

Additions underlined  
Deletions [bracketed]

**NYSE AMEX OPTIONS FEE SCHEDULE\***

\*NYSE Amex Options is the options trading facility of NYSE MKT LLC

**Last Updated: August 1, 2013**

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**NYSE AMEX OPTIONS:  
EXCESSIVE  
BANDWIDTH UTILIZATION FEES**

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| MESSAGES TO CONTRACTS<br>TRADED<br>RATIO FEE <sup>12</sup> | <u>\$0.01 per 1,000 messages in excess of 1.5 billion messages in a calendar month if the ATP Firm does not execute at least 1 contract for every 1,500-[3]5,000 messages entered, as determined by the Exchange. The Exchange shall notify ATP Firms of any change to the number of messages entered to be used to calculate the Fee at least one business day in advance of such change via an Information Memo and such number shall be applicable in the following calendar month and thereafter until changed. ATP Firms acting as NYSE Amex Options Market Makers will receive an additional one million messages per month (beyond the 1.5 billion messages) for each option issue in their Market Maker appointment if they execute in the aggregate across all options issues in their assignment at least 20,000 contracts average daily volume electronically per month as a NYSE Amex Options Market Maker.</u> |
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<sup>12</sup> The Order to Trade Ratio Fee is calculated on a monthly basis. Orders, for both Mini and standard option contracts, that improve the Exchange's prevailing best bid-offer

(BBO) market at the time the orders are received will not be included in the order to execution ratio. For purposes of the Messages to Contracts Traded Ratio Fee, a “message” is defined as a quote and/or an order, for both Mini and standard option contracts. In calculating the Messages to Contracts Traded Ratio Fee, the Exchange will aggregate routing and market making activity in the case of an ATP Firm that has both a routing and a market making arm affiliated with its operation and will apply a 70% common ownership test to determine if such an affiliation exists. The Order to Trade Ratio Fee and the Messages to Contracts Traded Ratio Fee are referred to collectively as the Excessive Bandwidth Utilization Fees. In the event that an ATP Firm is liable for either or both of the Excessive Bandwidth Utilization Fees and/or for charges pursuant to the Cancellation Fee in a given month, that firm would only be charged the largest one of those three fees for the month. The Exchange may exclude one or more days of data for purposes of calculating the Excessive Bandwidth Utilization Fees or Cancellation Fee for an ATP Firm if the Exchange determines, in its sole discretion, that one or more ATP Firms or the Exchange was experiencing a bona fide systems problem.

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**Last Updated: August 1, 2013**