which would constitute a clearly unwarranted invasion of personal privacy.]

*1:00 p.m.–6:00 p.m.: Preparation of Reports/Commission Meeting Preparation (Open/Closed)*—The Committee will continue its discussion of proposed ACRS reports and Commission meeting preparation. [NOTE: Pursuant to 5 U.S.C 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

### Friday, June 3, 2022

*8:30 a.m.–9:30 a.m.: Preparation for Commission Meeting, if needed*—The Committee will prepare for the Commission meeting as needed.

*10:00 a.m.–12:00 p.m.: Meeting with the Commission*—The Committee will have a meeting with the Commission (see <https://www.nrc.gov/public-involve/public-meetings/schedule.html>).

*1:30 p.m.–6:00 p.m.: Preparation of Reports (Open/Closed)*—The Committee will continue its discussion of proposed ACRS reports. [NOTE: Pursuant to 5 U.S.C 552b(c)(4), a portion of this session may be closed in order to discuss and protect information designated as proprietary.]

Procedures for the conduct of and participation in ACRS meetings were published in the **Federal Register** on June 13, 2019 (84 FR 27662). In accordance with those procedures, oral or written views may be presented by members of the public, including representatives of the nuclear industry. Persons desiring to make oral statements should notify Quynh Nguyen, Cognizant ACRS Staff and the Designated Federal

Officer (Telephone: 301-415-5844, Email: [Quynh.Nguyen@nrc.gov](mailto:Quynh.Nguyen@nrc.gov)), 5 days before the meeting, if possible, so that appropriate arrangements can be made to allow necessary time during the meeting for such statements. In view of the possibility that the schedule for ACRS meetings may be adjusted by the Chairman as necessary to facilitate the conduct of the meeting, persons planning to attend should check with the cognizant ACRS staff if such rescheduling would result in major inconvenience.

An electronic copy of each presentation should be emailed to the cognizant ACRS staff at least one day before meeting.

In accordance with Subsection 10(d) of Public Law 92-463 and 5 U.S.C. 552b(c), certain portions of this meeting may be closed, as specifically noted above. Use of still, motion picture, and television cameras during the meeting may be limited to selected portions of the meeting as determined by the Chairman. Electronic recordings will be permitted only during the open portions of the meeting.

ACRS meeting agendas, meeting transcripts, and letter reports are available through the NRC Public Document Room (PDR) at [pdr.resource@nrc.gov](mailto:pdr.resource@nrc.gov), or by calling the PDR at 1-800-397-4209, or from the Publicly Available Records System component of NRC's Agencywide Documents Access and Management System, which is accessible from the NRC website at <https://www.nrc.gov/reading-rm/adams.html> or <https://www.nrc.gov/reading-rm/doc-collections/#ACRS/>.

Dated: May 10, 2022.

**Russell E. Chazell,**

*Federal Advisory Committee Management Officer, Office of the Secretary.*

[FR Doc. 2022-10409 Filed 5-13-22; 8:45 am]

**BILLING CODE 7590-01-P**

## NUCLEAR REGULATORY COMMISSION

[Docket Nos. STN 50-528, STN 50-529, STN 50-530, and 72-44; NRC-2021-0031]

**In the Matter of Arizona Public Service Company and Public Service Company of New Mexico; Palo Verde Nuclear Generating Station, Units 1, 2, and 3, and Independent Spent Fuel Storage Installation**

**AGENCY:** Nuclear Regulatory Commission.

**ACTION:** Indirect transfer of licenses; extending effectiveness of order.

**SUMMARY:** The U.S. Nuclear Regulatory Commission (NRC) is issuing an order to

extend until May 25, 2023, the effectiveness of a May 25, 2021, order, which approved the indirect transfer of Public Service Company of New Mexico's (PNM's) interests in Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74 for the Palo Verde Nuclear Generating Station (Palo Verde), Units 1, 2, and 3, respectively, and the associated general license for the Palo Verde independent spent fuel storage installation to Avangrid, Inc.

**DATES:** The order was issued on May 10, 2022, and was effective upon issuance.

**ADDRESSES:** Please refer to Docket ID NRC-2021-0031 when contacting the NRC about the availability of information regarding this document. You may obtain publicly available information related to this document using any of the following methods:

- *Federal Rulemaking Website:* Go to <https://www.regulations.gov> and search for Docket ID NRC-2021-0031. Address questions about Docket IDs in *Regulations.gov* to Stacy Schuman; telephone: 301-415-0624; email: [Stacy.Schuman@nrc.gov](mailto:Stacy.Schuman@nrc.gov). For technical questions, contact the individual listed in the **FOR FURTHER INFORMATION CONTACT** section of this document.

- *NRC's Agencywide Documents Access and Management System (ADAMS):* You may obtain publicly available documents online in the ADAMS Public Documents collection at <https://www.nrc.gov/reading-rm/adams.html>. To begin the search, select "Begin Web-based ADAMS Search." For problems with ADAMS, please contact the NRC's Public Document Room (PDR) reference staff at 1-800-397-4209, 301-415-4737, or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov). The written application for extending the effectiveness of the indirect transfer order is available in ADAMS under Accession No. ML22040A068. The order extending the effectiveness of the approval of the indirect transfer of licenses is available in ADAMS under Accession No. ML22101A256.

- *NRC's PDR:* You may examine and purchase copies of public documents, by appointment, at the NRC's PDR, Room P1 B35, One White Flint North, 11555 Rockville Pike, Rockville, Maryland 20852. To make an appointment to visit the PDR, please send an email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov) or call 1-800-397-4209 or 301-415-4737, between 8:00 a.m. and 4:00 p.m. (ET), Monday through Friday, except Federal holidays.

**FOR FURTHER INFORMATION CONTACT:** Siva P. Lingam, Office of Nuclear Reactor Regulation, U.S. Nuclear Regulatory Commission, Washington, DC 20555-

0001; telephone: 301-415-1564; email: [Siva.Lingam@nrc.gov](mailto:Siva.Lingam@nrc.gov).

**SUPPLEMENTARY INFORMATION:** The text of the order is attached.

Dated: May 11, 2022.

For the Nuclear Regulatory Commission.

**Siva P. Lingam,**

*Project Manager, Plant Licensing Branch IV, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

### **Attachment—Order Extending the Effectiveness of the Approval of the Indirect Transfer of Licenses**

#### **United States of America**

#### **Nuclear Regulatory Commission**

*In the Matter of:* Arizona Public Service Company, Public Service Company of New Mexico, Palo Verde Nuclear Generating Station, Units 1, 2, 3, and Independent Spent Fuel Storage Installation.

Docket Nos.: STN 50-528, STN 50-529, STN 50-530, and 72-44

License Nos.: NPF-41, NPF-51, and NPF-74

### **Order Extending the Effectiveness of the Approval of the Indirect Transfer of Licenses**

#### **I**

Arizona Public Service Company (APS) is the licensed operator and a licensed co-owner of Renewed Facility Operating License Nos. NPF-41, NPF-51, and NPF-74 for the Palo Verde Nuclear Generating Station (Palo Verde), Units 1, 2, and 3, respectively, and the associated general license for the Palo Verde independent spent fuel storage installation (the licenses). Palo Verde is located in Maricopa County, Arizona. The other licensed co-owners (tenants-in-common), Salt River Project Agricultural Improvement and Power District; Southern California Edison Company; El Paso Electric Company; Public Service Company of New Mexico (PNM); Southern California Public Power Authority; and Los Angeles Department of Water and Power, hold possession-only rights for the licenses (*i.e.*, they are not licensed to operate the facility).

#### **II**

By application dated December 2, 2020 (Agencywide Documents Access and Management System (ADAMS) Accession No. ML20337A344), as supplemented by letters dated February 26, 2021, and May 14, 2021 (ADAMS Accession Nos. ML21061A156 and ML21134A244, respectively), APS, on behalf of PNM, Avangrid, Inc. (Avangrid), and their corporate affiliates (together, the applicants), requested,

pursuant to Section 184 of the Atomic Energy Act of 1954, as amended, and Title 10 of the *Code of Federal Regulations* (10 CFR) Sections 50.80, "Transfer of licenses," and 72.50, "Transfer of license," that the U.S. Nuclear Regulatory Commission (NRC, the Commission) consent to the indirect transfer of PNM's 10.2 percent tenant-in-common interest and possession-only rights in the licenses to Avangrid. By indirect transfer order dated May 25, 2021, the Commission consented to this indirect transfer. By its terms, the indirect transfer order becomes null and void if the transfer is not completed within 1 year (*i.e.*, by May 25, 2022), provided, however, that upon written application and for good cause shown, such date may be extended by order.

#### **III**

By letter dated February 8, 2022 (ADAMS Accession No. ML22040A068), the applicants submitted a written application to extend the effectiveness of the indirect transfer order by 1 year, until May 25, 2023. As stated in the application, by order dated December 8, 2021, the New Mexico Public Regulation Commission (NMPRC) declined to issue the regulatory approvals necessary for the applicants to consummate the proposed indirect transfer. The applicants have obtained all other required regulatory approvals, but they cannot proceed with the transfer without the approval of the NMPRC. On January 3, 2022, the applicants filed a Notice of Appeal of the NMPRC order to the Supreme Court of New Mexico. It is not expected, however, that these further legal proceedings will be resolved within the one-year effectiveness of the indirect transfer order (*i.e.*, by May 25, 2022). The extension would allow adequate time for the applicants to obtain the required regulatory approval and consummate the transfer.

Based on the above, the NRC staff has determined that the applicants have shown good cause for extending the effectiveness of the indirect transfer order by 1 year, as requested.

#### **IV**

Accordingly, pursuant to Sections 161b, 161i, and 184 of the Atomic Energy Act of 1954, as amended, 42 U.S.C. Sections 2201(b), 2201(i), and 2234; and 10 CFR 50.80 and 10 CFR 72.50, *it is hereby ordered* that the effectiveness of the indirect transfer order dated May 25, 2021, is extended until May 25, 2023. Should the subject indirect license transfer from PNM to Avangrid not be completed by May 25, 2023, the indirect transfer order shall

become null and void, provided, however, that upon written application and for good cause shown, such date may be extended by order.

This Order is effective upon issuance.

For further details with respect to this Order, see the written application for extension dated February 8, 2022, which is available electronically through ADAMS in the NRC Library at <https://www.nrc.gov/reading-rm/adams.html> under Accession No. ML22040A068. Persons who encounter problems with ADAMS should contact the NRC's Public Document Room reference staff by telephone at 1-800-397-4209 or 301-415-4737 or by email to [PDR.Resource@nrc.gov](mailto:PDR.Resource@nrc.gov).

Dated: May 10, 2022.

For the Nuclear Regulatory Commission.

/RA/

**Gregory F. Suber,**

*Deputy Director, Division of Operating Reactor Licensing, Office of Nuclear Reactor Regulation.*

[FR Doc. 2022-10468 Filed 5-13-22; 8:45 am]

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-94882; File No. SR-Phlx-2022-20]

### Self-Regulatory Organizations; Nasdaq PHLX LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Amend Equity 7, Section 3 To Add a New Transaction Credit

May 10, 2022.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act"),<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on May 2, 2022, Nasdaq PHLX LLC ("Phlx" or "Exchange") filed with the Securities and Exchange Commission ("SEC" or "Commission") the proposed rule change as described in Items I, II, and III, 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 Equity 7, Section 3 to add a new transaction credit, as described further below. The text of the proposed rule change is available on the Exchange's

website at <https://listingcenter.nasdaq.com/rulebook/phlx/rules>, 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 Exchange 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 these 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 aspects of such statements.

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

###### 1. Purpose

The purpose of the proposed rule change is to amend Equity 7, Section 3 to amend the Exchange's schedule of credits to add a new growth credit for displayed orders.

Pursuant to Equity 7, Section 3, the Exchange presently provides a series of credits to member organizations that enter displayed orders/quotes that execute on the Exchange. The Exchange presently offers the following credits to member organizations that add displayed liquidity to the Exchange: (i) \$0.0035 per share executed for Quotes/Orders entered by a member organization that provides 0.10% or more of total Consolidated Volume<sup>3</sup> during the month; (ii) \$0.0034 per share executed for Quotes/Orders entered by a member organization that provides 0.05% or more of total Consolidated Volume during the month and removes 0.02% of total Consolidated Volume during the month; (iii) 0.0030 per share executed for Quotes/Orders entered by a member organization that provides a daily average of at least 1 million shares of liquidity in all securities on the Exchange during the month and

<sup>3</sup> Pursuant to Equity 7, Section 3, the term "Consolidated Volume" means the total consolidated volume reported to all consolidated transaction reporting plans by all exchanges and trade reporting facilities during a month in equity securities, excluding executed orders with a size of less than one round lot. For purposes of calculating Consolidated Volume and the extent of a member organization's trading activity, the date of the annual reconstitution of the Russell Investments Indexes is excluded from both total Consolidated Volume and the member organization's trading activity.

increases its average daily volume of Quotes/Orders added to the Exchange by 100% or more during the month relative to the month of October 2021; and (iv) \$0.0020 per share executed for all other quotes/orders.

The Exchange proposes to establish a new growth credit that will reward a member organization with a credit of \$0.0032 per share executed to the extent that it adds a daily average of at least 2 million shares of liquidity in all securities on the Exchange during the month and increases its average daily volume of quotes/orders added to the Exchange by 75% or more during the month relative to the month of March 2022.

The proposed new growth credit will provide an additional incentive to member organizations to add and increase the extent to which they add liquidity to the Exchange. Insofar as the proposed growth credit will require a qualifying member organization to provide double the daily average number of shares of liquidity on the Exchange as it must to qualify for the existing \$0.0030 per share executed growth tier credit, the Exchange believes it is reasonable for the amount of the proposed credit to be larger, at \$0.0032 per share executed. To the extent that the proposed new credit succeeds in increasing liquidity on the Exchange, the Exchange hopes that additional liquidity will improve the quality of the market and help to grow it over time.

###### 2. Statutory Basis

The Exchange believes that its proposal is consistent with Section 6(b) of the Act,<sup>4</sup> in general, and furthers the objectives of Sections 6(b)(4) and 6(b)(5) of the Act,<sup>5</sup> in particular, in that it provides for the equitable allocation of reasonable dues, fees and other charges among member organizations and issuers and other persons using any facility, and is not designed to permit unfair discrimination between customers, issuers, brokers, or dealers.

The Commission and the courts have repeatedly expressed their preference for competition over regulatory intervention in determining prices, products, and services in the securities markets. In Regulation NMS, while adopting a series of steps to improve the current market model, the Commission highlighted the importance of market forces in determining prices and SRO revenues and, also, recognized that current regulation of the market system "has been remarkably successful in promoting market competition in its

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

<sup>2</sup> 17 CFR 240.19b-4.

<sup>4</sup> 15 U.S.C. 78f(b).

<sup>5</sup> 15 U.S.C. 78f(b)(4) and (5).