

= 10 hours). The total cost of compliance for the annual burden is \$3,160 ( $\$316 \times 5$  hours per response  $\times$  2 responses = \$3,160). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$553 per response ( $\$1,580 \times 35\%$ ). Thus, the Commission estimates the total annualized cost burden would be \$1,106 ( $\$553 \times 2$  respondents).

An estimated two respondents will meet certain volume thresholds requiring them to provide notice to any user upon any decision to deny or limit that user's access to the system, and these notice obligations will be triggered an estimated 27  $\times$  per year for each respondent. The Commission estimates that the average compliance burden for each response would be 1 hour of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 54 hours (2 respondents  $\times$  27 responses each  $\times$  1 hour = 54 hours). The total cost of compliance for the annual burden is \$17,064 ( $\$316 \times 1$  hour per response  $\times$  54 responses = \$17,064). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$110.60 per response ( $\$316 \times 35\%$ ). Thus, the Commission estimates the annualized cost burden for each respondent would be \$2986.20 ( $\$110.60 \times 27$  responses per respondent) and the total annualized cost burden for all respondents would be \$5972.40 ( $\$110.60 \times 2$  respondents  $\times$  27 responses per respondent).

An estimated two respondents will meet certain volume thresholds requiring them to keep records relating to any steps taken to comply with systems capacity, integrity, and security requirements under Rule 301. The Commission estimates that the average compliance burden for each response would be 10 hours of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 20 hours (2 respondents  $\times$  10 hours = 20 hours). The total cost of compliance for the annual burden is \$6,320 ( $\$316 \times 20$  hours = \$6,320). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$1,106 per response ( $\$3,160 \times 35\%$ ). Thus, the Commission estimates the total annualized cost burden would be \$2,212 ( $\$1,106 \times 2$  respondents).

An estimated two respondents will meet certain volume thresholds requiring them to provide a notice to the Commission to report any systems outages, and these notice obligations will be triggered an estimated 5 times per year for each respondent. The

Commission estimates that the average compliance burden for each response would be .25 hours of in-house professional work at \$316 per hour. Thus, the total compliance burden per year is 2.5 hours (2 respondents  $\times$  5 responses each  $\times$  .25 hours = 2.5 hours). The total cost of compliance for the annual burden is \$790 ( $\$316 \times .25$  hours per response  $\times$  10 responses = \$790). In addition, estimated overhead costs for printing, copying, and postage equal to 35% of the value of labor costs amount to \$27.65 per response ( $\$79 \times 35\%$ ). Thus, the Commission estimates the annualized cost burden for each respondent would be \$138.25 ( $\$27.65 \times 5$  responses per respondent) and the total annualized cost burden for all respondents would be \$276.50 ( $\$27.65 \times 2$  respondents  $\times$  5 responses per respondent).

Written comments are invited on (a) Whether the proposed collection of information is necessary for the proper performance of the functions of the agency, including whether the information shall have practical utility; (b) the accuracy of the agency's estimate of the burden of the proposed collection of information; (c) ways to enhance the quality, utility, and clarity of the information collected; and (d) ways to minimize the burden of the collection of information on respondents, including through the use of automated collection techniques or other forms of information technology. Consideration will be given to comments and suggestions submitted in writing within 60 days of this publication.

Please direct your written comments to: Jeffrey Heslop, Acting Chief Information Officer, Securities and Exchange Commission, c/o Remi Pavlik-Simon, 6432 General Green Way, Alexandria, Virginia 22312 or send an e-mail to: [PRA\\_Mailbox@sec.gov](mailto:PRA_Mailbox@sec.gov).

Dated: October 25, 2010.

**Florence E. Harmon,**  
Deputy Secretary.

[FR Doc. 2010-27468 Filed 10-29-10; 8:45 am]

**BILLING CODE 8011-01-P**

## SECURITIES AND EXCHANGE COMMISSION

### Sunshine Act Meeting

Notice is hereby given, pursuant to the provisions of the Government in the Sunshine Act, Public Law-409, that the Securities and Exchange Commission will hold a closed meeting on Thursday, November 4, 2010 at 1:30 p.m.

Commissioners, Counsel to the Commissioners, the Secretary to the Commission, and recording secretaries

will attend the closed meeting. Certain staff members who have an interest in the matters also may be present.

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. 552b(c)(3), (5), (7), 9(B) and (10) and 17 CFR 200.402(a)(3), (5), (7), 9(ii) and (10), permit consideration of the scheduled matters at the Closed Meeting.

Commissioner Paredes, as duty officer, voted to consider the items listed for the closed meeting in a closed session, and determined that no earlier notice thereof was possible.

The subject matter of the closed meeting scheduled for Thursday, November 4, 2010 will be: Institution and settlement of injunctive actions; institution and settlement of administrative proceedings; and other matters relating to enforcement proceedings.

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: October 28, 2010.

**Elizabeth M. Murphy,**  
Secretary.

[FR Doc. 2010-27640 Filed 10-28-10; 4:15 pm]

**BILLING CODE P**

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63179; File No. SR-ISE-2010-104]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Amending Its Schedule of Fees

October 26, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on October 19, 2010, International Securities Exchange, LLC ("ISE" or "Exchange") 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 Exchange. The Commission is publishing this

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

notice to solicit comments on the proposed rule change from interested persons.

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

The Exchange proposes to amend its fee schedule by eliminating all fees related to its equity market. 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 Exchange 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 Exchange 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 Exchange has ceased trading equity securities in its market. Therefore, the Exchange is now proposing to eliminate all fees related to the trading of equity securities and its equity membership from its Schedule of Fees. The Exchange believes that eliminating the fees related to equities will simplify and clarify its Schedule of Fees, and thereby avoid investor confusion by only publishing fees for products that are traded on its market.

##### 2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with the objectives of Section 6 of the Act,<sup>3</sup> in general, and furthers the objectives of Section 6(b)(4),<sup>4</sup> in particular, in that it is designed to provide for the equitable allocation of reasonable dues, fees and other charges among its members and other persons using its facilities. Since the Exchange no longer trades equities in its market, the proposed rule change will simply its Schedule of Fees by eliminating the fees related to equities.

#### 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 rule change has become effective pursuant to Section 19(b)(3) of the Act<sup>5</sup> and Rule 19b-4(f)(2)<sup>6</sup> thereunder. At any time within 60 days of the filing of such 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.

### 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](mailto:rule-comments@sec.gov). Please include File Number SR-ISE-2010-104 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-ISE-2010-104. 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 Web site viewing and printing in the Commission's Public Reference Room, 100 F Street, NE., Washington, DC 20549, on official business days between the hours of 10 a.m. and 3 p.m. Copies of such filing will also 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 No. SR-ISE-2010-104 and should be submitted on or before November 22, 2010.

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.<sup>7</sup>

Florence E. Harmon,  
Deputy Secretary.

[FR Doc. 2010-27494 Filed 10-29-10; 8:45 am]

BILLING CODE 8011-01-P

## SECURITIES AND EXCHANGE COMMISSION

[Release No. 34-63177; File No. SR-ISE-2010-105]

### Self-Regulatory Organizations; International Securities Exchange, LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change Relating to a Date for the Additional Expiration Months Pilot Program

October 25, 2010.

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4 thereunder,<sup>2</sup> notice is hereby given that on October 20, 2010, the International Securities Exchange, Inc. (the "Exchange" or "ISE") filed with the Securities and Exchange Commission (the "Commission") the proposed rule change as described in Items I and II below, which Items have been prepared by the Exchange. The

<sup>7</sup> 17 CFR 200.30-3(a)(12).

<sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>2</sup> 17 CFR 240.19b-4.

<sup>3</sup> 15 U.S.C. 78f.

<sup>4</sup> 15 U.S.C. 78f(b)(4).

<sup>5</sup> 15 U.S.C. 78s(b)(3).

<sup>6</sup> 17 CFR 240.19b-4(f)(2).