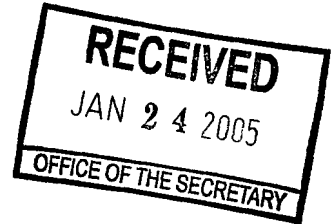


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January 16, 2005

*The Honorable William H. Donaldson
Chairman
Securities and Exchange Commission
450 Fifth Street, N.W. - Room 6100
Washington D.C. 20549-0609*

RE: File No. 57-10-04 Proposed Rule on Regulation NMS

Dear Chairman Donaldson,

I am writing to express my concerns about the Securities and Exchange Commission's proposed regulation NMS, which is designed to update and strengthen our national securities markets. One of the two options that is a core part of the proposal is a provision that changes the structure of the U.S. capital markets radically. This would turn our internationally investor-driven competitive markets into a government utility.

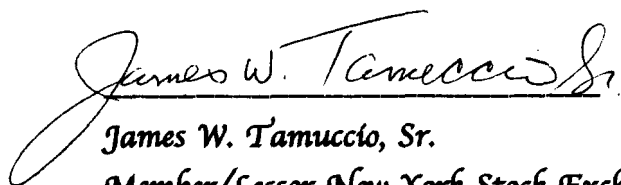
The radical concept (of the provision) envisioned in the 1970's to create an equivalent of the Consolidated Limit Order Book was debated in 2000 by both the Congress and the SEC. This provision was previously rejected by the Congress and Sec and should be again - it would remove incentives for competition between markets and would nationalize the U.S. equity markets.

In a splintered, electronics-only marketplace, exchanges chase displayed orders from market to market with the U.S. equities markets remaining the strongest in the world. It would be difficult to manage large orders of stock - they could then be traded in private markets overseas. For the SEC to decide to 'fix what is not broken', to put the competitiveness of U.S. capital markets at risk is not clearly delineated.

With competition transforming the largest equity markets worldwide, the SEC has decided to follow this path while the NYSE is on the verge of implementing a new Hybrid Market. This hybrid market answers the demands of its customers and offers them a choice in how they want to trade - electronically or through the auction market. The opportunity to negotiate a trade within the system would be eliminated by the CLOB and the possibility of the hybrid market becoming operational would be precluded.

As a member of the New York Stock Exchange and a constituent, it is my opinion that the 'liquidity' of the U.S. securities markets would be severely damaged by the implementation of the CLOB. The hybrid market is the 'best of both worlds' and should be given the consideration and opportunity it deserves. Therefore, I would urge you at this time to support the NMS proposal, eliminating the CLOB provision and to inform SEC Chairman Donaldson and the other Commissioners of your support. I thank you for your time and your consideration.

Sincerely,



James W. Tamuccio, Sr.

Member/Lessor New York Stock Exchange

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cc: Commissioner Cynthia A. Glassman
Commissioner Harvey J. Goldschmid
Commissioner Paul S. Arkins
Commissioner Roel C. Campos