

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34-67780; File No. SR-Phlx-2012-106)

September 5, 2012

Self-Regulatory Organizations; NASDAQ OMX PHLX LLC; Notice of Withdrawal of Proposed Rule Change to Modify Exchange Rule 3307 to Institute a Five Millisecond Delay in the Execution Time of Marketable Orders on NASDAQ OMX PSX

On August 9, 2012, NASDAQ OMX PHLX LLC (“Phlx” or “Exchange”) filed with the Securities and Exchange Commission (“Commission”), pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934¹ and Rule 19b-4 thereunder,² a proposed rule change to institute a five millisecond delay in the execution time of marketable orders on NASDAQ OMX PSX. Notice of the proposed rule change was published in the Federal Register on August 23, 2012.³ The Commission received no comments on the proposed rule change. On August 30, 2012, Phlx withdrew the proposed rule change (SR-Phlx-2012-106).

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁴

Kevin M. O’Neill
Deputy Secretary

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ See Securities Exchange Act Release No. 67680 (August 17, 2012), 77 FR 51073.

⁴ 17 CFR 200.30-3(a)(12).