SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–59574; File No. 4–533]

Joint Industry Plan; Notice of Filing and Immediate Effectiveness of Amendment No. 2 to the National Market System Plan for the Selection and Reservation of Securities Symbols To Modify Certain Effective Dates in Plan, Submitted by NASDAQ OMX BX, Inc., the Chicago Stock Exchange, Inc., the Chicago Board Options Exchange, Incorporated, the International Securities Exchange, LLC., the Financial Industry Regulatory Authority, Inc., the National Stock Exchange, Inc., the NASDAQ Stock Market LLC, the New York Stock Exchange LLC, NYSE Alternext U.S. LLC, NYSE Arca, Inc., and the NASDAQ OMX PHLX, Inc.

March 13, 2009.

I. Introduction

Pursuant to Section 11A(a)(3) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 608 thereunder,[2] notice is hereby given that on March 6, 2009, NASDAQ OMX BX, Inc., the Chicago Stock Exchange, Inc. (''CHX''), the Chicago Board Options Exchange, Incorporated, the International Securities Exchange, LLC., the Financial Industry Regulatory Authority, Inc. (''FINRA''), the National Stock Exchange, Inc. (''NSX''), The NASDAQ Stock Market LLC (''Nasdaq''), the New York Stock Exchange LLC, NYSE Alternext Exchange U.S. LLC, NYSE Arca, Inc., and the NASDAQ OMX PHLX, Inc. (''Phlx'') (together, the ''Parties'') filed with the Securities and Exchange Commission (''Commission'') Amendment No. 2 to the National Market System Plan for the Selection and Reservation of Securities Symbols (''Symbology Plan'' or ''Plan'').[3] The amendment modifies certain effective dates in the Symbology Plan. The Commission is publishing this notice of filing and immediate effectiveness to solicit comments on the amendment from interested persons.

II. Description and Purpose of the Amendment

The purpose of Amendment No. 2 is to: (i) delay the start of the 30 initial symbol reservation period until 145 days after the Commission's approval of the Plan, and (ii) delay the establishment of the Plan as the exclusive method of allocating symbols of one-, two-, three-, four-, and five-characters in length until 175 days after the Commission approval of the Plan. Pursuant to this Amendment, the initial symbol reservation period would now commence on April 1, 2009 and the Symbology Plan would become the exclusive method of allocating symbols of one-, two-, three-, four-, and five-characters in length on April 30, 2009. The purpose of the amendment is to give the parties adequate time to properly evaluate and select the Plan processor and to implement the Plan in an organized fashion.

III. Effectiveness of the Proposed Symbology Plan Amendment

Pursuant to paragraph (b)(3)(ii) of Rule 608 under the Act,[4] the Parties have designated this amendment as one that may be put into effect upon filing with the Commission as it is concerned solely with the administration of the Plan.

The Commission may summarily abrogate the amendment within sixty days of its filing and require refiling and approval of the Amendment by Commission order pursuant to Rule 608(b)(2) [5] under the Act if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or the maintenance of fair and orderly markets, to remove impediments to, and perfect mechanisms of, a national market system or otherwise in furtherance of the purposes of the Act.[6]

IV. Solicitation of Comments

Interested persons are invited to submit written data, views and arguments concerning the foregoing, including whether Amendment No. 2 is consistent with the Act. Comments may be submitted by any of the following methods:

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 4–533 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 4–533. 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, on official business days between the hours of 10 a.m. and 3 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 4–533 and should be submitted on or before April 10, 2009.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.[7]

Florence E. Harmon,

Deputy Secretary.

[FR Doc. E9–6085 Filed 3–19–09; 8:45 am]

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[1] 15 U.S.C. 78k–1(a)(3).

[2] 17 CFR 242.608.

[3] On November 6, 2008, the Commission approved the Symbology Plan that was originally proposed by the CHX, Nasdaq, FINRA, NSX, and Phlx, subject to certain changes. *See* Securities Exchange Act Release No. 58904, 73 FR 67218 (November 13, 2008) (File No. 4–533).

[4] 17 CFR 242.608(b)(3)(ii).

[5] 17 CFR 242.608(b)(2).

[6] 17 CFR 242.608(b)(3)(iii).

[7] 17 CFR 200.30–3(a)(12).

SECURITIES AND EXCHANGE COMMISSION

Sunshine Act Meeting

FEDERAL REGISTER CITATION OF PREVIOUS ANNOUNCEMENT: [To Be Published]

STATUS: Closed meeting.

PLACE: 100 F Street, NE., Washington, DC.

DATE AND TIME OF PREVIOUSLY ANNOUNCED MEETING: Thursday, March 19, 2009 at 2 p.m.

CHANGE IN THE MEETING: Additional item.

The following item has been added to the Thursday, March 19, 2009 closed meeting agenda:

Formal order of investigation.

The General Counsel of the Commission, or his designee, has certified that, in his opinion, one or more of the exemptions set forth in 5 U.S.C. 552(b)(c)(5), (7) and (10) and 17 CFR 200.402(a)(5), (7) and (10) permit consideration of the scheduled matter at the closed meeting.

Commissioner Aguilar, as duty officer, determined that Commission business required the above change and that no earlier notice thereof was possible.

At times, changes in Commission priorities require alterations in the scheduling of meeting items. For further information and to ascertain what, if any, matters have been added, deleted or postponed, please contact the Office of the Secretary at (202) 551–5400.

Dated: March 17, 2009.

Elizabeth M. Murphy,

Secretary.

[FR Doc. E9–6192 Filed 3–18–09; 4:15 pm]

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SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–59576; File No. SR–ISE–2009–07]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to Options Fee Changes

March 13, 2009.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (''Act'') [1] and Rule 19b–4 thereunder,[2] notice is hereby given that on February 20, 2009, the International Securities Exchange, LLC (the ''Exchange'' or the ''ISE'') filed with the Securities and Exchange Commission (''Commission'') the proposed rule change as described in Items I, II, and III below, which Items have been prepared by the self-regulatory organization. The Exchange has designated this proposal as one establishing or changing a due, fee, or other charge imposed by ISE under Section 19(b)(3)(A)(ii) of the Act [3] and Rule 19b–4(f)(2) thereunder,[4] which renders the proposal effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

[1] 15 U.S.C. 78s(b)(1).

[2] 17 CFR 240.19b–4.

[3] 15 U.S.C. 78s(b)(3)(A)(ii).

[4] 17 CFR 240.19b–4(f)(2).

I. Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change

The ISE is proposing to amend its Schedule of Fees to adopt three fee changes. The text of the proposed rule change is available on the Exchange's Web site (*http://www.ise.com*), at the principal office of the Exchange, 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

In its filing with the Commission, the self-regulatory organization included statements concerning the purpose of, and basis for, the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. The self-regulatory organization has prepared summaries, set forth in sections A, B and C below, of the most significant aspects of such statements.

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 adopt three fee changes. These changes will be operative on March 2, 2009.

Customer orders for Complex Orders that take liquidity from the complex order book: ISE currently charges $0.18 per contract to members for customer orders that take liquidity from the complex order book. This fee does not apply until a member executes, on a monthly basis, 15,000 spread contracts that take liquidity from the complex order book. Once a member executes 15,000 spread contracts that take liquidity from the complex order book, this fee is assessed on all of the incremental spread contracts that take liquidity from the complex order book executed by the member during the month. ISE proposes to increase this fee to $0.20 per contract to align it with fees for similar types of proprietary trading.

Customer orders entered in response to special order broadcasts: ISE currently charges $0.18 per contract for transactions that result from customer orders that are entered as responses to special order broadcasts. Special order broadcasts are sent to members when certain types of orders are entered, such as facilitation orders, solicitation orders, block orders, and Price Improvement Mechanism orders. ISE similarly proposes to increase this fee to $0.20 per contract to align it with firm proprietary trading fees.

Non-ISE Market Maker (FARMM) fee discount for special orders: ISE currently charges a transaction fee of $0.45 per contract for FARMM orders. FARMM orders are orders that are sent to the Exchange by an Electronic Access Member on behalf of non-ISE market makers. In order to encourage FARMMs to execute orders in our Facilitation and Solicitation Mechanisms, ISE currently charges FARMMs a discounted transaction fee of $0.19 per contract. ISE proposes to adjust the current discount by increasing the discounted fee to $0.20 per contract. FARMM orders that respond to the Exchange's Facilitation and Solicitation auctions will be charged the standard fee of $0.45 per contract.

2. Statutory Basis

The basis under the Securities Exchange Act of 1934 (the ''Exchange Act'') for this proposed rule change is the requirement under Section 6(b)(4) that an exchange have an equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities. The Exchange believes the proposed fee increases are reasonable and will result in a more equitable distribution among market participants of the costs associated with the type of orders to which these fees apply.

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

The proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act.

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

The Exchange has not solicited, and does not intend to solicit, comments on this proposed rule change. The Exchange has not received any unsolicited written comments from members or other interested parties.

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

The foregoing proposed rule change has been designated as a fee change pursuant to Section 19(b)(3)(A)(ii) of the Act [5] and Rule 19b–4(f)(2) [6] thereunder, because it establishes or changes a due, fee, or other charge imposed by the

[5] 15 U.S.C. 78s(b)(3)(A)(ii).

[6] 17 CFR 240.19b–4(f)(2).