

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-61395; File No. SR-FICC-2009-11)

January 21, 2010

Self-Regulatory Organizations; The Fixed Income Clearing Corporation; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Modify the Fee Schedule of the Government Securities Division of the Fixed Income Clearing Corporation

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”),¹ notice is hereby given that on December 29, 2009, the Fixed Income Clearing Corporation (“FICC”) filed with the Securities and Exchange Commission (“Commission”) the proposed rule change described in Items I, II, and III below, which items have been prepared primarily by FICC. FICC filed the proposal pursuant to Section 19(b)(3)(A)(ii) of the Act² and Rule 19b-4(f)(2)³ thereunder so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the rule change from interested parties.

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

The proposed rule change amends FICC’s rules to modify the fee schedules of its Government Securities Division (“GSD”).

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, FICC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78s(b)(3)(A)(ii).

³ 17 CFR 240.19b-4(f)(2).

below. FICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.⁴

(A) Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) The purpose of this filing is to modify participant fees as outlined below. The fee changes were effective as of January 4, 2010.

(i) The GSD fee structure for submission of a side of a trade and submission of a repo transaction is revised to reflect the following:

	2009 Fee	2010 Proposed Fee
Up to 50,000 submissions per month	\$0.16 per item	\$0.21 per item
50,000 to 100,001 submissions per month	\$0.08 per item	\$0.12 per item

(ii) The following Netting Fee and Charges were revised as follows:

	2009 Fee	2010 Proposed Fee
1. For each side of a compared trade, other than a repo transaction, that is netted, a fee equaling the sum (in addition to the comparison fee) of:	(i) \$0.16; and (ii) \$0.012 per \$1 million of par value.	(i) \$0.16; and (ii) \$0.016 per \$1 million of par value.
2. For each start leg or close leg of a repo transaction other than a GCF repo transaction that is netted, a fee equaling the sum (in addition to the comparison fee) of:	(i) \$0.16; and (ii) \$0.060 per \$1 million of par value.	(i) \$0.16; and (ii) \$0.016 per \$1 million of par value.

and;

(iii) The charge for each deliver obligation and receive obligation created as a result of the netting process was a fee of \$0.060 per \$1 million of par value. This fee was increased

⁴ The Commission has modified the text of the summaries prepared by FICC.

to \$0.10 per \$1 million.

The proposed rule change is consistent with Section 17A of the Act,⁵ as amended, and the rules and regulations thereunder applicable to FICC. The proposed rule change updates FICC's fee schedule for GSD thereby providing for the equitable allocation of fees among its participants.

(B) Self-Regulatory Organization's Statement on Burden on Competition

FICC does not believe that the proposed rule change will have any impact or impose any burden on competition.

(C) Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Written comments relating to the proposed rule change were not and are not intended to be solicited or received. FICC will notify the Commission of any written comments received by FICC.

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

The foregoing proposed rule change has become effective upon filing pursuant to Section 19(b)(3)(A)(ii) of the Act⁶ and Rule 19b-4(f)(2)⁷ thereunder because the proposed rule change changes a due fee or other charge applicable only to members. At any time within sixty days of the filing of the proposed rule change, the Commission may summarily abrogate such rule

⁵ 15 U.S.C. 78q-1.

⁶ 15 U.S.C. 78s(b)(3)(A)(ii).

⁷ 17 CFR 240.19b-4(f)(2).

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:

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 SR-FICC-2009-11 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-FICC-2009-11. 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 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 inspection and copying 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 such filings also will be available for inspection and copying at the principal office of FICC and on FICC's Web site at

http://www.dtcc.com/downloads/legal/rule_filings/2009/ficc/2009-11.pdf. 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-FICC-2009-11 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

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

Florence E. Harmon
Deputy Secretary

⁸ 17 CFR 200.30-3(a)(12).