

with or furnished to the Commission by the registrant pursuant to section 13 or section 15(d) of the Securities Exchange Act of 1934 (15 U.S.C. 78m or 78o(d)) that are incorporated by reference in the registration statement, or, as to a registration statement on Form S-3, Form SF-3 or Form F-3, is contained in a form of prospectus filed pursuant to § 230.424(b) of this chapter that is part of the registration statement.

## PART 239—FORMS PRESCRIBED UNDER THE SECURITIES ACT OF 1933

■ 3. The general authority citation for part 239 is revised to read as follows:

**Authority:** 15 U.S.C. 77c, 77f, 77g, 77h, 77j, 77s, 77z-2, 77z-3, 77sss, 78c, 78l, 78m, 78n, 78o(d), 78o-7 note, 78u-5, 78w(a), 78ll, 78mm, 80a-2(a), 80a-3, 80a-8, 80a-9, 80a-10, 80a-13, 80a-24, 80a-26, 80a-29, 80a-30, 80a-37, and Sec. 71003 and Sec. 84001, Pub. L. 114-94, 129 Stat. 1312, unless otherwise noted.

■ 4. Form S-1 (referenced in § 239.11) is amended by adding General Instructions II.C., re-designating paragraph (b) to Item 12 as paragraph (c), re-designating the Note to Item 12(b)(1) as the Note to Item 12(c)(1), and adding new paragraph (b) to Item 12 to read as follows:

**Note:** The text of Form S-1 does not, and this amendment will not, appear in the Code of Federal Regulations.

### Form S-1

#### Registration Statement Under the Securities Act of 1933

#### General Instructions

### II. Application of General Rules and Regulations

C. A registration statement filed (or submitted for confidential review) under Section 6 of the Securities Act (15 U.S.C. 77f) by an emerging growth company, defined in Section 2(a)(19) of the Securities Act (15 U.S.C. 77b(a)(19)), prior to an initial public offering may omit financial information for historical periods otherwise required by Regulation S-X (17 CFR part 210) as of the time of filing (or confidential submission) of the registration statement, provided that:

1. The omitted financial information relates to a historical period that the registrant reasonably believes will not be required to be included in this Form at the time of the contemplated offering; and

2. Prior to the registrant distributing a preliminary prospectus to investors, the registration statement is amended to include all financial information required by Regulation S-X at the date of the amendment.

#### Item 12. Incorporation of Certain Information by Reference

(b) In addition to the incorporation by reference permitted pursuant to paragraph (a) of this Item, a smaller reporting company, as defined in Rule 405 (17 CFR 230.405), may elect to incorporate by reference information filed after the effective date of the registration statement. A smaller reporting company making this election must state in the prospectus contained in the registration statement that all documents subsequently filed by the registrant pursuant to Sections 13(a), 13(c), 14 or 15(d) of the Exchange Act, prior to the termination of the offering shall be deemed to be incorporated by reference into the prospectus.

■ 5. Form F-1 (referenced in § 239.31) is amended by adding General Instruction II.E. to read as follows:

**Note:** The text of Form F-1 does not, and this amendment will not, appear in the Code of Federal Regulations.

### Form F-1

#### Registration Statement Under the Securities Act of 1933

#### General Instructions

#### II. \* \* \*

E. A registration statement filed (or submitted for confidential review) under Section 6 of the Securities Act (15 U.S.C. 77f) by an emerging growth company, defined in Section 2(a)(19) of the Securities Act (15 U.S.C. 77b(a)(19)), prior to an initial public offering may omit financial information for historical periods otherwise required by Regulation S-X (17 CFR part 210) and Item 8.A. of Form 20-F (17 CFR 249.220f) as of the time of filing (or confidential submission) of the registration statement, provided that:

1. The omitted financial information relates to a historical period that the registrant reasonably believes will not be required to be included in this Form at the time of the contemplated offering; and

2. Prior to the registrant distributing a preliminary prospectus to investors, the registration statement is amended to include all financial information

required by Regulation S-X at the date of the amendment.

\* \* \* \* \*

By the Commission.  
Dated: January 13, 2016.

**Brent J. Fields,**  
*Secretary.*

[FR Doc. 2016-00872 Filed 1-13-16; 4:15 pm]

BILLING CODE 8011-01-P

## DEPARTMENT OF ENERGY

### Federal Energy Regulatory Commission

#### 18 CFR Part 381

[Docket No. RM16-2-000]

#### Annual Update of Filing Fees

**AGENCY:** Federal Energy Regulatory Commission.

**ACTION:** Final rule; annual update of Commission filing fees.

**SUMMARY:** In accordance with the Commission's regulations, the Commission issues this update of its filing fees. This document provides the yearly update using data in the Commission's Financial System to calculate the new fees. The purpose of updating is to adjust the fees on the basis of the Commission's costs for Fiscal Year 2015.

**DATES:** *Effective Date:* February 18, 2016.

**FOR FURTHER INFORMATION CONTACT:** Raymond D. Johnson Jr., Office of the Executive Director, Federal Energy Regulatory Commission, 888 First Street NE., Room 42-66, Washington, DC 20426, 202-502-8402.

#### SUPPLEMENTARY INFORMATION:

**Document Availability:** In addition to publishing the full text of this document in the **Federal Register**, the Commission provides all interested persons an opportunity to view and/or print the contents of this document via the Internet through FERC's Home Page (<http://www.ferc.gov>) and in FERC's Public Reference Room during normal business hours (8:30 a.m. to 5:00 p.m. Eastern time) at 888 First Street NE., Room 2A, Washington DC 20426.

From FERC's Web site on the Internet, this information is available in the eLibrary. The full text of this document is available on eLibrary in PDF and Microsoft Word format for viewing, printing, and/or downloading. To access this document in eLibrary, type the docket number excluding the last three digits of this document in the docket number field and follow other directions on the search page.

User assistance is available for eLibrary and other aspects of FERC's Web site during normal business hours. For assistance, contact FERC Online Support at [FERCOnlineSupport@ferc.gov](mailto:FERCOnlineSupport@ferc.gov) or toll free at (866) 208-3676, or for TTY, contact (202) 502-8659.

### Annual Update of Filing Fees

(Issued January 12, 2016)

The Federal Energy Regulatory Commission (Commission) is issuing

this document to update filing fees that the Commission assesses for specific services and benefits provided to identifiable beneficiaries. Pursuant to 18 CFR 381.104, the Commission is establishing updated fees on the basis of the Commission's Fiscal Year 2015 costs. The adjusted fees announced in this document are effective February 18, 2016. The Commission has determined, with the concurrence of the Administrator of the Office of

Information and Regulatory Affairs of the Office of Management and Budget, that this final rule is not a major rule within the meaning of section 251 of Subtitle E of Small Business Regulatory Enforcement Fairness Act, 5 U.S.C. 804(2). The Commission is submitting this final rule to both houses of the United States Congress and to the Comptroller General of the United States.

The new fee schedule is as follows:

#### Fees Applicable to the Natural Gas Policy Act

- |   |          |
|---|----------|
| 1. Petitions for rate approval pursuant to 18 CFR 284.123(b)(2). (18 CFR 381.403) ..... | \$12,430 |
|---|----------|

#### Fees Applicable to General Activities

- |   |          |
|---|----------|
| 1. Petition for issuance of a declaratory order (except under Part I of the Federal Power Act). (18 CFR 381.302(a)) ..... | \$24,980 |
| 2. Review of a Department of Energy remedial order:   |          |
| <i>Amount in controversy</i>  |          |
| \$0–9,999. (18 CFR 381.303(b)) .....  | \$100    |
| \$10,000–29,999. (18 CFR 381.303(b)) .....  | \$600    |
| \$30,000 or more. (18 CFR 381.303(a)) .....   | \$36,460 |
| 3. Review of a Department of Energy denial of adjustment:   |          |
| <i>Amount in controversy</i>  |          |
| \$0–9,999. (18 CFR 381.304(b)) .....  | \$100    |
| \$10,000–29,999. (18 CFR 381.304(b)) .....  | \$600    |
| \$30,000 or more. (18 CFR 381.304(a)) .....   | \$19,120 |
| 4. Written legal interpretations by the Office of General Counsel. (18 CFR 381.305(a)) .....                              | \$7,160  |

#### Fees Applicable to Natural Gas Pipelines

- |  |           |
|--|-----------|
| 1. Pipeline certificate applications pursuant to 18 CFR 284.224. (18 CFR 381.207(b)) ..... | * \$1,000 |
|--|-----------|

#### Fees Applicable to Cogenerators and Small Power Producers

- |   |          |
|---|----------|
| 1. Certification of qualifying status as a small power production facility. (18 CFR 381.505(a)) ..... | \$21,480 |
| 2. Certification of qualifying status as a cogeneration facility. (18 CFR 381.505(a)) .....           | \$24,310 |

\* This fee has not been changed.

### List of Subjects in 18 CFR Part 381

Electric power plants, Electric utilities, Natural gas, reporting and recordkeeping requirements.

Issued: January 12, 2016.

Anton C. Porter,  
Executive Director.

In consideration of the foregoing, the Commission amends part 381, chapter I, title 18, Code of Federal Regulations, as set forth below.

### PART 381—FEES

- 1. The authority citation for part 381 continues to read as follows:

**Authority:** 15 U.S.C. 717–717w; 16 U.S.C. 791–828c, 2601–2645; 31 U.S.C. 9701; 42 U.S.C. 7101–7352; 49 U.S.C. 60502; 49 App. U.S.C. 1–85.

#### § 381.302 [Amended]

- 2. In § 381.302, paragraph (a) is amended by removing “\$24,730” and adding “\$24,980” in its place.

#### § 381.303 [Amended]

- 3. In § 381.303, paragraph (a) is amended by removing “\$36,100” and adding “\$36,460” in its place.

#### § 381.304 [Amended]

- 4. In § 381.304, paragraph (a) is amended by removing “\$18,920” and adding “\$19,120” in its place.

#### § 381.305 [Amended]

- 5. In § 381.305, paragraph (a) is amended by removing “\$7,090” and adding “\$7,160” in its place.

#### § 381.403 [Amended]

- 6. Section 381.403 is amended by removing “\$12,310” and adding “\$12,430” in its place.

#### § 381.505 [Amended]

- 7. In § 381.505, paragraph (a) is amended by removing “\$21,260” and adding “\$21,480” in its place and by removing “\$24,070” and adding “\$24,310” in its place.

[FR Doc. 2016–00842 Filed 1–15–16; 8:45 am]

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### DEPARTMENT OF HOMELAND SECURITY

#### Coast Guard

#### 33 CFR Part 165

[Docket Number USCG–2015–1101]

RIN 1625–AA00

#### Safety Zone; RICHLAND, Apra Harbor/Philippine Sea, GU

**AGENCY:** Coast Guard, DHS.

**ACTION:** Temporary final rule.

**SUMMARY:** The Coast Guard is establishing a temporary moving safety zone for navigable waters within a 1000-yards ahead of the Dry-Dock RICHLAND and its towing vessel and 500 yards abeam and 500 yards astern of the drydock. The safety zone is needed to protect personnel, vessels, and the marine environment from potential hazards created by the movement of the drydock from Guam waters. Entry of vessels or persons into this zone is prohibited unless specifically authorized by the Captain of the Port Guam.

**DATES:** This rule is effective without actual notice from January 19, 2016