



This document is scheduled to be published in the Federal Register on 09/01/2016 and available online at <http://federalregister.gov/a/2016-21021>, and on FDSys.gov

8011-01p

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-78700; File No. S7-24-89)

August 26, 2016

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment No. 37 to the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis to Add the Investors Exchange LLC as a Participant

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (“Exchange Act”)¹ and Rule 608 thereunder,² notice is hereby given that on August 11, 2016 the Participants in the Joint Self-Regulatory Organization Plan Governing the Collection, Consolidation and Dissemination of Quotation and Transaction Information for Nasdaq-Listed Securities Traded on Exchanges on an Unlisted Trading Privileges Basis (“NASDAQ/UTP Plan” or “Plan”)³ filed with the Securities and Exchange Commission (“Commission”)⁴ an amendment to the Plan to add Investors Exchange LLC (“IEX”) as a Participant⁵ to the Plan. The Commission is publishing this notice to solicit comments on the amendment from interested persons.

I. Description and Purpose of the Plan Amendment

As noted above, the amendment to the Plan adds the IEX as a Participant. On June 17, 2016, the Commission issued an order granting IEX’s application for registration as a national securities

¹ 15 U.S.C 78k-1(a)(3).

² 17 CFR 242.608.

³ See, e.g., Securities Exchange Act Release No. 55647 (April 19, 2007) 72 FR 20891 (April 26, 2007).

⁴ See Letter from Emily Kasparov, Chairman, Operating Committee, NASDAQ UTP Plan, to Brent J. Fields, Secretary, Securities and Exchange Commission, dated August 10, 2016.

⁵ The term “Participant” is defined as a registered national securities exchange or national securities association that is a signatory to the Plan

exchange.⁶ A condition of the Commission's approval was the requirement for IEX to join the Plan.

Under Section I.B of the Plan, any other national securities association or national securities exchange, in whose market Eligible Securities become traded, may become a Participant, provided that said organization executes a copy of the Plan and pays its share of development costs, as specified in the Plan. The amendment is effective upon filing with the Commission in accordance with Rule 608 of Regulation NMS.

IEX has satisfied all requirements under the Plan, and has executed a copy of the Plan currently in effect, with the only change being the addition of its name to the Plan. Accordingly, all of the Plan requirements for effecting an amendment to the Plan to add IEX as a Participant have been satisfied.

II. Effectiveness of the Proposed Plan Amendment

The foregoing Plan amendment has become effective pursuant to Rule 608(b)(3)(iii) of the Exchange Act⁷ because it involves solely technical or ministerial matters. At any time within sixty days of the filing of this amendment, the Commission may summarily abrogate the amendment and require that it be refiled pursuant to paragraph (a)(1) of Rule 608,⁸ if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect the mechanisms of, a national market system or otherwise in furtherance of the purposes of the Exchange Act.

⁶ See Securities Exchange Act Release No. 78101 (June 17, 2016), 81 FR 41141 (June 23, 2016).

⁷ 17 CFR 242.608(b)(3)(iii).

⁸ 17 CFR 242.608(a)(1).

III. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether the amendment is consistent with the Exchange 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 e-mail to rule-comments@sec.gov. Please include File Number S7-24-89 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 S7-24-89. This file number should be included on the subject line if e-mail 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 plan amendment that are filed with the Commission, and all written communications relating to the amendment 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 am and 3:00 pm. Copies of the filing also will be available for inspection and copying at the principal office of the Chicago Stock 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 S7-24-89 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

By the Commission.

Brent J. Fields
Secretary

[FR Doc. 2016-21021 Filed: 8/31/2016 8:45 am; Publication Date: 9/1/2016]