

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](mailto:rule-comments@sec.gov). Please include File Number SR-PEARL-2018-20 on the subject line.

#### *Paper Comments*

- Send paper comments in triplicate to Brent J. Fields, Secretary, Securities and Exchange Commission, 100 F Street NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-PEARL-2018-20. 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 website (<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 website 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. Persons submitting comments are cautioned that 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-PEARL-2018-20 and should be submitted on or before November 1, 2018.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>14</sup>

**Eduardo A. Aleman,**  
Assistant Secretary.

[FR Doc. 2018-22045 Filed 10-10-18; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-84369]

### Securities Exchange Act of 1934

October 4, 2018.

*In the Matter of the NYSE Arca, Inc.;* Order Scheduling Filing of Statements on Review for an Order of Disapproval of Proposed Rule Change To List and Trade the Shares of the ProShares Bitcoin ETF and the ProShares Short Bitcoin ETF (File No. SR-NYSEArca-2017-139).

On December 4, 2017, NYSE Arca Inc. ("NYSE Arca") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act ("Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to list and trade shares of the ProShares Bitcoin ETF and the ProShares Short Bitcoin ETF issued by the ProShares Trust II under NYSE Arca Rule 8.200-E, Commentary .02. The proposed rule change was published for comment in the **Federal Register** on December 26, 2017.<sup>3</sup>

On January 30, 2018, pursuant to Section 19(b)(2) of the Exchange Act,<sup>4</sup> the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.<sup>5</sup> On March 23, 2018, the Commission instituted proceedings under Section 19(b)(2)(B) of the Exchange Act<sup>6</sup> to determine whether to approve or disapprove the proposed rule change.<sup>7</sup> On June 15, 2018, the Commission extended the period for consideration of the proposed rule change to August 23, 2018.<sup>8</sup>

On August 22, 2018, the Division of Trading and Markets, pursuant to delegated authority,<sup>9</sup> issued an order disapproving the proposed rule change.<sup>10</sup> On August 23, 2018, the Secretary of the Commission notified NYSEArca that, pursuant to

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

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

<sup>3</sup> See Securities Exchange Act Release No. 82350 (Dec. 19, 2017), 82 FR 61100 (Dec. 26, 2017).

<sup>4</sup> 15 U.S.C. 78s(b)(2).

<sup>5</sup> See Securities Exchange Act Release No. 82602 (Jan. 30, 2018), 83 FR 4941 (Feb. 2, 2018).

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

<sup>7</sup> See Securities Exchange Act Release No. 82939 (Mar. 23, 2018), 83 FR 13537 (Mar. 29, 2018).

<sup>8</sup> See Securities Exchange Act Release No. 83452 (June 15, 2018), 83 FR 28894 (June 21, 2018).

<sup>9</sup> 17 CFR 200.30-3(a)(12).

<sup>10</sup> See Securities Exchange Act Release No. 83904 (Aug. 22, 2018), 83 FR 43934 (Aug. 28, 2018) (SR-NYSEArca-2017-139) ("Disapproval Order").

Commission Rule of Practice 431,<sup>11</sup> the Commission would review the Division's action pursuant to delegated authority and that the Division's action pursuant to delegated authority had been automatically stayed.<sup>12</sup>

Accordingly, *it is ordered*, pursuant to Commission Rule of Practice 431, that by November 5, 2018, any party or other person may file a statement in support of, or in opposition to, the action made pursuant to delegated authority.

It is further *ordered* that the order disapproving proposed rule change SR-NYSEArca-2017-139 shall remain in effect pending the Commission's review.

By the Commission.

**Eduardo A. Aleman,**  
Assistant Secretary.

[FR Doc. 2018-22094 Filed 10-10-18; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

[Securities Exchange Act of 1934; Release No. 34-84368/October 4, 2018]

### **In the Matter of the Cboe BZX Exchange, Inc.; For an Order of Disapproval of Proposed Rule Change To List and Trade the Shares of the GraniteShares Bitcoin ETF and the GraniteShares Short Bitcoin ETF (File No. SR-CboeBZX-2018-001); Order Scheduling Filing of Statements on Review**

On January 5, 2018, Cboe BZX Exchange, Inc. ("BZX") filed with the Securities and Exchange Commission ("Commission"), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Exchange Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> a proposed rule change to list and trade shares of the GraniteShares Bitcoin ETF and the GraniteShares Short Bitcoin ETF issued by the GraniteShares ETP Trust under BZX Rule 14.11(f)(4).<sup>3</sup> The proposed rule change was published for comment in the **Federal Register** on January 18, 2018.<sup>4</sup>

On February 22, 2018, pursuant to Section 19(b)(2) of the Exchange Act, the Commission designated a longer

<sup>11</sup> See 17 CFR 201.431(c).

<sup>12</sup> See Letter from Secretary of the Commission to David De Gregorio, Senior Counsel, NYSE Group, Inc. (Aug. 23, 2018), available at <https://www.sec.gov/rules/sro/nysearca/2018/34-83904-letter-from-secretary.pdf>.

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

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

<sup>3</sup> On August 21, 2018, BZX filed Amendment No. 1 to the proposal, and on August 22, 2018, BZX filed Amendment No. 2 to the proposal.

<sup>4</sup> See Securities Exchange Act Release No. 82484 (Jan. 11, 2018), 83 FR 2704 (Jan. 18, 2018).

<sup>14</sup> 17 CFR 200.30-3(a)(12).

period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.<sup>5</sup> On April 5, 2018, the Commission instituted proceedings under Section 19(b)(2)(B) of the Exchange Act<sup>6</sup> to determine whether to approve or disapprove the proposed rule change.<sup>7</sup> On June 28, 2018, the Commission extended the period for consideration of the proposed rule change to September 15, 2018.<sup>8</sup> On August 21, 2018, CboeBZX filed Amendment No. 1 to the proposed rule change, stating that it was amending and replacing in its entirety the proposal as originally filed on January 5, 2018. On August 22, 2018, CboeBZX filed Amendment No. 2 to the proposed rule change, stating that it was amending and replacing in its entirety Amendment No. 1 to the proposed rule change.

On August 22, 2018, the Division of Trading and Markets, pursuant to delegated authority,<sup>9</sup> issued an order disapproving the proposed rule change.<sup>10</sup> On August 23, 2018, the Secretary of the Commission notified BZX that, pursuant to Commission Rule of Practice 431,<sup>11</sup> the Commission would review the Division's action pursuant to delegated authority and that the Division's action pursuant to delegated authority had been automatically stayed.<sup>12</sup> On October 4, 2018, the Commission published notice of Amendment No. 2 to the proposed rule change.<sup>13</sup>

Accordingly, *It is ordered*, pursuant to Commission Rule of Practice 431, that by November 5, 2018, any party or other person may file a statement in support of, or in opposition to, the action made pursuant to delegated authority.

It is further *Ordered* that the order disapproving proposed rule change SR–CboeBZX–2018–001 shall remain in effect pending the Commission's review.

By the Commission.  
**Eduardo A. Aleman,**  
*Assistant Secretary.*  
 [FR Doc. 2018–22084 Filed 10–10–18; 8:45 am]  
**BILLING CODE 8011–01–P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–84367; File No. SR–CboeBZX–2018–001]

### Self-Regulatory Organizations; Cboe BZX Exchange, Inc.; Notice of Filing of Amendment No. 2 to a Proposed Rule Change To List and Trade Shares of the GraniteShares Bitcoin ETF and the GraniteShares Short Bitcoin ETF, a Series of the GraniteShares ETP Trust, Under Rule 14.11(f)(4), Trust Issued Receipts

October 4, 2018.

On January 5, 2018, Cboe BZX Exchange, Inc. (“Exchange” or “BZX”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”)<sup>1</sup> and Rule 19b–4 thereunder,<sup>2</sup> a proposed rule change to list and trade shares of the GraniteShares Bitcoin ETF and the GraniteShares Short Bitcoin ETF issued by the GraniteShares ETP Trust under BZX Rule 14.11(f)(4). The proposed rule change was published for comment in the **Federal Register** on January 18, 2018.<sup>3</sup>

On February 22, 2018, pursuant to Section 19(b)(2) of the Exchange Act, the Commission designated a longer period within which to approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether to approve or disapprove the proposed rule change.<sup>4</sup> On April 5, 2018, the Commission instituted proceedings under Section 19(b)(2)(B) of the Act<sup>5</sup> to determine whether to approve or disapprove the proposed rule change.<sup>6</sup> On June 28, 2018, the Commission extended the period for consideration of the proposed rule change to September 15, 2018.<sup>7</sup> As of August 21, 2018, the Commission had received 15 comments on the proposed rule change.<sup>8</sup>

On August 21, 2018, BZX filed Amendment No. 1 to the proposal, which amended and replaced in its entirety the proposal as originally filed on January 5, 2018. On August 22, 2018, BZX filed Amendment No. 2 to the proposal, which amended and replaced in its entirety the proposal as amended on August 21, 2018.

On August 22, 2018, the Division of Trading and Markets (“Division”), acting by delegated authority, issued an order disapproving the proposed rule change.<sup>9</sup> On August 23, 2018, the Secretary of the Commission notified BZX that, pursuant to Commission Rule of Practice 431,<sup>10</sup> the Commission would review the Division's action pursuant to delegated authority and that the Division's action pursuant to delegated authority had been automatically stayed.<sup>11</sup> On October 4, 2018, the Commission issued an Order Scheduling Filing of Statements on Review, setting November 5, 2018 as the date by which any party or other person may file a statement in support of, or in opposition to, the action by the Division pursuant to delegated authority.<sup>12</sup>

Pursuant to Section 19(b)(1) of the Act,<sup>13</sup> and Rule 19b–4 thereunder,<sup>14</sup> notice is hereby given that on August 22, 2018, BZX filed with the Commission Amendment No. 2 to the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The Commission is publishing this notice to solicit comments from interested persons on the proposed rule change, as modified by Amendment No. 2.

### I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The Exchange filed a proposal to list and trade shares of the GraniteShares Bitcoin ETF and the GraniteShares Short Bitcoin ETF (each a “Fund” and, collectively, the “Funds”), a series of the GraniteShares ETP Trust (the “Trust”), under Rule 14.11(f)(4) (“Trust Issued Receipts”). The shares of the Funds are referred to herein as the “Shares.”

[www.sec.gov/comments/sr-cboebzx-2018-001/cboebzx2018001.htm](http://www.sec.gov/comments/sr-cboebzx-2018-001/cboebzx2018001.htm).

<sup>9</sup> See Securities Exchange Act Release No. 83913 (Aug. 22, 2018), 83 FR 43923 (Aug. 28, 2018).

<sup>10</sup> See 17 CFR 201.431.

<sup>11</sup> See Letter from Secretary of the Commission to Kyle Murray, Assistant General Counsel, BZX (Aug. 23, 2018), available at <https://www.sec.gov/rules/sro/cboebzx/2018/34-83913-letter-from-secretary.pdf>.

<sup>12</sup> See Securities Exchange Act Release No. 84368 (Oct. 4, 2018).

<sup>13</sup> 15 U.S.C. 78s(b)(1).

<sup>14</sup> 17 CFR 240.19b–4.

<sup>5</sup> See Securities Exchange Act Release No. 82759 (Feb. 22, 2018), 83 FR 8719 (Feb. 28, 2018).

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

<sup>7</sup> See Securities Exchange Act Release No. 82995 (Apr. 5, 2018), 83 FR 15425 (Apr. 10, 2018).

<sup>8</sup> See Securities Exchange Act Release No. 83548 (June 28, 2018), 83 FR 31246 (July 3, 2018).

<sup>9</sup> 17 CFR 200.30–3(a)(12).

<sup>10</sup> See Securities Exchange Act Release No. 83913 (Aug. 22, 2018), 83 FR 43923 (Aug. 28, 2018) (SR–CboeBZX–2018–001).

<sup>11</sup> See 17 CFR 201.431.

<sup>12</sup> See Letter from Secretary of the Commission to Kyle Murray, Assistant General Counsel, BZX (Aug. 23, 2018), available at <https://www.sec.gov/rules/sro/cboebzx/2018/34-83913-letter-from-secretary.pdf>.

<sup>13</sup> See Securities Exchange Act Release No. 84367 (Oct. 4, 2018).

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

<sup>2</sup> 17 CFR 240.19b–4.

<sup>3</sup> See Securities Exchange Act Release No. 82484 (Jan. 11, 2018), 83 FR 2704 (Jan. 18, 2018).

<sup>4</sup> See Securities Exchange Act Release No. 82759 (Feb. 22, 2018), 83 FR 8719 (Feb. 28, 2018).

<sup>5</sup> 15 U.S.C. 78s(b)(2)(B).

<sup>6</sup> See Securities Exchange Act Release No. 82995 (Apr. 5, 2018), 83 FR 15425 (Apr. 10, 2018).

<sup>7</sup> See Securities Exchange Act Release No. 83548 (June 28, 2018), 83 FR 31246 (July 3, 2018).

<sup>8</sup> All comments on the proposed rule change are available on the Commission's website at: <https://www.sec.gov/comments/sr-cboebzx-2018-001/cboebzx2018001.htm>.