



311 S. Wacker Drive, Suite 4700
Chicago, IL 60606

October 10, 2011

Elizabeth Murphy
Secretary
U.S. Securities and Exchange Commission
100 F Street, N.E.
Washington, DC 20549

**Re: Securities and Exchange Commission Temporary Suspension of Rule filing SR-BX-2011-046
Increased credits and fees for certain transactions in the BOX Price Improvement Period
("PIP").**

Dear Ms. Murphy:

LiquidPoint, LLC ("**LiquidPoint**")¹ appreciates the opportunity to comment on the above referenced action by the Securities and Exchange Commission ("**SEC**" or "**Commission**").

Among the issues upon which the Commission seeks comment, LiquidPoint wishes to emphasize the following concerns:

- The proposed rule change does not satisfy Sections 6(b)(4), 6(b)(5), or 6(b)(8) of the Exchange Act of 1934 ("**Act**").
- The proposed fee change reduces the benefits of exposing orders to competing contra-parties and creates a de facto internalization mechanism.

¹ LiquidPoint, a wholly owned subsidiary of BNY ConvergEx Group, LLC, specializes in providing derivatives technology and execution solutions for U.S. listed options traders, including institutional customers and other broker-dealers. LiquidPoint provides electronic direct market access to every U.S. options exchange, as well as advanced trading capabilities that include order execution, order management, order routing and optimization, quality assurance review, and a variety of reporting and books and records capabilities. ConvergEx Group is a leading provider of mission critical software and technology-enabled services to asset managers and financial intermediaries globally. Through our two business segments – Investment Technologies and Investment Services - we offer an extensive array of technology solutions that support increased sophistication and operational efficiency to help drive growth, address changing regulation and compliance requirements and achieve performance goals.

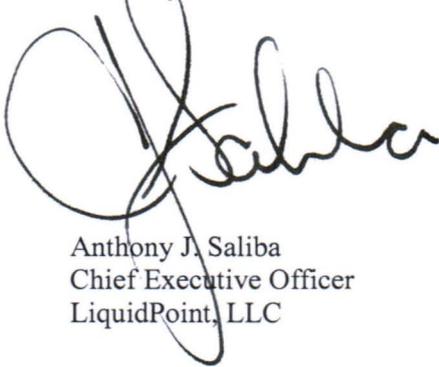
SR-BX-2011-046

The applicable sections of the Act require “equitable allocation” and *not* “permit unfair discrimination” or “impose any burden on competition not necessary” with regard to fees and other charges. This filing does not equitably allocate the fees associated with the BOX automated auction because two parties providing the *same function* – liquidity to an initiating order – are charged significantly different net rates. Likewise, this filing unfairly discriminates against the liquidity provider that did not initiate the price discovery auction. This filing imposes a burden on competition because the higher net costs to the unfairly discriminated against liquidity providers materially impacts the price of their liquidity; preventing them from competing on equal footing in the auction process.

The result of preventing all liquidity providers from competing equally in the price discovery auction is that the transaction price may be determined solely by the initiating liquidity provider. This allows the initiating liquidity provider to internalize the initiating customer order without competitive price discovery.

LiquidPoint views the temporary suspension of this filing as an important first step that should result in the disapproval of SR-BX-2011-046 to encourage true competitive price discovery.

Sincerely,

A handwritten signature in black ink, appearing to read 'Anthony J. Saliba', written over a large, stylized circular flourish.

Anthony J. Saliba
Chief Executive Officer
LiquidPoint, LLC