

Additions underscored

RULES OF THE NYSE ARCA, INC.

Rule 3 Organization and Administration

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Rule 3.14. Data Center Pole Latency Restrictions--Connectivity to Production of Exchange Market Data

(a) For purposes of this rule the terms below are defined as follows:

(1) “Commercial Pole” means a pole (a) on which one or more third parties locate wireless equipment used to offer wireless connectivity to other third parties, and (b) from which a fiber connection extends from third party equipment on the pole to the Data Center.

(2) “Data Center” means the Mahwah, New Jersey data center where the Exchange’s matching engine is located, or its successor.

(3) “ICE Affiliate” means Intercontinental Exchange, Inc. (“ICE”) and any entity that directly or indirectly, through one or more intermediaries, controls, is controlled by, or is under common control with ICE, where “control” means that one entity possesses, directly or indirectly, voting control of the other entity either through ownership of capital stock or other equity securities or through majority representation on the board of directors or other management body of such entity.

(4) “Data Center Pole” means a pole that (a) holds wireless equipment, (b) is located within the grounds of the Data Center, and (c) cannot be used by third parties other than third parties with which the Exchange or an ICE Affiliate has an agreement to provide services in the name of the Exchange or an ICE Affiliate.

(b) The length of the connection between the base of the Data Center Pole and the point inside the Data Center where Exchange market data is produced shall be no less than the length of the connection between the base of the closest Commercial Pole and the point inside the Data Center where Exchange market data is produced.

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