

## **SUMMARY OF CQ/CTA/UTP GENERAL SESSION OF NOVEMBER 18, 2021\* (HELD VIA WEBEX)**

**Operating Committee Participants:** Cboe BYX Exchange, Inc., Cboe BZX Exchange, Inc., Cboe EDGA Exchange, Inc., Cboe EDGX Exchange, Inc., Cboe Exchange, Inc., Financial Industry Regulatory Authority, Inc., Investors Exchange LLC, Long-Term Stock Exchange, Inc., MEMX LLC, MIA X PEARL, LLC, Nasdaq BX, Inc., Nasdaq ISE, LLC, Nasdaq PHLX, Inc., The Nasdaq Stock Market LLC, New York Stock Exchange LLC, NYSE American LLC, NYSE Arca, Inc., NYSE Chicago, Inc., and NYSE National, Inc.

**Advisory Committee Members:** Retail Representative (Chris Nielsen, Charles Schwab); Investor Representative (Thomas Jordan, Jordan & Jordan); Vendor Representative (Kerry Baker Relf, Refinitiv); Institutional Representative (Bill Conti, Goldman Sachs); ATS Representative (Stephen Miele, Level ATS); Participant Representatives (Ed Flynn (TD Ameritrade), Wesley Todd Watkins (E\*Trade), Patti Sachs (Citigroup), Paul O'Donnell (Hudson River Trading), Melissa Hinmon (Glenmede), Hubert De Jesus (Blackrock)).

**Securities Information Processors (SIPs):** Brian Faughnan, Mike Collazo, Joe Gostomski (SIAC); Rob Vilardo, George Friend, Emma Gallup, Claudia Castedo, Mike O'Rourke, Joel Kazis, Ani Sathe (UTP).

**Securities and Exchange Commission (SEC):** Michael Coe, Mark Donohue, Meg Olsen, Mia Zur, Nick Shwayri, Peggy Sullivan

**Murphy & McGonigle, P.C.:** James Dombach, Howard Kramer, Maggie Haggerty

**Forefront:** Rafi Reguer and Mark Dowd

1. Approval of Minutes. The minutes for the CQ/CTA/UTP general session meeting of September 9, 2021 were approved.
2. Network Administrator Reports. The network administrators reviewed changes in professional devices, nonprofessional subscriber populations and cable television households, and the number of per-query inquiries provided during the past quarter. These trends are available in the quarterly metrics reports, which are publicly available on the UTP Plan and CTA Plan websites.
3. UTP Audit Update. Mr. Dombach provided an update on the review of the UTP audit process. Mr. Dombach summarized the current status of the outside audit. He then explained that the next steps would be for the outside auditor to do a targeted outreach to vendors in order to conduct interviews with them. Mr. Dombach noted that the outside audit was being conducted under the auspices of the Legal Subcommittee. Mr. Dombach and the Advisory Committee discussed the extent to which information about the outside audit process could be shared with the Advisory Committee without waiving attorney-client privilege. Mr. Dombach agreed to look into the issue further to determine how much information could be shared with the Advisory Committee without waiving privilege.
4. Market Data Infrastructure Amendments. Bob Books (Cboe, Chair of the Operating Committee) summarized the meetings of the Market Data Administration Subcommittee that ultimately resulted in the filing of the fee-related and non-fee-related amendments to the Plans on November 5, 2021 as required by the Market Data Infrastructure rule. In response to a question from Mr. Books, Mr. Coe stated that the SEC was planning on publishing the amendments by the end of the week.

5. Data Related to Potential Future SIP Pricing Proposals. Adrian Griffiths (MEMX) raised for discussion potential reforms that were discussed during the Market Data Administration Subcommittee meetings but were tabled for later discussion, in particular a tiered enterprise cap for retail broker-dealers and a blended rate for professional subscribers for Tape A. Mr. Griffiths requested that the Administrators gather data relevant to analyzing the effects of these proposals, which the Administrators agreed to collect and anonymize.
6. Subcommittee and Task Force Updates
- CTA Processor Agreement Review Subcommittee: Brendan Loonam (FINRA) noted that the amended CTA Processor Agreement Service Level Agreement (SLA) had been approved. Mr. Dombach agreed to look into the administrative steps necessary to execute the revised agreement.
  - Market Data Administration Subcommittee: Mr. Books summarized the meetings of the subcommittee since the last quarterly session, which focused on discussion of the SEC's Market Data Infrastructure release, including developing the fee proposal amendment. Mr. Books noted that the Market Data Administration Subcommittee would continue to discuss other issues, including those raised by Mr. Griffiths and potential revisions to the revenue allocation formula.
  - Legal Subcommittee: Dan Cantu (Nasdaq) noted that the Legal Subcommittee met to discuss an issue related to financial reporting.
  - Communications Subcommittee: Forefront discussed communications initiatives since the last quarterly session.
  - Odd Lot Task Force: Mr. Books and the Processors summarized the data request sent to the exchanges that would allow the Processors to conduct a cost and time estimate to implement the odd lot proposal. The Processors noted that they received the data from most of the exchanges but still required the data from a few more.
  - Technical Subcommittee: Mr. Vilardo and Mr. Faughnan stated that there was nothing new to report. The Operating Committee discussed the development of specifications under the SEC's Market Data Infrastructure rule and whether there would be uniform specifications from the Plans. The Participants agreed to hold a Market Data Administration Subcommittee to discuss the development of uniform specifications and include individuals with the appropriate technical background.
7. SIP Reports. The SIPs reported on their performance and activities since the September 2021 meeting. They addressed capacity, peak usage, system availability and latency statistics, operational activities, production issues, SIP performance activities, and recent development activities. Metrics on SIP performance are publicly available in a quarterly report on the UTP Plan and CTA Plan websites.
8. Agenda Items for Executive Session. The meeting participants determined that an executive session was not necessary for this quarterly meeting.

\* This summary is intended as an informal summary of discussions that occurred at the general session and is subject to revision and to the approval of the Participants.