



2/28/2013

Ms. Elizabeth M. Murphy
Secretary
U.S. Securities and Exchange Commission
100 F Street, N.E.
Washington, D.C. 20549-1090

**Re: File No. 4-659, Petition for Rulemaking Under
Section 13(f) of the Securities Exchange Act of 1934**

Dear Ms. Murphy:

On behalf of my firm, the top provider of Market Structure Analytics tracking equity-trading behavior for large public companies, I am writing in support of the above referenced petition for rulemaking filed by NYSE Euronext, the Society of Corporate Secretaries and Governance Professionals and the National Investor Relations Institute. We join them in urging the U.S. Securities and Exchange Commission (the "Commission") to amend the beneficial ownership reporting rules under Section 13(f) of the Securities Exchange Act of 1934 in order to shorten the reporting deadline under paragraph (a)(1) of Rule 13f-1 from 45 days to two business days after the end of the calendar quarter.

We also agree with the petitioners that an even more substantial reduction in the Form 13F reporting period is warranted, to match that required for short-sale reporting under the Dodd-Frank Act. Under existing Section 13(f) the Commission may not require long-position reporting for a period shorter than one quarter. Accordingly, we encourage the Commission to raise this issue with the appropriate Congressional oversight committee, with a view to amending the statute to require no later than monthly reporting of long positions, similar to the current requirement for reporting short-sale positions, or some lesser reporting period as may be determined. Short volume averages roughly 40%¹ of total volume in the markets. We routinely see variances from 30%-65%. If the parties behind these will be required by the Dodd-Frank Act to report them monthly, it seems inconsistent to exclude long positions.

In today's world of ever-faster turnover of institutional positions, it is vital that issuers have current information regarding the identity of institutional shareholders. Illustrating the disconnect, behavioral statistics that my firm has refined since 2005 show that over 85% of trading volume in the 20-day period ended February 26 reflected a purpose or time-horizon shorter than current filing provisions.² The

¹ ModernIR parses and consolidates various short-volume statistics from FINRA and other sources to track daily short-volume totals and percentages for its clients.

² ModernIR uses proprietary measures of rule-compliance and broker-dealer trade-executions to generate statistical views of market activity.

Commission recognizes that it is important to have public disclosure of institutional investor holdings. Given the advances in recordkeeping technology in the more than 30 years since the reporting requirement was adopted, there does not seem to be any justification for the existing deadline under which an institutional investment manager can make an investment on the first day of the quarter and delay disclosure of that investment for more than four months.

Thank you for the opportunity to comment on this important issue. If we can provide any additional information that would be useful to the Commission or the staff in this matter, please contact me at 303-377-2222.

Very truly yours,

A handwritten signature in black ink, appearing to read "Timothy J. Quast". The signature is written in a cursive style with a large initial "T".

Timothy J Quast
President