

### *B. Self-Regulatory Organization's Statement on Burden on Competition*

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will keep trading license fees the same as they have been since June 2011. As a result, the Exchange does not believe that the proposed rule change will place an unreasonable burden on current members because their trading license fees will remain the same. In addition, the Exchange does not believe that the proposed rule change will place an unreasonable burden on potential members because a potential member's fees will be the same as for a current member and pro-rated for licenses held for less than year.

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

No written comments were solicited or received with respect to the proposed rule change.

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)<sup>6</sup> of the Act and subparagraph (f)(2) of Rule 19b-4<sup>7</sup> thereunder, because it establishes a due, fee, or other charge imposed by NYSE.

At any time within 60 days of the filing of such 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:

trading license fee was initially set at \$40,000 in January 2009. See Securities Exchange Act Release No. 59140 (December 22, 2008), 73 FR 80488 (December 31, 2008) (SR-NYSE-2008-130). In June 2011, the fee was changed to \$40,000 per license for the first two licenses and \$25,000 per license for any additional trading licenses. See *supra* SR-NYSE-2011-23.

<sup>6</sup> 15 U.S.C. 78s(b)(3)(A).

<sup>7</sup> 17 CFR 240.19b-4(f)(2).

### *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 Number SR-NYSE-2012-79 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 Number SR-NYSE-2012-79. 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 the 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 Number SR-NYSE-2012-79 and should be submitted on or before January 31, 2013.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>8</sup>

**Kevin M. O'Neill,**

*Deputy Secretary.*

[FR Doc. 2013-00303 Filed 1-9-13; 8:45 am]

**BILLING CODE 8011-01-P**

<sup>8</sup> 17 CFR 200.30-3(a)(12).

### **SMALL BUSINESS ADMINISTRATION**

#### **CapitalSpring SBIC, L.P., License No. 09/79-0454, Notice Seeking Exemption Under the Small Business Investment Act, Conflicts of Interest**

Notice is hereby given that CapitalSpring SBIC, L.P., 950 3rd Avenue, 24th Floor, New York, NY 10022, a Federal Licensee under the Small Business Investment Act of 1958, as amended ("the Act"), in connection with the financing of a small concern, has sought an exemption under Section 312 of the Act and Section 107.730, Financings which Constitute Conflicts of Interest of the Small Business Administration ("SBA") Rules and Regulations (13 CFR 107.730). CapitalSpring Partners SBIC, L.P. proposes to provide debt security financing to LBE Holdings, LLC., 5305 Spine Road, Suite A, Boulder, CO 80301.

The financing is brought within the purview of § 107.730(a)(4) of the Regulations because Capital Spring Finance, Company, LLC and FCP III., all Associates of CapitalSpring SBIC, L.P., will participate in the financing, including a discharge of an obligation to CapitalSpring Finance Company, LLC and therefore this transaction is considered a financing of an Associate requiring prior SBA approval.

Notice is hereby given that any interested person may submit written comments on the transaction, within fifteen days of the date of this publication, to the Associate Administrator for Investment, U.S. Small Business Administration, 409 Third Street SW., Washington, DC 20416.

Dated: December 12, 2012.

**Sean J. Greene,**

*Associate Administrator for Investment.*

[FR Doc. 2012-31292 Filed 1-9-13; 8:45 am]

**BILLING CODE P**

### **SUSQUEHANNA RIVER BASIN COMMISSION**

#### **Actions Taken at December 14, 2012, Meeting**

**AGENCY:** Susquehanna River Basin Commission.

**ACTION:** Notice.

**SUMMARY:** As part of its regular business meeting held on December 14, 2012, in Annapolis, Maryland, the Commission took the following actions: (1) Approved settlement involving a water resources project; (2) approved or tabled the applications of certain water resources

projects; (3) rescinded approvals for two projects and tabled a rescission for another project; and (4) took additional actions, as set forth in the **SUPPLEMENTARY INFORMATION** below.

**DATES:** December 14, 2012.

**ADDRESSES:** Susquehanna River Basin Commission, 1721 N. Front Street, Harrisburg, PA 17102-2391.

**FOR FURTHER INFORMATION CONTACT:**

Richard A. Cairo, General Counsel, telephone: (717) 238-0423, ext. 306; fax: (717) 238-2436; email: [rcairo@srbc.net](mailto:rcairo@srbc.net). Regular mail inquiries may be sent to the above address. See also Commission Web site at [www.srbc.net](http://www.srbc.net).

**SUPPLEMENTARY INFORMATION:** In addition to the actions taken on projects identified in the summary above and the listings below, the following items were also presented or acted upon at the business meeting: (1) Recognized former Maryland Alternate Commissioner Herbert M. Sachs for his service to the Commission and established an SRBC Lifetime Achievement Award in Watershed Management in his name; (2) heard a presentation on eel collection, stocking, and research by U.S. Fish and Wildlife Service Fisheries Biologist Ian Park; (3) adopted a resolution urging adequate funding for the Susquehanna Flood Forecast & Warning System (SFFWS), the Advanced Hydrologic Prediction Services Program (AHPS), and the National Streamflow Information Program (NSIP); (4) adopted a Low Flow Protection Policy (LFPP); (5) authorized publication of notice of proposed rulemaking; (6) approved two grant amendments and authorized execution of a Feasibility Cost Sharing Agreement (FCSA) under terms negotiated by staff, and subject to subsequent ratification, for Phase II of the Susquehanna River Basin Ecological Flow Management Study; and (7) denied a request for an administrative hearing of the Municipal Authority of the Township of East Hempfield.

**Compliance Matter**

The Commission approved a settlement in lieu of civil penalty for the following project:

1. Chobani, Inc.; South Edmeston Facility, Town of Columbus, Chenango County, N.Y.—\$130,000.

**Rescission of Project Approvals**

The Commission rescinded approvals for the following projects:

1. Project Sponsor and Facility: Cinram Manufacturing, Borough of Olyphant, Lackawanna County, Pa. (Docket Nos. 19960701 and 19960701-1).

2. Project Sponsor and Facility: Woolrich, Inc., Gallagher Township, Clinton County, Pa. (Docket No. 20050305).

**Rescission of Project Approval Tabled**

The Commission tabled a rescission for the following project:

1. Project Sponsor and Facility: Clark Trucking, LLC Northeast Division (Lycoming Creek), Lewis Township, Lycoming County, Pa. (Docket No. 20111207).

**Project Applications Approved**

The Commission approved the following project applications:

1. Project Sponsor and Facility: Aqua Infrastructure, LLC (Source Approval), Piatt, Mifflin, Watson, Cummings, Anthony, Lycoming, and Cogan House Townships, Lycoming County, Pa. Modification to expand regional pipeline system (Docket No. 20120604).

2. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Bowman Creek), Eaton Township, Wyoming County, Pa. Renewal of surface water withdrawal of up to 0.290 mgd (peak day) (Docket No. 20080929).

3. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Meshoppen Creek), Lemon Township, Wyoming County, Pa. Renewal of surface water withdrawal of up to 0.054 mgd (peak day) (Docket No. 20080920).

4. Project Sponsor and Facility: Cabot Oil & Gas Corporation (Tunkhannock Creek), Lenox Township, Susquehanna County, Pa. Renewal of surface water withdrawal of up to 0.250 mgd (peak day) (Docket No. 20080918).

5. Project Sponsor and Facility: Centura Development Company, Inc., Old Lycoming Township, Lycoming County, Pa. Groundwater withdrawal of up to 0.250 mgd (30-day average) from Well 1.

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Wyalusing Creek), Rush Township, Susquehanna County, Pa. Renewal of surface water withdrawal of up to 0.715 mgd (peak day) (Docket No. 20110607).

7. Project Sponsor and Facility: Chief Oil & Gas LLC (Sugar Creek), Burlington Borough and Burlington Township, Bradford County, Pa. Surface water withdrawal of up to 0.099 mgd (peak day).

8. Project Sponsor and Facility: EQT Production Company, Duncan Township, Tioga County, Pa. Groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 1 and groundwater withdrawal of up to 0.072 mgd (30-day average) from Antrim Well 2.

9. Project Sponsor and Facility: EQT Production Company (Pine Creek), Porter Township, Lycoming County, Pa. Surface water withdrawal of up to 1.000 mgd (peak day).

10. Project Sponsor and Facility: EXCO Resources (PA), LLC (Little Muncy Creek), Franklin Township, Lycoming County, Pa. Surface water withdrawal of up to 0.999 mgd (peak day).

11. Project Sponsor and Facility: Borough of Patton, Clearfield Township, Cambria County, Pa. Groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 2 and groundwater withdrawal of up to 0.316 mgd (30-day average) from Well 3.

12. Project Sponsor and Facility: Pennsylvania General Energy Company, L.L.C. (First Fork Sinnemahoning Creek), Wharton Township, Potter County, Pa. Renewal of surface water withdrawal of up to 0.231 mgd (peak day) (Docket No. 20080928).

13. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek—Bodines), Lewis Township, Lycoming County, Pa. Request for extension of Docket No. 20091207.

14. Project Sponsor and Facility: Southwestern Energy Production Company (Lycoming Creek—Ralston), McIntyre Township, Lycoming County, Pa. Request for extension of Docket No. 20091210.

15. Project Sponsor and Facility: Southwestern Energy Production Company (Middle Lake), New Milford Township, Susquehanna County, Pa. Surface water withdrawal of up to 0.070 mgd (peak day).

16. Project Sponsor and Facility: Talisman Energy USA Inc. (Tamarack Lake), Armenia Township, Bradford County, Pa. Surface water withdrawal of up to 0.040 mgd (peak day).

17. Project Sponsor and Facility: West Cocalico Township Authority, West Cocalico Township, Lancaster County, Pa. Renewal of groundwater withdrawal of up to 0.259 mgd (30-day average) from Well 2 (Docket No. 19780101).

18. Project Sponsor and Facility: York County Solid Waste and Refuse Authority, Hopewell Township, York County, Pa. Modification to replace a remediation well source with no increase in the total system withdrawal limit (Docket No. 19970506).

**Project Applications Tabled**

The Commission tabled the following project applications:

1. Project Sponsor and Facility: Black Bear Waters, LLC (Lycoming Creek), Lewis Township, Lycoming County, Pa. Modification to increase surface water

withdrawal by an additional 0.500 mgd (peak day), for a total of 0.900 mgd (peak day) (Docket No. 20120303).

2. Project Sponsor and Facility: Caernarvon Township Authority, Caernarvon Township, Berks County, Pa. Application for renewal of groundwater withdrawal of up to 0.035 mgd (30-day average) from Well 6 (Docket No. 19820912).

3. Project Sponsor and Facility: Carrizo (Marcellus), LLC (Silver Creek), Silver Lake Township, Susquehanna County, Pa. Application for surface water withdrawal of up to 0.720 mgd (peak day).

4. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Athens Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 1.440 mgd (peak day) (Docket No. 20080906).

5. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Mehoopany Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080923).

6. Project Sponsor and Facility: Chesapeake Appalachia, LLC (Susquehanna River), Wysox Township, Bradford County, Pa. Application for renewal of surface water withdrawal of up to 0.999 mgd (peak day) (Docket No. 20080914).

7. Project Sponsor and Facility: Citrus Energy (Susquehanna River), Washington Township, Wyoming County, Pa. Application for renewal of surface water withdrawal of up to 1.994 mgd (peak day) (Docket No. 20081205).

8. Project Sponsor and Facility: Equipment Transport, LLC (Pine Creek), Gaines Township, Tioga County, Pa. Application for surface water withdrawal of up to 0.467 mgd (peak day).

9. Project Sponsor and Facility: Falling Springs Water Works, Inc. (Falling Springs Reservoir), Ransom Township, Lackawanna County, Pa. Application for surface water withdrawal of up to 0.800 mgd (peak day).

10. Project Sponsor and Facility: Galetton Borough Water Authority, Galetton Borough, Potter County, Pa. Application for groundwater withdrawal of up to 0.288 mgd (30-day average) from the Germania Street Well.

11. Project Sponsor and Facility: Houtzdale Municipal Authority (Beccaria Springs), Gulich Township, Clearfield County, Pa. Application for surface water withdrawal of up to 5.000 mgd (peak day).

12. Project Sponsor and Facility: Mark Manglaviti & Scott Kresge (Tunkhannock Creek), Tunkhannock Township, Wyoming County, Pa. Application for surface water withdrawal of up to 0.999 mgd (peak day).

13. Project Sponsor and Facility: Mountain Energy Services, Inc. (Tunkhannock Creek), Tunkhannock Township, Wyoming County, Pa. Modification to increase surface water withdrawal by an additional 0.499 mgd (peak day), for a total of 1.498 mgd (peak day) (Docket No. 20100309).

#### Project Applications Withdrawn

The following project applications were withdrawn by the project sponsors:

1. Project Sponsor and Facility: EXCO Resources (PA), LLC (Pine Creek), Watson Township, Lycoming County, Pa. Application for surface water withdrawal of up to 1.500 mgd (peak day).

2. Project Sponsor and Facility: Gaberseck Brothers (Odin Pond 2), Keating Township, Potter County, Pa. Application for surface water withdrawal of up to 0.249 mgd (peak day).

**Authority:** Pub. L. 91–575, 84 Stat. 1509 *et seq.*, 18 CFR parts 806, 807, and 808.

Dated: December 21, 2012.

**Thomas W. Beauduy,**  
*Deputy Executive Director.*

[FR Doc. 2013–00309 Filed 1–9–13; 8:45 am]

**BILLING CODE 7040–01–P**

#### SUSQUEHANNA RIVER BASIN COMMISSION

##### Projects Approved for Consumptive Uses of Water

**AGENCY:** Susquehanna River Basin Commission.

**ACTION:** Notice.

**SUMMARY:** This notice lists the projects approved by rule by the Susquehanna River Basin Commission during the period set forth in “**DATES.**”

**DATES:** October 1, 2012, through November 30, 2012.

**ADDRESSES:** Susquehanna River Basin Commission, 1721 North Front Street, Harrisburg, PA 17102–2391.

#### FOR FURTHER INFORMATION CONTACT:

Richard A. Cairo, General Counsel, telephone: (717) 238–0423, ext. 306; fax: (717) 238–2436; email: [rcairo@srbc.net](mailto:rcairo@srbc.net). Regular mail inquiries may be sent to the above address.

**SUPPLEMENTARY INFORMATION:** This notice lists the projects, described

below, receiving approval for the consumptive use of water pursuant to the Commission’s approval by rule process set forth in 18 CFR 806.22(e) and 18 CFR 806.22(f) for the time period specified above:

#### Approvals by Rule Issued Under 18 CFR 806.22(e)

1. Cinram Group, Inc., Olyphant, Pa. Facility, ABR–201211001, Borough of Olyphant, Lackawanna County, Pa.; Consumptive Use of Up to 0.200 mgd; Approval Date: November 5, 2012.

#### Approvals by Rule Issued Under 18 CFR 806.22(f)

1. Chesapeake Appalachia LLC, Pad ID: Hare Ridge, ABR–201210001, Rush Township, Susquehanna County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: October 2, 2012.
2. Cabot Oil & Gas Corporation, Pad ID: AldrichL P1, ABR–201210002, Gibson Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.
3. Cabot Oil & Gas Corporation, Pad ID: RutkowskiB P1, ABR–201210003, Lenox Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.
4. Cabot Oil & Gas Corporation, Pad ID: BrayB P1, ABR–201210004, Auburn Township, Susquehanna County, Pa.; Consumptive Use of Up to 3.575 mgd; Approval Date: October 3, 2012.
5. WPX Energy Appalachia, LLC, Pad ID: Reber—Dozier Well Pad, ABR–201210005, Liberty Township, Susquehanna County, Pa.; Consumptive Use of Up to 4.000 mgd; Approval Date: October 3, 2012.
6. Chief Oil & Gas LLC, Pad ID: T. Brown Drilling Pad, ABR–201210006, Lemon Township, Wyoming County, Pa.; Consumptive Use of Up to 2.000 mgd; Approval Date: October 9, 2012.
7. Chesapeake Appalachia LLC, Pad ID: Ramsher, ABR–201210007, Terry Township, Bradford County, Pa.; Consumptive Use of Up to 7.500 mgd; Approval Date: October 9, 2012.
8. XTO Energy Incorporated, LLC, Pad ID: West Brown A, ABR–201210008, Moreland Township, Lycoming County, Pa.; Consumptive Use of Up to 4.500 mgd; Approval Date: October 12, 2012.