



**RULE
ADOPTION
NOTICE**

**RAN-10-16
July 23, 2010**

TO: All ATP Holders
FROM: Options Regulation Department
SUBJECT: Amending its Fee Schedule
(File No. SR-NYSEAmex-2010-30)

On March 24, 2010, NYSE Amex LLC filed with the Securities and Exchange Commission SR-NYSEAmex-2010-30, a proposal to revise the manner in which marketing charges are made available to Specialists for Non-Directed orders.

This proposal was effective on the date of filing, March 24, 2010. Questions regarding this bulletin may be directed to Matthew Vaughn at 312-442-7149.

The following is the text of the rule change (deletions are in brackets, additions are underlined):

Text of Proposed Rule Change
New text is underscored; deleted text is in brackets
NYSE AMEX OPTIONS FEE SCHEDULE*
*NYSE Amex Options is the options trading facility of NYSE Amex, LLC

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MARKETING CHARGE ¹²	\$0.65 per contract side on transactions in non Penny Pilot issues where market makers trade against electronic customer orders.	
	\$0.25 per contract side on transactions in Penny Pilot issues where market makers trade against electronic customer orders.	
ROYALTY FEES ^{[12]13}	MNX, NDX	\$0.22
	Russell 2000 Index (RUT)	\$0.15
	All other premium products, ETFs	\$0.00
RATIO THRESHOLD FEE ^{[13]14}	<u>Monthly Order to Execution Ratio</u>	<u>Monthly Charge</u>
	Between 10,000 and 14,999 to 1	\$5,000
	Between 15,000 and 19,999 to 1	\$10,000
	Between 20,000 and 24,999 to 1	\$20,000
	25,000 to 1 and greater	\$35,000

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¹² The pool of monies resulting from the collection of marketing charges on Non-Directed order flow will be controlled by the Specialist or the e-Specialist with superior quote performance over the previous quarter for distribution by the Exchange at the direction of such Specialist or e-Specialist to eligible payment accepting firms. In making this determination the Exchange will, on a class by class basis, evaluate Specialist and e-Specialist performance based on factors such as quotes that establish a new NBBO, quotes that join the established NBBO, and executions in the class. The Specialist/e-Specialist with the best performance level based on these factors will control the pool of marketing charges collected on non-directed order flow for these issues for the following quarter. The Exchange will establish and, from time to time, adjust the formula used to determine quote and volume performance upon prior written notice to all Specialist and e-Specialist participants.

[¹²¹³ Assessed on a per contract basis for firm, broker/dealer, and Market Maker transactions. Customer volumes will not be subject to any royalty fees, license fees or premium product fees of any type. Please refer to "Limit of Fees on Options Strategy Executions" section of this schedule for information regarding Royalty Fees associated with Options Strategy Executions.

¹³¹⁴ The Ratio Threshold Fee is calculated on a monthly basis. Orders 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. ATP Holders will not be charged the Ratio Threshold Fee if they incur charges on a monthly basis pursuant to the Cancellation Fee.