

For the Nuclear Regulatory Commission.  
**Annette L. Vietti-Cook,**  
*Secretary of the Commission.*  
 [FR Doc. 2015-04490 Filed 3-3-15; 8:45 am]  
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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-74247A; File No. SR-BATS-2015-09]

### Self-Regulatory Organizations; BATS Exchange, Inc.; Notice of Filing of a Proposed Rule Change To Amend Rules 11.9, 11.12, and 11.13 of BATS Exchange, Inc.; Correction

February 26, 2015.

**AGENCY:** Securities and Exchange Commission

**ACTION:** Notice; correction.

**SUMMARY:** The Securities and Exchange Commission published a document in the **Federal Register** on February 18, 2015, concerning a Notice of Filing of a Proposed Rule Change to Amend Rules 11.9, 11.12, and 11.13 of BATS Exchange, Inc.. The document contained a typographical error.

**FOR FURTHER INFORMATION CONTACT:** Christopher P. Grobbel, Division of Trading and Markets, Securities and Exchange Commission, 100 F Street NE., Washington, DC 20549, (202) 551-5491.

### Correction

In the **Federal Register** of February 18, 2015 in FR Doc. 2015-3222, on page 8720, in the first and second line in the subheading under the heading “SECURITIES AND EXCHANGE COMMISSION” in the third column, correct the reference to “File No. SR-BATS-2014-09” instead to “File No. SR-BATS-2015-09.”

**Jill M. Peterson,**

*Assistant Secretary.*

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## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-74383; File No. SR-FINRA-2014-028]

### Self-Regulatory Organizations; Financial Industry Regulatory Authority, Inc.; Order Approving a Proposed Rule Change Relating to Revisions to the Definitions of Non-Public Arbitrator and Public Arbitrator

February 26, 2015.

#### I. Introduction

On June 17, 2014, the Financial Industry Regulatory Authority, Inc. (“FINRA”) filed with the Securities and Exchange Commission (“SEC” or “Commission”), 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> a proposed rule change to amend FINRA Rule 12100(p) of the Code of Arbitration Procedure for Customer Disputes (“Customer Code”) and FINRA Rule 13100(p) of the Code of Arbitration Procedure for Industry Disputes (“Industry Code”) (collectively, “Codes”), defining the term “non-public arbitrator,” and FINRA Rule 12100(u) of the Customer Code and Rule 13100(u) of the Industry Code, defining the term “public arbitrator.”

The proposed rule change was published for comment in the **Federal Register** on July 3, 2014. <sup>3</sup> On August 4, 2014, FINRA extended the time period in which the Commission must approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change to October 1, 2014. The Commission received three hundred sixteen (316) comment letters in response to the Notice of Filing. <sup>4</sup> On

September 30, 2014, the Commission received a letter from FINRA responding to the comment letters. <sup>5</sup> On October 1, 2014, the Commission issued an order to institute proceedings pursuant to section 19(b)(2)(B) of the Act <sup>6</sup> to determine whether to approve or disapprove the proposed rule change. The order was published for comment in the **Federal Register** on October 7, 2014. <sup>7</sup> The Commission received fourteen (14) comment letters in response to the Proceedings Order. <sup>8</sup> On

Mass, dated July 21, 2014 (“Mass Letter”); Glenn S. Gitomer, McCausland Keen and Buckman, dated July 23, 2014 (“Gitomer July Letter”); David T. Bellaire, Esq., Executive Vice President & General Counsel, Financial Services Institute, dated July 24, 2014 (“FSI Letter”); Thomas J. Berthel, CEO, Berthel Fisher & Company, dated July 24, 2014 (“Berthel Letter”); Kevin M. Carroll, Managing Director and Associate General Counsel, Securities Industry and Financial Markets Association, dated July 24, 2014 (“SIFMA July Letter”); CJ Croll, Student Intern, Elissa Germaine, Supervising Attorney, and Jill I. Gross, Director, Investor Rights Clinic at Pace Law School, dated July 24, 2014 (“PIRC July Letter”); Jason Doss, President, Public Investors Arbitration Bar Association, dated July 24, 2014 (“PIABA Letter”); George H. Friedman, Esq., George H. Friedman Consulting, LLC, dated July 24, 2014 (“Friedman July Letter”); Gary N. Hardiman, dated July 24, 2014 (“Hardiman Letter”); J. Burton LeBlanc, President, American Association for Justice, dated July 24, 2014 (“AAJ Letter”); Richard P. Ryder, Esq., President, Securities Arbitration Commentator, Inc., dated July 24, 2014 (“SAC July Letter”); Andrea Seidt, President, North American Securities Administrators Association, and Ohio Securities Commissioner, dated July 24, 2014 (“NASAA July Letter”); Robert Getman, dated July 28, 2014 (“Getman Letter”); Barry D. Estell, Attorney at Law (retired), dated August 13, 2014 (“Estell Letter”); and Walter N. Vernon III, Esq., dated August 21, 2014 (“Vernon Letter”). Comment letters are available at [www.sec.gov](http://www.sec.gov).

The Commission discussed these comments in the Proceedings Order. *See infra* note 7.

<sup>5</sup> Letter from Margo A. Hassan, Assistant Chief Counsel, FINRA Dispute Resolution, to Brent J. Fields, Secretary, SEC, dated September 30, 2014 (“FINRA September Letter”). The FINRA September Letter is available at [www.sec.gov](http://www.sec.gov).

<sup>6</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>7</sup> Exchange Act Release No. 73277 (Oct. 1, 2014), 79 FR 60556 (Oct. 7, 2014) (Order Instituting Proceedings To Determine Whether To Approve or Disapprove Proposed Rule Change Relating to Revisions to the Definitions of Non-Public Arbitrator and Public Arbitrator) (“Proceedings Order”). The comment period closed on November 6, 2014.

<sup>8</sup> The comment letters were submitted by: John A. Bender, Esq., Member, Ryan Swanson Cleveland, dated October 10, 2014 (“Bender Letter”); George H. Friedman, Esquire, George H. Friedman Consulting, LLC, dated October 20, 2014 (“Friedman October Letter”); Richard P. Ryder, Esq., President, Securities Arbitration Commentator, Inc., dated October 26, 2014 (“SAC October Letter”); Steven B. Caruso, Esq., Maddox Hargett & Caruso, P.C., dated October 29, 2014 (“Caruso October Letter”); Ryan K. Bakhtiari, Aidikoff, Uhl & Bakhtiari, dated October 30, 2014 (“Bakhtiari October Letter”); Glenn S. Gitomer, McCausland Keen and Buckman, dated November 5, 2014 (“Gitomer November Letter”); William Beatty, President, North American Securities Administrators Association and Washington Securities Administrator, dated

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

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

<sup>3</sup> Exchange Act Release No. 72491 (Jun. 27, 2014), 79 FR 38080 (Jul. 3, 2014) (Notice of Filing of Proposed Rule Change Relating to Revisions to the Definitions of Non-Public Arbitrator and Public Arbitrator) (“Notice of Filing”). The comment period closed on July 24, 2014.

<sup>4</sup> Of the 316 letters, 21 were unique letters, and 295 of the letters followed a form designated as the “Type A” letter, submitted by self-identified independent financial advisors (“independent financial advisors”) (“Type A Letter”). The unique letters were submitted by: Philip M. Aidikoff, Aidikoff, Uhl & Bakhtiari, dated July 1, 2014 (“Aidikoff Letter”); Steven B. Caruso, Esq., Maddox Hargett & Caruso, P.C., dated July 1, 2014 (“Caruso July Letter”); Ryan K. Bakhtiari, Aidikoff, Uhl & Bakhtiari, dated July 2, 2014 (“Bakhtiari July Letter”); Richard A. Stephens, Attorney at Law, dated July 6, 2014 (“Stephens Letter”); Daniel E. Bacine, Barrack, Rodos & Bacine, dated July 18, 2014 (“Bacine Letter”); Blossom Nicinski, dated July 20, 2014 (“Nicinski Letter”); Christopher L.