



August 31, 2015

By Electronic Mail

Mr. Stephen Luparello
Director
Division of Trading and Markets
Securities and Exchange Commission
100 F Street, NE
Washington, D.C. 20549-1090

Re: File No. 4-657: National Market System Plan to Implement a Tick Size Pilot Program by BATS Exchange, Inc., BATS Y-Exchange, Inc., Chicago Stock Exchange, Inc., EDGA Exchange, Inc., EDGX Exchange, Inc., Financial Industry Regulatory Authority, Inc., NASDAQ OMX BX, Inc., NASDAQ OMX PHLX LLC, The Nasdaq Stock Market LLC, New York Stock Exchange LLC, NYSE MKT LLC, and NYSE Arca, Inc.

Dear Mr. Luparello:

The Securities Industry and Financial Markets Association (“SIFMA”)¹ submits this letter to request that the Securities and Exchange Commission (“Commission”) postpone the initial data collection requirements required under the *Plan to Implement a Tick Size Pilot Program Submitted to the Securities and Exchange Commission pursuant to Rule 608 of Regulation NMS under the Securities Exchange Act of 1934* (“Tick Size Plan”).² Those data collection requirements currently are scheduled to take effect on November 6, 2015. Currently, the Plan Participants (*i.e.*, the exchanges and FINRA), as well as certain member firms of the Plan Participants, are required on November 6th to begin collecting and reporting market quality statistics, market and marketable limit order data, and market maker profitability data so that the Commission will have six months worth of that data before the pilot itself takes effect on May 6, 2016. However, there are critical regulatory and operational issues that must be resolved before the data collection period begins.

¹ The Securities Industry and Financial Markets Association (SIFMA) brings together the shared interests of hundreds of securities firms, banks and asset managers. SIFMA's mission is to support a strong financial industry, investor opportunity, capital formation, job creation and economic growth, while building trust and confidence in the financial markets. SIFMA, with offices in New York and Washington, D.C., is the U.S. regional member of the Global Financial Markets Association (GFMA). For more information, visit <http://www.sifma.org>.

² See Securities Exchange Act Release No. 74892 (May 6, 2015), 80 FR 27514 (May 13, 2015) (“**Tick Size Pilot Program NMS Plan**”), available at <http://www.gpo.gov/fdsys/pkg/FR-2015-05-13/pdf/2015-11425.pdf>; see also <http://www.sec.gov/rules/sro/nms/2015/34-74892-exa.pdf>.

It is our understanding that the Plan Participants must file proposed rules for the Commission's approval to implement the data collection requirements. In addition, we understand that the Plan Participants are developing interpretive guidance and Frequently Asked Questions ("FAQs") to address the many questions that member firms have raised in connection with the data collection requirements of the Tick Size Plan. To date, the Plan Participants have not filed proposed rules with the Commission or issued interpretive guidance or FAQs. As such, there is not sufficient time between now and November 6th for the Plan Participants' proposals to become effective, to provide member firms with the necessary interpretive guidance, and still allow sufficient time to implement both the necessary systems and coding changes to implement the data collection requirements. Moreover, the implementation of the pilot itself under the Tick Size Plan will have to be postponed by an equal amount of time in order for the Commission to receive six months worth of data before the pilot takes effect.

In June, we informed the Plan Participants and the Commission staff that it was imperative that the Plan Participants' rules be approved and effective well ahead of the current November 6th deadline to allow sufficient time to implement the necessary systems and coding changes. More specifically, we stated that, "[i]f the Participants' rules are not approved and effective at least three months ahead of the applicable deadline, it is likely that member firms will not have sufficient time to complete the work necessary to satisfy the data collection requirements." We are now within the three month period ahead of the November 6th deadline. To date, the Plan Participants have not filed any proposed rules with the Commission to implement the data collection requirements under the Tick Size Plan. In addition, the Plan Participants have not published any interpretive guidance or FAQs on the data collection requirements. As a result, there is not enough information available for member firms to properly implement and test any necessary systems and coding changes that will be required by November 6th.

Accordingly, SIFMA requests that the data collection period start date be postponed until at least three months after the date that (1) the Plan Participants' rules are approved by the Commission; and (2) the Plan Participants publish interpretive guidance and FAQs sufficient to resolve the questions and issues that member firms have raised. In addition, we reiterate that the postponement of the data collection requirements would require a corresponding extension of the implementation date of the pilot itself in order to provide six months worth of data.

* * *

SIFMA greatly appreciates the Commission's consideration of the request above in connection with the Tick Size Pilot Program. If you have any questions or require further information, please contact me at (202) 962-7383 (tlazo@sifma.org), or Timothy Cummings at (212) 313-1239 (tcummings@sifma.org).

Mr. Stephen Luparello, Director, Securities and Exchange Commission
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Sincerely,



Theodore R. Lazo
Managing Director and
Associate General Counsel

cc: The Honorable Mary Jo White, Chair
The Honorable Luis A. Aguilar, Commissioner
The Honorable Daniel M. Gallagher, Commissioner
The Honorable Michael S. Piwowar, Commissioner
The Honorable Kara M. Stein, Commissioner

Gary Goldsholle, Deputy Director, Division of Trading and Markets
David S. Shillman, Associate Director, Division of Trading and Markets

Brendon Weiss, Intercontinental Exchange