

Required fields are shown with yellow backgrounds and asterisks.

Filing by Investors' Exchange LLC
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934

Initial * <input checked="" type="checkbox"/>	Amendment * <input type="checkbox"/>	Withdrawal <input type="checkbox"/>	Section 19(b)(2) * <input type="checkbox"/>	Section 19(b)(3)(A) * <input checked="" type="checkbox"/>	Section 19(b)(3)(B) * <input type="checkbox"/>
			Rule		
Pilot <input type="checkbox"/>	Extension of Time Period for Commission Action * <input type="checkbox"/>	Date Expires * <input type="text"/>	<input type="checkbox"/> 19b-4(f)(1)	<input type="checkbox"/> 19b-4(f)(4)	
			<input type="checkbox"/> 19b-4(f)(2)	<input type="checkbox"/> 19b-4(f)(5)	
			<input type="checkbox"/> 19b-4(f)(3)	<input checked="" type="checkbox"/> 19b-4(f)(6)	

Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010	Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934
Section 806(e)(1) * <input type="checkbox"/>	Section 806(e)(2) * <input type="checkbox"/>
Section 3C(b)(2) * <input type="checkbox"/>	

Exhibit 2 Sent As Paper Document <input type="checkbox"/>	Exhibit 3 Sent As Paper Document <input type="checkbox"/>
--	--

Description

Provide a brief description of the action (limit 250 characters, required when Initial is checked *).

Proposed rule change to modify the IEX Fee Schedule to clarify the circumstances in which IEX offers certain physical port connections.

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 * Nathaniel Last Name * Kolodny
 Title * Lead Regulation Counsel
 E-mail * nathaniel.kolodny@iextrading.com
 Telephone * (646) 343-2034 Fax

Signature

Pursuant to the requirements of the Securities Exchange Act of 1934,

has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

(Title *)
Lead Regulation Counsel

Date 04/22/2020
 By Nathaniel Kolodny
 (Name *)

nathaniel.kolodny@iextrading.com

NOTE: Clicking the button at right will digitally sign and lock this form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

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

Form 19b-4 Information *

Add Remove View

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

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 Advance Notice by Clearing Agencies *

Add Remove View

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, security-based swap submission, or advance notice 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

Add Remove View

Exhibit Sent As Paper Document

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 3 - Form, Report, or Questionnaire

Add Remove View

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 4 - Marked Copies

Add Remove View

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

Add Remove View

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

Add Remove View

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. Text of Proposed Rule Change

(a) Pursuant to the provisions of Section 19(b)(1) under the Securities Exchange Act of 1934 (“Act”),¹ and Rule 19b-4 thereunder,² Investors Exchange LLC (“IEX” or “Exchange”) is filing with the Securities and Exchange Commission (“Commission”) a proposed rule change to modify its Fee Schedule, pursuant to IEX Rule 15.110(a) and (c), to clarify the circumstances in which IEX offers certain physical port connections. The Exchange has designated this rule change as “non-controversial” under Section 19(b)(3)(A) of the Act³ and provided the Commission with the notice required by Rule 19b-4(f)(6) thereunder.⁴

A notice of the proposed rule change for publication in the Federal Register is attached hereto as Exhibit 1. The text of the proposed rule change is attached as Exhibit 5.

(b) The Exchange does not believe that the proposed rule change 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 change pursuant to authority delegated to it by the Board of the Exchange. No further action is required under the Exchange’s governing documents. Therefore, the Exchange’s internal procedures with respect to the proposed rule change are complete.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A).

⁴ 17 CFR 240.19b-4.

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

Claudia Crowley
Chief Regulatory Officer
Investors Exchange LLC
646-343-2041

Nathaniel Kolodny
Lead Regulation Counsel
Investors Exchange LLC
646-343-2034

3. Self-Regulatory Organization’s Statement on the Purpose of, and Statutory Basis for, the Proposed Rule Change

(a) Purpose

The Exchange proposes to modify its Fee Schedule, pursuant to IEX Rule 15.110(a) and (c), to clarify the circumstances in which IEX offers certain physical port connections. Specifically, the Exchange proposes to add two footnotes to its Fee Schedule to clarify that 10 gigabit (“10G”) physical connections are available to connect to both its production and test systems, but 1 gigabit (“1G”) physical connections are only available to connect to its test system. IEX will continue to offer all physical connections to the Exchange free of charge.

IEX is proposing this change to its Fee Schedule in order to more clearly denote the various ways market participants can connect to the Exchange. IEX, like all securities exchanges, offers its Members⁵ physical connections (also called “physical ports”) through which Members may “plug in” to the Exchange.⁶ These physical ports come in several forms that offer different amounts of bandwidth into the Exchange’s

⁵ See IEX Rule 1.160(s).

⁶ Members physically connect to IEX through physical ports, each of which supports multiple “logical port” connections. Members send and receive data through the logical ports (also known as “sessions”) such as order entry messages and market data feeds.

network. IEX offers two types of physical ports: either a 1G or 10G interface.⁷ 10G physical ports are ten times faster than 1G physical ports. IEX offers 10G physical ports only to connect to the IEX point-of-presence (“IEX POP”) and Disaster Recovery data centers (collectively the “Production Systems”).⁸ 1G physical ports are the default interface to the IEX Test Facility (“ITF”), which is not as bandwidth or latency sensitive as the Production Systems, but 10G physical ports are also available to connect to the ITF.⁹ IEX offers all physical ports free of charge, but the current IEX Fee Schedule does not specify which physical ports are used to connect to the Production Systems or the ITF.¹⁰

Therefore, the Exchange proposes to add two clarifying footnotes to the “Connectivity Fees” section of the IEX Fee Schedule. The first footnote, after the words “10G Physical Port,” states that “10G physical ports are available to connect to IEX’s production systems (i.e., the IEX POP and Disaster Recovery Data Centers) and the IEX Test Facility (‘ITF’).” The second footnote, after the words “1G Physical Port,” states that “1G physical ports are the default connection to the ITF, but Members may also connect to the ITF through a 10G physical port.”

IEX also proposes to make three conforming changes to the Connectivity Fees section of the IEX Fee Schedule. First, IEX proposes to renumber current footnote one to

⁷ See IEX Connectivity Manual (Version 1.80) at 5, available at <https://iextrading.com/docs/IEX%20Connectivity%20Manual.pdf>.

⁸ Prior to January 1, 2017, IEX allowed Members to connect to the Production Systems through either 1G or 10G physical ports, see IEX Trading Alert #2016 – 060 “Notice of Upcoming Network & Support Changes” (October 28, 2016) available at <https://iextrading.com/trading/alerts/2016/060/>, but always recommended to Members that they connect via the faster 10G physical ports. See “Connectivity Manual (Version 1.0),” Addendum F-14 to IEX’s Form 1 Filing (September 9, 2015).

⁹ See supra note 7.

¹⁰ See IEX Fee Schedule, available at <https://iextrading.com/trading/fees/>.

footnote three and current footnote two to footnote four, to reflect the addition of the new footnotes one and two. And IEX proposes to remove the words “IEX Test Facility” from the newly-renumbered footnote three, because the term is defined in the new footnote one.

(b) Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)¹¹ of the Act in general, and furthers the objectives of Sections 6(b)(4)¹² of the Act, 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. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹³ of the Act, in particular, in that it is designed to prevent fraudulent and manipulative acts and practices; to promote just and equitable principles of trade; to foster cooperation and coordination with persons engaged in facilitating transactions in securities; and 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; and is not designed to permit unfair discrimination between customers, brokers, or dealers.

Specifically, the Exchange believes that the proposed rule change is consistent with Section 6(b)(4) of the Act because physical ports will continue to be available to all Members on the same basis and free of charge. As described in the Purpose section, all Members will continue to be able to connect to the IEX Production Systems through

¹¹ 15 U.S.C. 78f.

¹² 15 U.S.C. 78f(b)(4).

¹³ 15 U.S.C. 78f(b)(5).

faster 10G physical ports, and may choose to use either 1G or 10G physical ports to connect to the ITF. As described in the Purpose section above, this proposed rule change does not change any fees charged by IEX, but rather provides clarity to market participants as to which physical port connections are available to connect to the Production Systems and the ITF.

The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5) of the Act because it is designed to provide enhanced clarity to Members that 1G physical ports are only available to connect to the ITF, and that physical connections to the Exchange's Production Systems are only available through a 10G physical port connection. While the availability of 1G and 10G physical port connections are clearly described in the IEX Connectivity Manual, as discussed in the Purpose section, IEX believes that including descriptive language in the IEX Fee Schedule will provide enhanced clarity to Members.

Furthermore, the Exchange believes it is consistent with the Act to make conforming changes to the Connectivity Fees section of the Fee Schedule, because the renumbering of the footnotes and deletion of the duplicative language in the newly-numbered third footnote will provide enhanced clarity in the IEX Fee Schedule to the benefit of all market participants.

4. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change does not impact competition in any respect, since it is merely designed to provide

enhanced clarity to market participants rather than for any competitive purpose.

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

Written comments were neither solicited nor received.

6. Extension of Time Period for Commission Action

Not applicable.

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

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A) of the Act¹⁴ and paragraph (f)(6) of Rule 19b-4 thereunder.¹⁵ The Exchange asserts that the proposed rule change: (1) will not significantly affect the protection of investors or the public interest, (2) will not impose any significant burden on competition, (3) and will not become operative for 30 days from the date on which it was filed, or such shorter time as the Commission may designate. 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.¹⁶

The Exchange believes that the proposed rule change meets the criteria of subparagraph (f)(6) of Rule 19b-4¹⁷ because it would not significantly affect the protection of investors or the public interest. Rather, the proposed rule change neither significantly affects the protection of investors or the public interest, nor does it impose any burden on competition because it merely provides clarity to market participants as to

¹⁴ 15 U.S.C. 78s(b)(3)(A).

¹⁵ 17 CFR 240.19b-4.

¹⁶ 17 CFR 240.19b-4(f)(6)(iii).

¹⁷ 17 CFR 240.19b-4(f)(6).

which physical port connections are available to connect to the Production Systems and the ITF. Accordingly, the Exchange believes that the proposed rule change is noncontroversial and satisfies the requirements of Rule 19b-4(f)(6).¹⁸

The Exchange respectfully requests that the Commission waive the 30-day operative delay period after which a proposed rule change under Rule 19b-4(f)(6) becomes effective, because the proposed rule change merely clarifies the IEX Fee Schedule's description of physical port connections offered by IEX. The Exchange believes that waiver of the operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to provide clarity to market participants about which physical port connections may be used to connect to the Production Systems and the ITF, thereby permitting the Exchange to avoid any potential confusion on the part of its Members and their associated persons.

At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is: (i) necessary or appropriate in the public interest; (ii) for the protection of investors; or (iii) otherwise in furtherance of the purposes of the Act. If the Commission takes such action, the Commission shall institute proceedings to determine whether the proposed rule should be approved or disapproved.

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

The proposed rule change is not based on the rules of another self-regulatory organization or of the Commission.

¹⁸ 17 CFR 240.19b-4(f)(6).

9. Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act

Not applicable.

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

Not applicable.

11. Exhibits

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

Exhibit 5 – Text of Proposed Rule Change.

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34 -); File No. SR-IEX-2020-06)

Self-Regulatory Organizations: Investors Exchange LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Modify the IEX Fee Schedule, Pursuant to IEX Rule 15.110(a) and (c), to Clarify the Circumstances in which IEX Offers Certain Physical Port Connections.

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 (date), the Investors Exchange LLC (“IEX” 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. Self-Regulatory Organization’s Statement of the Terms of Substance of the Proposed Rule Change

Pursuant to the provisions of Section 19(b)(1) under Act,⁴ and Rule 19b-4 thereunder,⁵ IEX is filing with the Commission a proposed rule change to modify its Fee Schedule, pursuant to IEX Rule 15.110(a) and (c), to clarify the circumstances in which IEX offers certain physical port connections. The Exchange has designated this rule change as “non-controversial” under Section 19(b)(3)(A) of the Act⁶ and provided the

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

⁴ 15 U.S.C. 78s(b)(1).

⁵ 17 CFR 240.19b-4.

⁶ 15 U.S.C. 78s(b)(3)(A).

Commission with the notice required by Rule 19b-4(f)(6) thereunder.⁷

The text of the proposed rule change is available at the Exchange's website at www.iextrading.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 the Statutory Basis for, the Proposed Rule Change

In its filing with the Commission, the self-regulatory organization 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 statement may be examined at the places specified in Item IV below. The self-regulatory organization 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 the Statutory Basis for, the Proposed Rule Change

1. Purpose

The Exchange proposes to modify its Fee Schedule, pursuant to IEX Rule 15.110(a) and (c), to clarify the circumstances in which IEX offers certain physical port connections. Specifically, the Exchange proposes to add two footnotes to its Fee Schedule to clarify that 10 gigabit ("10G") physical connections are available to connect to both its production and test systems, but 1 gigabit ("1G") physical connections are only available to connect to its test system. IEX will continue to offer all physical connections to the Exchange free of charge.

IEX is proposing this change to its Fee Schedule in order to more clearly denote

⁷ 17 CFR 240.19b-4.

the various ways market participants can connect to the Exchange. IEX, like all securities exchanges, offers its Members⁸ physical connections (also called “physical ports”) through which Members may “plug in” to the Exchange.⁹ These physical ports come in several forms that offer different amounts of bandwidth into the Exchange’s network. IEX offers two types of physical ports: either a 1G or 10G interface.¹⁰ 10G physical ports are ten times faster than 1G physical ports. IEX offers 10G physical ports only to connect to the IEX point-of-presence (“IEX POP”) and Disaster Recovery data centers (collectively the “Production Systems”).¹¹ 1G physical ports are the default interface to the IEX Test Facility (“ITF”), which is not as bandwidth or latency sensitive as the Production Systems, but 10G physical ports are also available to connect to the ITF.¹² IEX offers all physical ports free of charge, but the current IEX Fee Schedule does not specify which physical ports are used to connect to the Production Systems or the ITF.¹³

Therefore, the Exchange proposes to add two clarifying footnotes to the “Connectivity Fees” section of the IEX Fee Schedule. The first footnote, after the words “10G Physical Port,” states that “10G physical ports are available to connect to IEX’s

⁸ See IEX Rule 1.160(s).

⁹ Members physically connect to IEX through physical ports, each of which supports multiple “logical port” connections. Members send and receive data through the logical ports (also known as “sessions”) such as order entry messages and market data feeds.

¹⁰ See IEX Connectivity Manual (Version 1.80) at 5, available at <https://iextrading.com/docs/IEX%20Connectivity%20Manual.pdf>.

¹¹ Prior to January 1, 2017, IEX allowed Members to connect to the Production Systems through either 1G or 10G physical ports, see IEX Trading Alert #2016 – 060 “Notice of Upcoming Network & Support Changes” (October 28, 2016) available at <https://iextrading.com/trading/alerts/2016/060/>, but always recommended to Members that they connect via the faster 10G physical ports. See “Connectivity Manual (Version 1.0),” Addendum F-14 to IEX’s Form 1 Filing (September 9, 2015).

¹² See supra note 10.

¹³ See IEX Fee Schedule, available at <https://iextrading.com/trading/fees/>.

production systems (i.e., the IEX POP and Disaster Recovery Data Centers) and the IEX Test Facility ('ITF')." The second footnote, after the words "1G Physical Port," states that "1G physical ports are the default connection to the ITF, but Members may also connect to the ITF through a 10G physical port."

IEX also proposes to make three conforming changes to the Connectivity Fees section of the IEX Fee Schedule. First, IEX proposes to renumber current footnote one to footnote three and current footnote two to footnote four, to reflect the addition of the new footnotes one and two. And IEX proposes to remove the words "IEX Test Facility" from the newly-renumbered footnote three, because the term is defined in the new footnote one.

2. Statutory Basis

IEX believes that the proposed rule change is consistent with the provisions of Section 6(b)¹⁴ of the Act in general, and furthers the objectives of Sections 6(b)(4)¹⁵ of the Act, 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. The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5)¹⁶ of the Act, in particular, in that it is designed to prevent fraudulent and manipulative acts and practices; to promote just and equitable principles of trade; to foster cooperation and coordination with persons engaged in facilitating transactions in securities; and 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; and is not designed to permit unfair discrimination between customers, brokers,

¹⁴ 15 U.S.C. 78f.

¹⁵ 15 U.S.C. 78f(b)(4).

¹⁶ 15 U.S.C. 78f(b)(5).

or dealers.

Specifically, the Exchange believes that the proposed rule change is consistent with Section 6(b)(4) of the Act because physical ports will continue to be available to all Members on the same basis and free of charge. As described in the Purpose section, all Members will continue to be able to connect to the IEX Production Systems through faster 10G physical ports, and may choose to use either 1G or 10G physical ports to connect to the ITF. As described in the Purpose section above, this proposed rule change does not change any fees charged by IEX, but rather provides clarity to market participants as to which physical port connections are available to connect to the Production Systems and the ITF.

The Exchange also believes that the proposed rule change is consistent with Section 6(b)(5) of the Act because it is designed to provide enhanced clarity to Members that 1G physical ports are only available to connect to the ITF, and that physical connections to the Exchange's Production Systems are only available through a 10G physical port connection. While the availability of 1G and 10G physical port connections are clearly described in the IEX Connectivity Manual, as discussed in the Purpose section, IEX believes that including descriptive language in the IEX Fee Schedule will provide enhanced clarity to Members.

Furthermore, the Exchange believes it is consistent with the Act to make conforming changes to the Connectivity Fees section of the Fee Schedule, because the renumbering of the footnotes and deletion of the duplicative language in the newly-numbered third footnote will provide enhanced clarity in the IEX Fee Schedule to the benefit of all market participants.

B. Self-Regulatory Organization's Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on intermarket or intramarket competition that is not necessary or appropriate in furtherance of the purposes of the Act. The Exchange believes that the proposed rule change does not impact competition in any respect, since it is merely designed to provide enhanced clarity to market participants rather than for any competitive purpose.

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

Written comments were neither solicited nor received.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The Exchange has designated this rule filing as non-controversial under Section 19(b)(3)(A)¹⁷ of the Act and Rule 19b-4(f)(6)¹⁸ thereunder. 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 for 30 days from the date on which it was filed, or such shorter time as the Commission may designate, it has become effective pursuant to Section 19(b)(3)(A) of the Act and Rule 19b-4(f)(6) thereunder.

A proposed rule change filed under Rule 19b-4(f)(6)¹⁹ normally does not become operative prior to 30 days after the date of the filing. However, pursuant to Rule 19b-4(f)(6)(iii),²⁰ the Commission may designate a shorter time if such action is consistent with the protection of investors and the public interest. The Exchange has asked the

¹⁷ 15 U.S.C. 78s(b)(3)(A).

¹⁸ 17 CFR 240.19b-4(f)(6).

¹⁹ 17 CFR 240.19b-4(f)(6).

²⁰ 17 CFR 240.19b-4(f)(6)(iii).

Commission to waive the 30-day operative delay because the proposed rule change merely clarifies the IEX Fee Schedule's description of physical port connections offered by IEX. The Exchange believes that waiver of the operative delay is consistent with the protection of investors and the public interest because it will allow the Exchange to provide clarity to market participants about which physical port connections may be used to connect to the Production Systems and the ITF, thereby permitting the Exchange to avoid any potential confusion on the part of its Members and their associated persons.

At any time within 60 days of the filing of the 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. If the Commission takes such action, the Commission shall institute proceedings under Section 19(b)(2)(B)²¹ 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 email to rule-comments@sec.gov. Please include File Number SR-IEX-

²¹ 15 U.S.C. 78s(b)(2)(B).

2020-06 on the subject line.

Paper Comments:

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

All submissions should refer to File Number SR-IEX-2020-06. This file number should be included in the subject line if email 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 (<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 Section, 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 will also be available for inspection and copying at the IEX's principal office and on its Internet website at www.iextrading.com. 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-IEX-2020-06 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.²²

²² 17 CFR 200.30-3(a)(12).

Exhibit 5 – Text of Proposed Rule Change

Proposed new language is underlined; proposed deletions are in brackets.

Investors Exchange Fee Schedule

Effective April 22[February 4], 2020

Connectivity Fees

Service	Fee
10G Physical Port ¹	FREE
1G Physical Port ²	FREE
Logical Port (except for order entry port)	FREE
Order Entry Port ^{[1]3}	
1 – 5 ports	FREE
6 or more ports	\$100 per port per month ^{[2]4}

¹ 10G physical ports are available to connect to IEX’s production systems (i.e., the IEX POP and Disaster Recovery Data Centers) and the IEX Test Facility (“ITF”).

² 1G physical ports are the default connection to the ITF, but Members may also connect to the ITF through a 10G physical port.

^{[1]3} Fees for Logical Order Entry Ports are only applicable to such ports at the IEX POP: Secaucus (Hot/Primary) connectivity site. There are no fees for Logical Order Entry Ports at the Disaster Recovery (Cold/Secondary) or [IEX Test Facility (]ITF[)]: Secaucus (Non-Production).

^{[2]4} Fees for Logical Order Entry Ports are billed to and payable by the Member or Service Bureau maintaining the port based on the number of Logical Order Entry Ports assigned to each Member or Service Bureau as of the first of each month. These fees will be operative beginning October 1, 2019.
