

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received From Members, Participants, or Others

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

Because the foregoing proposed rule change does not: (i) significantly affect the protection of investors or the public interest; (ii) impose any significant burden on competition; and (iii) become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act⁸ and Rule 19b-4(f)(6)(iii) thereunder.⁹

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. 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. Please include File No. SR-NASDAQ-2011-169 on the subject line.

Paper Comments

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549-1090.
- All submissions should refer to File No. SR-NASDAQ-2011-169. 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 a.m. and 3 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-NASDAQ-2011-169 and should be submitted on or before January 11, 2012.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁰

Kevin M. O'Neill,
Deputy Secretary.

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DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Notice of Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits Filed Under Subpart B (Formerly Subpart Q) During the Week Ending November 26, 2011

The following Applications for Certificates of Public Convenience and Necessity and Foreign Air Carrier Permits were filed under Subpart B (formerly Subpart Q) of the Department of Transportation's Procedural Regulations (See 14 CFR 301.201 *et seq.*). The due date for Answers, Conforming Applications, or Motions to Modify Scope are set forth below for each application. Following the Answer period DOT may process the application by expedited procedures. Such

procedures may consist of the adoption of a show-cause order, a tentative order, or in appropriate cases a final order without further proceedings.

Docket Number: DOT-OST-2011-0216.

Date Filed: November 23, 2011.

Due Date for Answers, Conforming Applications, or Motion To Modify Scope: December 14, 2011.

Description: Application of Trans Executive Airlines of Hawaii, Inc. d/b/a Transair d/b/a Interisland Airways ("Transair") requesting a certificate of public convenience and necessity authorizing Transair to engage in interstate scheduled and charter air transportation of persons, property and mail.

Renee V. Wright,

Program Manager, Docket Operations Federal Register Liaison.

[FR Doc. 2011-32609 Filed 12-20-11; 8:45 am]

BILLING CODE 4910-9X-P

DEPARTMENT OF TRANSPORTATION

Office of the Secretary

Aviation Proceedings, Agreements Filed the Week Ending December 3, 2011

The following Agreements were filed with the Department of Transportation under the sections 412 and 414 of the Federal Aviation Act, as amended (49 U.S.C. 1382 and 1384) and procedures governing proceedings to enforce these provisions. Answers may be filed within 21 days after the filing of the application.

Docket Number: DOT-OST-2011-0218.

Date Filed: November 30, 2011.

Parties: Members of the International Air Transport Association.

Subject:

Composite Passenger Tariff
Coordinating Conference Singapore,
14 October 2011.

Composite Resolution 017i.
(Memo PTC COMP 1652.)

Intended Effective Date: 1 April 2012.

Docket Number: DOT-OST-2011-0219.

Date Filed: November 30, 2011.

Parties: Members of the International Air Transport Association.

Subject:

Composite Passenger Tariff
Coordinating Conference Singapore,
14 October 2011,

Composite Resolution 011b.
(Memo PTC COMP 1653.)

Intended Effective Date: 1 June 2012.

Docket Number: DOT-OST-2011-0220.

⁸ 15 U.S.C. 78s(b)(3)(A).

⁹ 17 CFR 240.19b-4(f)(6)(iii). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange has satisfied this requirement.

¹⁰ 17 CFR 200.30-3(a)(12).

Date Filed: November 30, 2011.

Parties: Members of the International Air Transport Association.

Subject:

Composite Passenger Tariff

Coordinating Conference Singapore, 14 October 2011.

Composite Resolutions 012, 017c. (Memo PTC COMP 1654.)

Intended Effective Date: 1 April 2012.

Docket Number: DOT-OST-2011-0221.

Date Filed: November 30, 2011.

Parties: Members of the International Air Transport Association.

Subject:

Composite Passenger Tariff

Coordinating Conference Singapore, 14 October 2011.

Composite Resolutions 010o. (Memo PTC COMP 1655.)

Composite Passenger Tariff

Coordinating Conference Singapore, 14 October 2011 Minutes, (Memo PTC COMP 1656.)

Intended Effective Date: 30 January 2012.

Docket Number: DOT-OST-2011-0222.

Date Filed: November 30, 2011.

Parties: Members of the International Air Transport Association.

Subject:

Mail Vote 695.

TC3 Special Passenger Amending Resolution 010n.

Special Passenger Amending Resolution between China (excluding Hong Kong SAR and Macao SAR) and Japan.

(Memo 1440.)

Intended Effective Date: December 15, 2011.

Renee V. Wright,

Program Manager, Docket Operations Federal Register Liaison.

[FR Doc. 2011-32606 Filed 12-20-11; 8:45 am]

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DEPARTMENT OF TRANSPORTATION

Federal Aviation Administration

Notice of Intent To Rule on Passenger Facility Charge (PFC) Application 11-09-C-00-BWI, To Impose and Use PFC Revenue at Baltimore/Washington International Thurgood Marshall Airport, Baltimore, MD

AGENCY: Federal Aviation Administration (FAA), DOT.

ACTION: Notice of intent to rule on application.

SUMMARY: The FAA proposes to rule and invites public comment on the application to impose and use PFC

revenue at Baltimore/Washington International Thurgood Marshall Airport, under the provisions of the Aviation Safety and Capacity Expansion Act of 1990 (Title IX of the Omnibus Budget Reconciliation Act of 1990, Pub. L. 101-508) and Part 158 of the Federal Aviation Regulations (14 CFR part 158).

DATES: Comments must be received on or before February 3, 2012.

ADDRESSES: Comments on this application may be mailed or delivered in triplicate to the FAA at the following address: Federal Aviation Administration, Washington Airports District Office, 23723 Air Freight Lane, Suite 210, Dulles, Virginia 20166. In addition, one copy of any comments submitted to the FAA must be mailed or delivered to Mr. David Isquith, Senior Financial Analysis, Maryland Aviation Administration, at the following address: P.O. Box 8766, BWI Airport, Maryland 21240. Air carriers and foreign air carriers may submit copies of written comments previously provided to Maryland Aviation Administration under section 158.23 of Part 158.

FOR FURTHER INFORMATION CONTACT: Mr. Terry J. Page, Manager, Washington Airports District Office, 23723 Air Freight Lane, Suite 210, Dulles, Virginia 20166, Telephone: (703) 661-1354. The application may be reviewed in person at this same location.

SUPPLEMENTARY INFORMATION: The FAA proposes to rule and invites public comment on the application to impose and use PFC revenue at Baltimore/Washington International Thurgood Marshall Airport under the provisions of 49 U.S.C. 40117 and Part 158 of the Federal Aviation Regulations (14 CFR Part 158). On December 14, 2011, the FAA determined that the application to impose and use PFC submitted by Maryland Aviation Administration was substantially complete within the requirements of section 158.25 of Part 158. The FAA will approve or disapprove the application, in whole or in part, no later than March 19, 2012.

The following is a brief overview of the impose and use application No. 11-09-C-00-BWI:

Proposed charge effective date: March 1, 2018.

Proposed charge expiration date: September 1, 2020.

Level of the proposed PFC: \$4.50.

Total estimated PFC revenue: \$134,459,000.

Description of Proposed Impose and Use Project

Terminal B/C Connector. This project will construct a 40-foot-wide passenger connector hallway between the secured

side of Concourses B and C in order to allow connecting passengers the ability to move freely between Concourse B and C without having to exit the secure side of one concourse and having to be rescreened at a passenger screening checkpoint of the other concourse. The project will also include the widening of Concourse C to provide fire/life safety compliance with required ingress/egress of passengers. In addition, the existing 6-lane passenger security checkpoint for Concourse C will be relocated and expanded to a total of 9 passenger screening lanes to allow for more efficient passenger screening times during peak periods. The existing airline outbound baggage conveyance system will be required to be reconfigured to accommodate the Concourse B/C Connector project along with the relocation/reconfiguration of several airport concessions, Maryland Aviation Administration offices. Other elements include the reconfiguration of several emergency exit stairwells and the construction of a temporary passenger hallway connector between Concourse B and C that will be required during construction. The Concourse C mechanical chiller is being upgraded to accommodate the additional terminal square footage.

Class or Classes of Air Carriers Which the Public Agency Has Requested Not To Be Required to Collect PFCs: Nonscheduled/on demand air carriers, filing FAA Form 1800-31.

Any person may inspect the application in person at the FAA office listed above under **FOR FURTHER INFORMATION CONTACT**. In addition, any person may, upon request, inspect the application, notice and other documents germane to the application in person at the Maryland Aviation Administration.

Issued at Dulles, Virginia, on December 14, 2011.

Terry J. Page,

Manager, Washington Airports District Office.

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BILLING CODE 4910-13-P

DEPARTMENT OF TRANSPORTATION

Surface Transportation Board

[Docket No. FD 35568]

Genesee & Wyoming Inc.— Continuance in Control Exemption— Hilton & Albany Railroad, Inc.

AGENCY: Surface Transportation Board.

ACTION: Notice of exemption.

SUMMARY: The Board is granting an exemption under 49 U.S.C. 10502 from the prior approval requirements of 49