

Exhibit 5

Text of the Proposed Rule Change

Underlining indicates additions, [Brackets] indicate deletion.

Schedule of Fees

	Amount	Billable Unit	Frequency	Notes
		* * *		
Legal & Regulatory				
		* * *		
[• Registered Representatives				
Initial Registration	[\$55.00	[Reg. Person	[One Time	
Transfer	\$55.00	Reg. Person	Per	
			Occurrence	
Annual	\$55.00	Reg. Person	Annual	
Termination]	\$30.00]	Reg. Person]	One Time]	
● <u>Options Regulatory Fee</u>	<u>\$0.0035</u>	<u>Contract</u>		<u>Effective January 1, 2010, the Options Regulatory fee will be assessed by ISE to each member for all options transactions executed or cleared by the member that are cleared by The Options Clearing Corporation (OCC) in the customer range regardless of the exchange on which the transaction occurs. The fee is collected indirectly from members through their clearing firms by OCC on behalf of ISE. There is a minimum one-cent charge per trade.</u>
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