SR-BX-2009-083 Page 12 of 12

**EXHIBIT 5** 

New language [deleted language]

## **Boston Options Exchange Facility Fee Schedule**

\* \* \* \* \*

## Sec. 2 Trading Fees For Broker Dealer Proprietary Accounts

a. \$ 0.20 per contract traded (standard trading fee);

Plus any charges and credits as described in Section 7 of this Fee Schedule;

- b. Plus, where applicable, any surcharge for options on indices that are passed through by BOX. The applicable surcharges are as follows:
  - 1) \$0.15 per contract for options on the Russell® 2000 Index (RUT).
  - 2) \$0.22[16] per contract for options on the Nasdaq-100® Index (NDX).
  - 3) \$0.22[16] per contract for options on the Mini-NDX® Index (MNX).

\* \* \* \* \*