Page 1 of * 15			CHANGE COMMIS ON, D.C. 20549 n 19b-4		File No. * SR 2022 - * 15 t No. (req. for Amendments *)		
Filing by New York Stock Exchange LLC							
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934							
Initial *	Amendment *	Withdrawal	Section 19(b)(2) * Section 19(b)	Section 19(b)(3)(B) *		
Pilot	Extension of Time Period for Commission Action *	Date Expires *		Rule 19b-4(f)(1) 19b-4(f)(2) 19b-4(f)(3)	19b-4(f)(4) 19b-4(f)(5) 19b-4(f)(6)		
Notice of pro		nent, Clearing, and Settler Section 806(e)(2) *	Securities Exchar		p Submission pursuant to the e Act of 1934		
Exhibit 2 Sent As Paper Document Exhibit 3 Sent As Paper Document							
Provide a brief description of the action (limit 250 characters, required when Initial is checked *). Proposal to amend NYSE Rule 6A to exclude from the definition of Trading Floor the presence of fully enclosed telephone booths located in 18 Broad Street							
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 *	Samir	Last Name *	Patel				
Title *	Senior Counsel						
E-mail *	Samir.Patel@ice.com						
Telephone *	(212) 656-2030	Fax	(212) 656-8101				
Signature Pursuant to the requirements of the Securities Exchange of 1934, New York Stock Exchange LLC has duty caused this filing to be signed on its behalf by the undersigned thereunto duty authorized. Date 03/24/2022 (Title *) By David De Gregorio Associate General Counsel							
NOTE: Clicking form. A digital s	(Name *) the signature block at right will initiate digitally ignature is as legally binding as a physical sign s form cannot be changed.	atura and	David De Gregorio	Digitally signed by David De Gregorio Date: 2022.03.24 14:22:44 -04'00'			

SECURITIES AND EXCHANGE COMMISSION WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

Form 19b-4 Information *					
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SR-NYSE-2022-15 19b4.doc					

The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

Exhibit 1 - Notice of Proposed Rule Change *

Add Remove View

SR-NYSE-2022-15 Ex 1.doc

The Notice section of this Form 19b-4 must comply with the guidelines for publication 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 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)

Exhibit 1A - Notice of Proposed Rule Change, Security-Based Swap Submission, or Advanced Notice by Clearing Agencies *

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The Notice section of this Form 19b-4 must comply with the guidelines for publication 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 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)

Exhibit 2- Notices, Written Comments, Transcripts, Other Communications

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Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F , they shall be filed in accordance with Instruction G .

Exhibit Sent As Paper Document

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 referred to by the proposed rule change.

Exhibit 3 - Form, Report, or Questionnaire

Add Remove View

Exhibit Sent As Paper Document

Exhibit 4 - Marked Copies

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The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit 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

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SR-NYSE-2022-15 Ex 5.doc

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 of the proposed rule change

Partial Amendment

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If the self-regulatory organization is amending only part of the text of a lengthy 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. <u>Text of the Proposed Rule Change</u>

(a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² New York Stock Exchange LLC ("NYSE" or the "Exchange") proposes to amend NYSE Rule 6A ("Trading Floor") to exclude from the definition of Trading Floor the presence of fully enclosed telephone booths located in 18 Broad Street.

A notice of the proposed rule change for publication in the <u>Federal</u> <u>Register</u> is attached hereto as Exhibit 1, and the text of the proposed rule change is attached as Exhibit 5.

- (b) The Exchange does not believe that the proposed rule changes will have any direct effect, or any significant indirect effect, on any other Exchange rule in effect at the time of this filing.
- (c) Not applicable.

2. Procedures of the Self-Regulatory Organization

Senior management has approved the proposed rule changes pursuant to authority delegated to it by the Board of Directors of the Exchange. No further action by the Board of Directors or the membership of the Exchange is required. Therefore, the Exchange's internal procedures with respect to the proposed rule changes are complete.

The persons on the Exchange staff prepared to respond to questions and comments on the proposed rule changes are:

Samir M. Patel Senior Counsel NYSE Group, Inc. (212) 656-2030

3. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

(a) Purpose

The Exchange proposes to amend NYSE Rule 6A ("Trading Floor") to exclude from the definition of "Trading Floor" the presence of fully enclosed telephone booths located in 18 Broad Street.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

The Exchange currently defines "Trading Floor" in Rule 6A(a) to mean the restricted-access physical areas designated by the Exchange for the trading of securities, commonly known as the "Main Room" and the "Buttonwood Room." Rule 6A(b) currently specifies that the Exchange's Trading Floor does not include (i) areas designated by the Exchange where NYSE American-listed options are traded, commonly known as the "Buttonwood Room," which, for the purposes of the Exchange's Rules, are referred to as the "NYSE American Options Trading Floor," or (ii) the physical area within fully enclosed telephone booths located in 18 Broad Street at the Southeast wall of the Trading Floor.

The telephone booths were installed in 2016 to facilitate communication by DMMs with issuers but can be used by anyone on the Trading Floor. The telephone booths, however, have been underutilized. As a result, the Exchange has determined to completely remove the telephone booths at 18 Broad Street. To reflect this change, the Exchange proposes to delete the phrase "the physical area within fully enclosed telephone booths located in 18 Broad Street at the Southeast wall of the Trading Floor" from Rule 6A(b). The Exchange does not anticipate that removal of the telephone booths will in any way impede a DMM's obligation to regularly communicate with their listed issuers.

Once the telephone booths are removed, the area where the telephone booths are located will again be a part of the Trading Floor and would fall within the broader

Access to the Trading Floor is restricted at each entrance by turnstiles and only authorized visitors, members or member firm employees are permitted to enter.

See NYSE Rule 6A. The term "Trading Floor" is distinct from the term "Floor." The term "Floor" means the trading Floor of the Exchange and the premises immediately adjacent thereto, such as the various entrances and lobbies of the 11 Wall Street, 18 New Street, 8 Broad Street, 12 Broad Street and 18 Broad Street Buildings, and also means the telephone facilities available in these locations. See NYSE Rule 6.

See id. See also Securities Exchange Act Release Nos. 59479 (March 2, 2009), 74 FR 10325 (March 10, 2009) (SR-NYSE-2009-23) (Notice of filing adopting NYSE Rule 6A and explaining that the proposed definition of "Trading Floor" will provide a more accurate description of the physical areas of the Floor where trading is actually conducted); and 78855 (September 15, 2016), 81 FR 64966 (September 21, 2016) (SR-NYSE-2016-31) (Approval of filing amending Rule 6A renaming the physical area formerly known as the "Garage" to the "Buttonwood Room" and excluding the physical area within fully enclosed telephone booths located in 18 Board Street from the definition of Trading Floor) ("2016 Filing")).

⁶ See 2016 Filing, 81 FR at 64966.

⁷ See Rule 104(j).

definition of Floor under Exchange rules. The Exchange will thus retain jurisdiction in this area to regulate conduct that is inconsistent with Exchange Rules and the federal securities laws and rules thereunder.

(b) <u>Statutory Basis</u>

The Exchange believes that the proposed rule changes are consistent with, and further the objectives of, Section 6(b)(5) of the Securities Exchange Act of 1934⁸ (the "Act"), in that they are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The proposed rule change would exclude from the definition of Trading Floor the presence of fully-enclosed telephone booths that are located on the perimeter of the Trading Floor. The Exchange believes that excluding the presence of these telephone booths from the definition of Trading Floor is designed to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade because the area where the telephone booths are located will once again become a part of the Trading Floor and thus allow the Exchange to regulate conduct that is inconsistent with Exchange Rules and the federal securities laws and rules thereunder. The Exchange also believes that the proposed change would protect investors and the public interest because removing reference to telephone booths from the definition of Trading Floor would make the Exchange's rulebook more transparent and facilitate market participants' understanding of the rules applicable to them.

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

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not designed to address any issues relating to competition. Rather, the proposed rule change would remove the physical area where telephone booths are located from the definition of Trading Floor and revert jurisdiction in that area back to the Exchange.

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

The Exchange has neither solicited nor received written comments on the proposed rule change.

6. Extension of Time Period for Commission Action

The Exchange does not consent at this time to an extension of any time period for

⁸ 15 U.S.C. 78f(b)(5).

Commission action.

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

The Exchange believes that the proposal qualifies for immediate effectiveness upon filing as a "non-controversial" rule change in accordance with Section 19(b)(3)(A) of the Act⁹ and Rule 19b-4(f)(6), thereunder.¹⁰

The Exchange asserts that the proposed rule change (i) will not significantly affect the protection of investors or the public interest, (ii) will not impose any significant burden on competition, and (iii) by its terms, will not become operative for 30 days after the date of this filing, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest. In addition, the Exchange provided the Commission with written notice of its intent to file the proposed rule change, along with a brief description and text of the proposed rule change, at least five business days prior to the date of filing, or such shorter time as the Commission may designate.

The Exchange believes that the proposed rule change would not significantly affect the protection of investors or the public interest or impose any significant burden on competition because the proposed rule change would amend the definition of Trading Floor to reflect the removal of telephone booth located on the Trading Floor.

For the foregoing reasons, the Exchange believes that this rule filing qualifies for immediate effectiveness as a "non-controversial" rule change. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule changes 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.

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

Not applicable.

Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act
 Not applicable.

^{9 15} U.S.C. 78s(b)(3)(A).

¹⁰ 17 CFR 240.19b-4(f)(6).

10. Advanced Notices Filed Pursuant to Section 806(e) of the Payment, Clearing and Settlement Supervision Act

Not applicable.

11. <u>Exhibits</u>

Exhibit 1 – Form of Notice of Proposed Rule Change for Publication in the Federal Register

Exhibit 5 – Text of the Proposed Rule Change

SECURITIES AND EXCHANGE COMMISSION (Release No. 34- ; File No. SR-NYSE-2022-15)

[Date]

Self-Regulatory Organizations; New York Stock Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Amend NYSE Rule 6A

Pursuant to Section 19(b)(1)¹ of the Securities Exchange Act of 1934 (the "Act")² and Rule 19b-4 thereunder,³ notice is hereby given that on March 24, 2022, New York Stock Exchange LLC ("NYSE" or the "Exchange") filed with the Securities and Exchange Commission (the "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 Terms of Substance of the Proposed Rule Change</u>

The Exchange proposes to amend NYSE Rule 6A ("Trading Floor") to exclude from the definition of Trading Floor the presence of fully enclosed telephone booths located in 18 Broad Street. The proposed rule change is available on the Exchange's website at www.nyse.com, at the principal office of the Exchange, and at the Commission's Public Reference Room.

II. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization included

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

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 those 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 parts of such statements.

A. <u>Self-Regulatory Organization's Statement of the Purpose of, and the Statutory Basis for, the Proposed Rule Change</u>

1. Purpose

The Exchange proposes to amend NYSE Rule 6A ("Trading Floor") to exclude from the definition of "Trading Floor" the presence of fully enclosed telephone booths located in 18 Broad Street.

The Exchange currently defines "Trading Floor" in Rule 6A(a) to mean the restricted-access physical areas designated by the Exchange for the trading of securities, commonly known as the "Main Room" and the "Buttonwood Room." Rule 6A(b) currently specifies that the Exchange's Trading Floor does not include (i) areas designated by the Exchange where NYSE American-listed options are traded, commonly known as the "Buttonwood Room," which, for the purposes of the Exchange's Rules, are referred to as the "NYSE American Options Trading Floor," or (ii) the physical area within fully enclosed telephone booths located in 18 Broad Street at the Southeast wall of

Access to the Trading Floor is restricted at each entrance by turnstiles and only authorized visitors, members or member firm employees are permitted to enter.

See NYSE Rule 6A. The term "Trading Floor" is distinct from the term "Floor." The term "Floor" means the trading Floor of the Exchange and the premises immediately adjacent thereto, such as the various entrances and lobbies of the 11 Wall Street, 18 New Street, 8 Broad Street, 12 Broad Street and 18 Broad Street Buildings, and also means the telephone facilities available in these locations. See NYSE Rule 6.

the Trading Floor.6

The telephone booths were installed in 2016 to facilitate communication by DMMs with issuers but can be used by anyone on the Trading Floor. The telephone booths, however, have been underutilized. As a result, the Exchange has determined to completely remove the telephone booths at 18 Broad Street. To reflect this change, the Exchange proposes to delete the phrase "the physical area within fully enclosed telephone booths located in 18 Broad Street at the Southeast wall of the Trading Floor" from Rule 6A(b). The Exchange does not anticipate that removal of the telephone booths will in any way impede a DMM's obligation to regularly communicate with their listed issuers. 8

Once the telephone booths are removed, the area where the telephone booths are located will again be a part of the Trading Floor and would fall within the broader definition of Floor under Exchange rules. The Exchange will thus retain jurisdiction in this area to regulate conduct that is inconsistent with Exchange Rules and the federal securities laws and rules thereunder.

2. <u>Statutory Basis</u>

The Exchange believes that the proposed rule changes are consistent with, and

See id. See also Securities Exchange Act Release Nos. 59479 (March 2, 2009), 74 FR 10325 (March 10, 2009) (SR-NYSE-2009-23) (Notice of filing adopting NYSE Rule 6A and explaining that the proposed definition of "Trading Floor" will provide a more accurate description of the physical areas of the Floor where trading is actually conducted); and 78855 (September 15, 2016), 81 FR 64966 (September 21, 2016) (SR-NYSE-2016-31) (Approval of filing amending Rule 6A renaming the physical area formerly known as the "Garage" to the "Buttonwood Room" and excluding the physical area within fully enclosed telephone booths located in 18 Board Street from the definition of Trading Floor) ("2016 Filing")).

⁷ See 2016 Filing, 81 FR at 64966.

^{8 &}lt;u>See</u> Rule 104(j).

further the objectives of, Section 6(b)(5) of the Securities Exchange Act of 19349 (the "Act"), in that they are designed to prevent fraudulent and manipulative acts and practices, to promote just and equitable principles of trade, to remove impediments to and perfect the mechanism of a free and open market and a national market system and, in general, to protect investors and the public interest. The proposed rule change would exclude from the definition of Trading Floor the presence of fully-enclosed telephone booths that are located on the perimeter of the Trading Floor. The Exchange believes that excluding the presence of these telephone booths from the definition of Trading Floor is designed to prevent fraudulent and manipulative acts and practices and to promote just and equitable principles of trade because the area where the telephone booths are located will once again become a part of the Trading Floor and thus allow the Exchange to regulate conduct that is inconsistent with Exchange Rules and the federal securities laws and rules thereunder. The Exchange also believes that the proposed change would protect investors and the public interest because removing reference to telephone booths from the definition of Trading Floor would make the Exchange's rulebook more transparent and facilitate market participants' understanding of the rules applicable to them.

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

The Exchange does not believe that the proposed rule changes will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change is not designed to address any issues relating to competition. Rather, the proposed rule change would remove the physical area where

^{9 15} U.S.C. 78f(b)(5).

telephone booths are located from the definition of Trading Floor and revert jurisdiction in that area back to the Exchange.

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

No written comments were solicited or received with respect to the proposed rule change.

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

The Exchange has filed the proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act¹⁰ and Rule 19b-4(f)(6) thereunder.¹¹ Because the 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 prior to 30 days from the date on which it was filed, or such shorter time as the Commission may designate, if consistent with the protection of investors and the public interest, the proposed rule change has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6)(iii) thereunder.

A proposed rule change filed under Rule $19b-4(f)(6)^{12}$ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b4(f)(6)(iii), ¹³ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest.

At any time within 60 days of the filing of such proposed rule change, the

¹⁵ U.S.C. 78s(b)(3)(A)(iii).

¹¹ 17 CFR 240.19b-4(f)(6).

¹² 17 CFR 240.19b-4(f)(6).

¹³ 17 CFR 240.19b-4(f)(6)(iii).

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. If the Commission takes such action, the Commission shall institute proceedings under Section $19(b)(2)(B)^{14}$ of the Act to determine whether the proposed rule change 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 Number SR-NYSE-2022-15 on the subject line.

Paper comments:

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

All submissions should refer to File Number SR-NYSE-2022-15. 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 website

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¹⁵ U.S.C. 78s(b)(2)(B).

(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 website 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 10:00 a.m. and 3:00 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. Persons submitting comments are cautioned that we do not redact or edit personal identifying information from comment submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-NYSE-2022-15 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority. ¹⁵

Eduardo A. Aleman Deputy Secretary

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EXHIBIT 5

Additions underlined; Deletions [bracketed]

Rules of New York Stock Exchange LLC

Rule 6A. "Trading Floor"

- (a) The term "Trading Floor" means the restricted-access physical areas designated by the Exchange for the trading of securities, commonly known as the "Main Room" and the "Buttonwood Room."
- (b) The Exchange's Trading Floor does not include [(i)] the areas in the "Buttonwood Room" designated by the Exchange where NYSE American-listed options are traded, which, for the purposes of the Exchange's Rules, shall be referred to as the "NYSE American Options Trading Floor" [or (ii) the physical area within fully enclosed telephone booths located in 18 Broad Street at the Southeast wall of the Trading Floor].

* * * * *