Required fields are shown with yellow backgrounds and asterisks.

OMB Number: 3235-0045
Estimated average burden hours per response......38

Page 1 of * 1	3		EXCHANGE C GTON, D.C. 20 orm 19b-4			File No.	* SR - 2015 - * 24 Amendments *)		
Filing by International Securities Exchange									
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934									
Initial * ✓	Amendment *	Withdrawal	Section 19(b)(2) *	Section	on 19(b)(3)(A) *	Section 19(b)(3)(B) *		
1 1101	tension of Time Period Commission Action *	Date Expires *			19b-4(f) 19b-4(f))(2)			
Notice of pr	oposed change pursuant	to the Payment, Clear Section 806(e)(2) *	ing, and Settlen	nent Act of 2	2010	Security-Based Sw. to the Securities Exc. Section 3C(b)(-		
Exhibit 2 Sent	_	exhibit 3 Sent As Paper Do	ocument						
Description Provide a brief description of the action (limit 250 characters, required when Initial is checked *). Eliminate Historical Options Tick Data service.									
Contact Information Provide the name, telephone number, and e-mail address of the person on the staff of the self-regulatory organization prepared to respond to questions and comments on the action.									
First Name	* Michael		Last Name *	Sanocki					
Title *	Assistant General Counsel								
E-mail *	msanocki@ise.com								
Telephone * (212) 897-8144 Fax									
Signature Pursuant to the requirements of the Securities Exchange Act of 1934, has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.									
(Title *) Secretary & General Counsel									
	/21/2015 Secretary & General Counsel								
By Mic	hael Simon								
(Name *) NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed. Persona Not Validated - 1434392700842,									

SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549 For complete Form 19b-4 instructions please refer to the EFFS website. The self-regulatory organization must provide all required information, presented in a Form 19b-4 Information * clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal Remove is consistent with the Act and applicable rules and regulations under the Act. The Notice section of this Form 19b-4 must comply with the guidelines for publication Exhibit 1 - Notice of Proposed Rule Change * in the Federal Register as well as any requirements for electronic filing as published by the Commission (if applicable). The Office of the Federal Register (OFR) offers guidance on Federal Register publication requirements in the Federal Register Add Remove View Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3) The Notice section of this Form 19b-4 must comply with the guidelines for publication **Exhibit 1A- Notice of Proposed Rule** in the Federal Register as well as any requirements for electronic filing as published Change, Security-Based Swap Submission, by the Commission (if applicable). The Office of the Federal Register (OFR) offers or Advance Notice by Clearing Agencies * guidance on Federal Register publication requirements in the Federal Register Document Drafting Handbook, October 1998 Revision. For example, all references to the federal securities laws must include the corresponding cite to the United States Code in a footnote. All references to SEC rules must include the corresponding cite to the Code of Federal Regulations in a footnote. All references to Securities Exchange Act Releases must include the release number, release date, Federal Register cite, Federal Register date, and corresponding file number (e.g., SR-[SRO] -xx-xx). A material failure to comply with these guidelines will result in the proposed rule change, security-based swap submission, or advance notice being deemed not properly filed. See also Rule 0-3 under the Act (17 CFR 240.0-3) Exhibit 2 - Notices, Written Comments, Copies of notices, written comments, transcripts, other communications. If such Transcripts, Other Communications documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G. Remove View Add Exhibit Sent As Paper Document П Exhibit 3 - Form, Report, or Questionnaire Copies of any form, report, or questionnaire that the self-regulatory organization proposes to use to help implement or operate the proposed rule change, or that is Add Remove View referred to by the proposed rule change. Exhibit Sent As Paper Document The full text shall be marked, in any convenient manner, to indicate additions to and **Exhibit 4 - Marked Copies** deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit Add Remove View the staff to identify immediately the changes made from the text of the rule with which it has been working. **Exhibit 5 - Proposed Rule Text** The self-regulatory organization may choose to attach as Exhibit 5 proposed changes to rule text in place of providing it in Item I and which may otherwise be more easily readable if provided separately from Form 19b-4. Exhibit 5 shall be considered part Add Remove View of the proposed rule change. If the self-regulatory organization is amending only part of the text of a lengthy **Partial Amendment** proposed rule change, it may, with the Commission's permission, file only those portions of the text of the proposed rule change in which changes are being made if the filing (i.e. partial amendment) is clearly understandable on its face. Such partial

amendment shall be clearly identified and marked to show deletions and additions.

1. Text of the Proposed Rule Change

- (a) The International Securities Exchange, LLC (the "Exchange" or the "ISE") proposes to eliminate ISE's Historical Options Tick Data ("HOT Data") service. The text of the proposed fee schedule is attached as Exhibit 5.
 - (b) Inapplicable.
 - (c) Inapplicable.

2. <u>Procedures of the Self-Regulatory Organization</u>

The Exchange staff approved this proposed rule change pursuant to authority delegated to it by the Exchange's Board of Directors. This action constitutes the requisite approval under the Exchange's Certificate of Formation, Operating Agreement, and Constitution.

- 3. <u>Self-Regulatory Organization's Statement of the Purpose</u> of, and the Statutory Basis for, the Proposed Rule Change
- (a) <u>Purpose</u> The purpose of this proposed rule change is to amend the Exchange's Schedule of Fees to eliminate ISE's HOT Data service because the ISE has determined to no longer offer this service to members or non-members.

ISE's HOT Data was generated from daily data received from the Options Price Reporting Authority ("OPRA"), which is the "securities information processor for market information generated by trading of securities options in the United States." The core data disseminated by OPRA includes last sale reports and quotations; however, OPRA also disseminates other information including, for example, the number of options contracts traded, open interest, and end of day summaries. Specifically, to create ISE's HOT Data, the ISE captured OPRA tick data and made it available as an "end of day" file or as a "historical" file for HOT Data subscribers and other market participants that made ad hoc requests for data.

¹ OPRA Overview at http://www.opradata.com/overview/opra_over.jsp.

² Id.

³ The Exchange collected this data throughout each trading day and at the end of each trading day, the Exchange compressed the data and uploaded it onto a server. Once the data was loaded onto the server, it was then made available to subscribers and other market participants.

⁴ An end of day file refers to OPRA tick data for a trading day that was distributed prior to the opening of the next trading day. An end of day file was made available to subscribers as soon as practicable at the end of each trading day on an on-going basis pursuant to an annual subscription or through an ad-hoc request.

The most recent fee charged to subscribers of HOT Data was \$2,000 per month on an annual subscription basis. For ad-hoc requests, ISE charged \$120 per day, with a minimum purchase of \$1,000 plus a processing fee of \$499 per order for up to 1.5 Terabytes (TB). An order that exceeded 1.5 TB was charged an additional \$399 for up to an additional 1.5 TB.

The Exchange now proposes to eliminate the HOT Data service.⁶

(b) <u>Basis</u> – The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act. In particular, the proposal is consistent with Section 6(b)(5) of the Act, because is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

The Exchange believes eliminating the service is consistent with the Exchange Act because it eliminates a service relating to market data that the Exchange has determined to no longer offer to members or non-members. The Exchange believes that the proposed rule change is consistent with the protection of investors and the public interest because the underlying data is available to market participants from other sources. Although ISE's HOT Data is separate from the core data feed available from OPRA, all the information that was available via the HOT Data feed is included in the OPRA core data feed, and this data is widely distributed. Additionally, the OPRA tick data collected and stored by ISE is neither exclusive nor proprietary to the Exchange. As such, the Exchange notes that there is nothing unique in ISE's HOT data that a third party vendor could not also provide.

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

This proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act because ISE is eliminating a service that provides data, which is available to market participants from other sources.

⁸ 15 U.S.C. 78f(b)(5).

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⁵ An end of day file that was distributed after the start of the next trading day was called a historical file. A historical file was available to customers for a pre-determined date range by ad-hoc requests only.

⁶ No rule requires the ISE or any other exchange to offer this data nor are vendors required to purchase or display this data.

⁷ 15 U.S.C. 78f(b).

5. <u>Self-Regulatory Organization's Statement on Comments on the</u> 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.

6. Extension of Time Period for Commission Action

N/A

7. <u>Basis for Summary Effectiveness Pursuant to Section 19(b)(3)</u> or for Accelerated Effectiveness Pursuant to Section 19(b)(2)

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act⁹ and paragraph (f)(6) of Rule 19b-4 thereunder.¹⁰ The Exchange asserts that the proposed rule change: (1) will not significantly affect the protection of investors or the public interest, (2) will not impose any significant burden on competition, and (3) and will not become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate.

The proposed change does not raise any new, unique or substantive issues, but instead merely eliminates ISE's HOT Data service that provides data, which is available to market participants from other sources. As such, the Exchange believes that the proposed rule change qualifies as a "non-controversial" rule change.

A proposed rule change filed under Rule 19b-4(f)(6) normally does not become operative prior to 30 days after the date of filing. Rule 19b-4(f)(6)(iii), however, permits the Commission to designate a shorter time if such action is consistent with the protection of investors and the public interest. Furthermore, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file the proposed rule change at least five business days prior to the date of filing of the proposed rule change, or such shorter time as designated by the Commission. The Exchange respectfully requests that the Commission waive the pre-filing period and the 30 day operative delay period. Waiver of the pre-filing period and the operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to eliminate a market data service that provides data, which is available from other sources.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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⁹ 15 U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4.

8. <u>Proposed Rule change Based on Rules of Another</u> <u>Self-Regulatory Organization or of the Commission</u>

This proposed rule change is not based on the rules of another self-regulatory organization or of the Commission.

9. Exhibits

<u>Exhibit 1</u> – Form of Notice of Proposed Rule Change for Publication in the Federal Register.

Exhibit 5 – Text of the Proposed Rule Change.

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION (Release No. 34-; File No. SR-ISE-2015-24)

[Date]

Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing of Proposed Rule Change Relating to Market Data Fees

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), ¹ and Rule 19b-4 thereunder, ² notice is hereby given that on August 21, 2015, the International Securities Exchange, LLC (the "Exchange" or the "ISE") filed with the Securities and Exchange 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 Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

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

The purpose of this proposed rule change is to amend the Exchange's Schedule of Fees to eliminate ISE's Historical Options Tick Data ("HOT Data") service. 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.

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¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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 selfregulatory 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
- (a) Purpose The purpose of this proposed rule change is to amend the Exchange's Schedule of Fees to eliminate ISE's HOT Data service because the ISE has determined to no longer offer this service to members or non-members.

ISE's HOT Data was generated from daily data received from the Options Price Reporting Authority ("OPRA"), which is the "securities information processor for market information generated by trading of securities options in the United States." The core data disseminated by OPRA includes last sale reports and quotations; however, OPRA also disseminates other information including, for example, the number of options contracts traded, open interest, and end of day summaries.⁴ Specifically, to create ISE's HOT Data, the ISE captured OPRA tick data⁵ and made it available as an "end of day"

³ OPRA Overview at http://www.opradata.com/overview/opra_over.jsp.

⁴ Id.

⁵ The Exchange collected this data throughout each trading day and at the end of each trading day, the Exchange compressed the data and uploaded it onto a server. Once the data was loaded onto the server, it was then made available to subscribers and other market participants.

file⁶ or as a "historical" file⁷ for HOT Data subscribers and other market participants that made ad hoc requests for data.

The most recent fee charged to subscribers of HOT Data was \$2,000 per month on an annual subscription basis. For ad-hoc requests, ISE charged \$120 per day, with a minimum purchase of \$1,000 plus a processing fee of \$499 per order for up to 1.5 Terabytes (TB). An order that exceeded 1.5 TB was charged an additional \$399 for up to an additional 1.5 TB.

The Exchange now proposes to eliminate the HOT Data service.⁸

(b) <u>Basis</u> – The Exchange believes that the proposed rule change is consistent with the requirements of the Act and the rules and regulations thereunder that are applicable to a national securities exchange, and, in particular, with the requirements of Section 6(b) of the Act. In particular, the proposal is consistent with Section 6(b)(5) of the Act, because is designed to promote just and equitable principles of trade, remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest.

¹⁰ 15 U.S.C. 78f(b)(5).

⁶ An end of day file refers to OPRA tick data for a trading day that was distributed prior to the opening of the next trading day. An end of day file was made available to subscribers as soon as practicable at the end of each trading day on an on-going basis pursuant to an annual subscription or through an ad-hoc request.

⁷ An end of day file that was distributed after the start of the next trading day was called a historical file. A historical file was available to customers for a pre-determined date range by ad-hoc requests only.

⁸ No rule requires the ISE or any other exchange to offer this data nor are vendors required to purchase or display this data.

⁹ 15 U.S.C. 78f(b).

The Exchange believes eliminating the service is consistent with the Exchange Act because it eliminates a service relating to market data that the Exchange has determined to no longer offer to members or non-members. The Exchange believes that the proposed rule change is consistent with the protection of investors and the public interest because the underlying data is available to market participants from other sources. Although ISE's HOT Data is separate from the core data feed available from OPRA, all the information that was available via the HOT Data feed is included in the OPRA core data feed, and this data is widely distributed. Additionally, the OPRA tick data collected and stored by ISE is neither exclusive nor proprietary to the Exchange. As such, the Exchange notes that there is nothing unique in ISE's HOT data that a third party vendor could not also provide.

B. <u>Self-Regulatory Organization's</u> <u>Statement on Burden on Competition</u>

This proposed rule change does not impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Exchange Act because ISE is eliminating a service that provides data, which is available to market participants from other sources.

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

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. <u>Date of Effectiveness of the Proposed Rule</u> Change and Timing for Commission Action

The Exchange believes that the foregoing proposed rule change may take effect upon filing with the Commission pursuant to Section 19(b)(3)(A)¹¹ of the Act and Rule 19b-4(f)(6) thereunder¹² because the foregoing proposed rule change does not (i) significantly affect the protection of investors or the public interest, (ii) impose any significant burden on competition, and (iii) become operative for 30 days after its filing date, or such shorter time as the Commission may designate.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change 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 No. SR-ISE-2015-24 on the subject line.

Paper comments:

¹¹ 15 U.S.C. 78s(b)(3)(A). ¹² 17 CFR 240.19b-4(f)(6).

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

All submissions should refer to File Number SR-ISE-2015-24. 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 Commissions 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. Copies of such filing also will be available for inspection and copying at the principal office of the ISE. 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-ISE-2015-24 and should be submitted by [insert date 21 days from the date of publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority. ¹³

Secretary

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¹³ 17 CFR 200.30-3(a)(12).

Exhibit 5
Text of the Proposed Rule Change
<u>Underlining</u> indicates additions; [brackets] indicate deletions.

* * *

VIII. Market Data

* * *

E. [Historical Data

Subscription - \$2,000 per month with an annual subscription.

Ad-hoc Request - \$120 per day. There is a minimum of \$1,000 for all Ad-hoc Requests. All Ad-hoc Requests are subject to a processing fee of \$499 for up to 1.5 terabytes. Orders in excess of 1.5 terabytes will be assessed an additional fee of \$399 for up to an additional 1.5 terabytes.] Reserved.

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