

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-61346; File No. SR-OC-2009-04)

January 13, 2010

Self-Regulatory Organizations; One Chicago, LLC; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change, as Modified by Amendment No. 1, Changing Its Listing Standards in Conformance with the November 19, 2009 Joint Order Modifying the Listing Standards Requirements under Section 6(h) of the Securities Exchange Act of 1934 and the Criteria under Section 2(a)(1) of the Commodity Exchange Act

Pursuant to Section 19(b)(7) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-7 under the Act,² notice is hereby given that on December 23, 2009, OneChicago, LLC (“OneChicago”) filed with the Securities and Exchange Commission (“SEC” or “Commission”) the proposed rule change as described in Items I, II, and III below, which Items have been prepared by OneChicago. OneChicago filed Amendment No. 1 to the proposal on January 11, 2010.³ The Commission is publishing this notice to solicit comments on the proposed rule change, as amended, from interested persons. OneChicago also filed the proposed rule change with the Commodity Futures Trading Commission (“CFTC”) under Section 5c(c) of the Commodity Exchange Act⁴ on December 23, 2009.

I. Self-Regulatory Organization’s Description of the Proposed Rule Change

OneChicago is proposing to amend Rule 906(b)(1) to conform its maintenance standards to those approved by both the SEC and the CFTC (together the “Commissions”) in their Joint

¹ 15 U.S.C. 78s(b)(7).

² 17 CFR 240.19b-7.

³ Amendment No. 1 corrects typographical errors and provides the correct filing and effective date for the proposal. Specifically, Amendment No. 1 states that the proposal was filed, and became effective, on December 23, 2009, rather than December 2, 2009.

⁴ 7 U.S.C. 7a-2(c).

Order dated November 19, 2009 (“JO-2009”).⁵ OneChicago amended Rule 906(a)1 and 4 effective December 3, 2009.⁶ The text of the proposed rule change is available on OneChicago’s Web site at www.onechicago.com, on the Commission’s Web site at <http://www.sec.gov>, at the principal office of OneChicago, and at the Commission’s Public Reference Room.

II. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

OneChicago has prepared statements concerning the purpose of, and basis for, the proposed rule change, burdens on competition, and comments received from members, participants, and others. The text of these statements may be examined at the places specified in Item IV below. These statements are set forth in Sections A, B, and C below.

A. Self-Regulatory Organization’s Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change

1. Purpose

The purpose of this proposed rule change is to permit security futures to maintain comparability with the options markets and to provide competitive financial tools that offer a variety of investing and hedging products for the public as set forth in the Commissions JO-2009. This proposed change is simply to conform to JO-2009.

2. Statutory Basis

The proposed rule change is consistent with Section 6(b)(5) of the Act⁷ in that it is designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable

⁵ Securities and Exchange Commission Release No. 34-61027 (November 19, 2009). Joint Order Modifying the Listing Standards Requirements under Section 6(h) of the Securities Exchange Act of 1934 and the Criteria under Section 2(a)(1) of the Commodity Exchange Act.

⁶ See OCX Rule filing 2009-03, December 2, 2009.

⁷ 15 U.S.C. 78f(b)(5).

principles of trade, to protect investors and the public interest, and to remove impediments to and perfect the mechanism for a free and open market and a national market system. In particular, the proposed rule change will maintain comparability with the listed options markets.

Additionally, the changes are consistent with those set forth in JO-2009.

B. Self-Regulatory Organization's Statement on Burden on Competition

OneChicago does not believe that the proposed rule change will have an impact on competition.

C. Self-Regulatory Organization's Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

Comments on the OneChicago proposed rule change have not been solicited and none have been received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The proposed rule change will become effective on December 23, 2009. Within 60 days of the date of effectiveness of the proposed rule change, the Commission, after consultation with the CFTC, may summarily abrogate the proposed rule change and require that the proposed rule change be refiled in accordance with the provisions of Section 19(b)(1) of the Act.⁸

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change, as amended, is consistent with the Act. Comments may be submitted by any of the following methods:

⁸ 15 U.S.C. 78s(b)(1).

Electronic Comments:

- Use the Commission's Internet comment form (<http://www.sec.gov/rules/sro.shtml>); or
- Send an e-mail to rule-comments@sec.gov. Please include File Number SR-OC-2009-04 on the subject line.

Paper Comments:

- Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-OC-2009-04. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet Web site (<http://www.sec.gov/rules/sro.shtml>). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for inspection and copying in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information

that you wish to make available publicly. All submissions should refer to File Number SR-OC-2009-04 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁹

Florence E. Harmon
Deputy Secretary

⁹ 17 CFR 200.30-3(a)(12).