

**Mary Yeager**  
*Assistant Secretary*

New York Stock Exchange LLC  
11 Wall Street  
New York, NY 10005



tel: 212.656.2062  
fax: 212.656.3939  
myeager@nyse.com

Via email to [rule-comments@sec.gov](mailto:rule-comments@sec.gov)

September 13, 2006

Ms. Nancy M. Morris  
Secretary  
Securities and Exchange Commission  
100 F Street, N.E.  
Washington, DC 20549-9303

**Re: SR-Nasdaq-2006-13**

Dear Ms. Morris:

The New York Stock Exchange LLC ("NYSE") is pleased to take this opportunity to comment on the proposed amendments regarding various changes to Nasdaq's TotalView product. We note that, in its discussion of the proposed rule change, Nasdaq states that it wishes to waive fees for "firms wishing to distribute Nasdaq's aggregate real-time best bid and offer quote for NYSE- and Amex-listed stocks via the TotalView or TotalView ITCH versions of its feeds." We have two comments on this proposed change.

First, the filing is silent on whether there will be user fees for those seeing a display of this data. We would request that Nasdaq specify whether user fees will apply, and if so, that Nasdaq quantify those fees.

Second, there is no mention in the proposal of the contract terms that those who wish to distribute this particular Nasdaq product must adhere to. We are particularly concerned that investors may confuse the Nasdaq product with that of CTA unless it is clearly labeled - much like delayed data must be. This concern is magnified if there are no display fees for the information. We request that Nasdaq address this concern and specifically describe the proposed contract terms.

Thank you for your consideration of these comments. We would be pleased to answer any questions that you may have.

Sincerely,

A handwritten signature in black ink, appearing to read "Mary Yeager", with a long horizontal flourish extending to the right.

Assistant Secretary