

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-66945; File No. SR-NYSEArca-2012-19)

May 8, 2012

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Designation of a Longer Period for Commission Action on Proposed Rule Change to Amend Commentary .01 to NYSE Arca Rule 6.35

On March 9, 2012, NYSE Arca, Inc. (“Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (“Act”)¹ and Rule 19b-4 thereunder,² a proposed rule change to amend Commentary .01 to NYSE Arca Rule 6.35 and to make non-substantive changes to NYSE Arca Rules 6.35, 6.37, 6.84, and 10.12. The proposed rule change was published for comment in the Federal Register on March 28, 2012.³ The Commission received no comments on this proposal.

Section 19(b)(2) of the Act⁴ provides that within 45 days of the publication of notice of the filing of a proposed rule change, or within such longer period up to 90 days as the Commission may designate if it finds such longer period to be appropriate and publishes its reasons for so finding or as to which the self-regulatory organization consents, the Commission shall either approve the proposed rule change, disapprove the proposed rule change, or institute proceedings to determine whether the proposed rule change should be disapproved. The 45th day for this filing is May 12, 2012. The Commission is extending this 45-day time period.

The Commission finds it appropriate to designate a longer period within which to take action on the proposed rule change so that it has sufficient time to consider this proposed rule change, which would allow a market maker’s trades effected on the trading floor to

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 66642 (March 22, 2012), 77 FR 18875.

⁴ 15 U.S.C. 78s(b)(2).

accommodate cross trades executed pursuant to NYSE Arca Rule 6.47 to count toward the requirement that at least 75% of a market maker's trading activity be effected in classes within the market maker's appointment.

Accordingly, the Commission, pursuant to Section 19(b)(2) of the Act,⁵ designates June 26, 2012 as the date by which the Commission should either approve or disapprove, or institute proceedings to determine whether to disapprove, the proposed rule change (File No. SR-NYSEArca-2012-19).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁶

Kevin M. O'Neill
Deputy Secretary

⁵ 15 U.S.C. 78s(b)(2).

⁶ 17 CFR 200.30-3(a)(31).