SECURITIES AND EXCHANGE COMMISSION

[OMB Control No. 3235–0743]

Agency Information Collection Activities; Submission for OMB Review; Comment Request; Extension: Rule 15b9–1

Upon Written Request, Copies Available From: Securities and Exchange Commission, Office of FOIA Services, 100 F Street NE, Washington, DC 20549–2736.

Notice is hereby given that, pursuant to the Paperwork Reduction Act of 1 995 (44 U.S.C.§ 3501 *et seq.* (''PRA''), the Securities and Exchange Commission (''SEC'' or ''Commission'') is submitting to the Office of Management and Budget (''OMB'') this request for extension of the proposed and collection of information provided for in Rule 15b9–1 (17 CFR 240.15b9–1), under the Securities Exchange Act of 1934 (''Act'') (15 U.S.C. 78a *et seq.*).

Section 15(b)(8) of the Act requires any broker or dealer registered with the Commission to become a member of a registered national securities association (''Association'') unless the broker or dealer effects transactions in securities solely on an exchange of which it is a member. This statutory provision sets forth a complementary self-regulatory organization (''SRO'') oversight structure pursuant to which exchange SROs historically have overseen their own exchanges and The Financial Industry Regulatory Authority, Inc. (''FINRA'') (the only Association currently) historically has overseen cross-exchange and off-exchange securities trading activity.[1] Section 15(b)(9) of the Act provides the Commission with authority to exempt any broker or dealer from Section 15(b)(8), if that exemption is consistent with the public interest and the protection of investors.[2] The Commission adopted amendments to Rule 15b9–1 [3] that require a broker or dealer to join an Association if it effects transactions in securities elsewhere than on an exchange to which it belongs as a member, unless it can rely upon one of the amended rule's narrow, contemporary-market-appropriate exceptions from Section 15(b)(8).[4] Conversely, a broker or dealer would not need to become a member of an Association if it effects securities transactions only on an exchange of which it is a member.

Specifically, Rule 15b9–1, as amended, permits an exemption from Association membership only where a broker or dealer that does not carry customer accounts effects securities transactions otherwise than on a national securities exchange of which it is a member that: (1) result solely from orders that are routed by a national securities exchange of which the broker or dealer is a member to comply with Rule 611 of Regulation NMS or the Options Order Protection and Locked/Crossed Market Plan; or (2) are solely for the purpose of executing the stock leg of a stock-option order (''stock-option order exemption'').

For purposes of relying on the stock-option order exemption provided by Rule 15b9–1(c)(2), a broker or dealer must establish, maintain and enforce written policies and procedures reasonably designed to ensure and demonstrate that such transactions are solely for the purpose of executing the stock leg of a stock-option order. The broker or dealer is required to preserve a copy of its policies and procedures in a manner consistent with 17 CFR 240.17a-4 until three years after the date the policies and procedures are replaced with updated policies and procedures. These requirements associated with the stock-option order exemption constitute ''collection of information requirements'' within the meaning of the PRA.

The collection of information is designed to provide the Commission with enhanced oversight capabilities, consistent with the public interest and protection of investors, by requiring written policies and procedures in connection with the stock-option exemption in paragraph (c)(2) of the amended rule. This requirement helps facilitate exchange SRO supervision of brokers and dealers relying on the stock-option order exemption by providing an efficient and effective way for the relevant options exchange to assess its members' compliance with the terms of the exemption, as set forth in amended Rule 15b9–1.

The Commission estimates that the total initial reporting burden for those broker-dealers that may rely upon the stock-option order exemption provided for under Rule 15b9–1 would be approximately 8.01 hours per year (annualized over a three-year period) and the total ongoing reporting burden would be approximately 144 hours per year. The Commission estimates that 3 non-FINRA brokers or dealers would rely on the stock-option order exemption.[5]

The Commission estimates that it would take a broker or dealer approximately 8 hours to establish written policies and procedures as required under Rule 15b9–1.[6] Annualized over a three-year period, this amounts to an initial burden of approximately 2.67 hours per broker or dealer, per year [7] and an aggregate, initial burden of approximately 8.01 hours per year.[8]

The Commission estimates that the ongoing burden of maintaining and enforcing such policies and procedures, and ensuring that such policies and procedures are reasonably designed to ensure and demonstrate that such transactions are solely for the purpose of executing the stock leg of a stock-option order, would be approximately 48 hours for each broker or dealer per year.[9]

Based on an estimated annual burden of 48 hours per broker or dealer, the Commission estimates that the aggregate, ongoing burden to maintain and enforce written policies and procedures as required under Rule 15b9–1 would be 144 hours per year.[10] As a result, the total industry burden, including the initial burden and the

[1] 15 U.S.C. 78*o*(b)(8).

[2] 15 U.S.C. 78o(b)(9).

[3] 17 CFR 240.15b9–1.

[4] *See* Exchange Act Release No. 98202, (Aug. 23, 2023), 88 FR 61850 (Sep. 7, 2023) (''Adopting Release''); *see also,* Exchange Act Release No. 95388 (Jul. 29, 2022), 87 FR 49930 (Aug. 12, 2022) (''Re-Proposal'').

[5] The Commission cannot discern whether the 3 non-FINRA brokers or dealers rely on the stock-option order exemption newly or on an ongoing basis. As such, the Commission sets forth herein both estimated initial and ongoing reporting burdens.

[6] This figure is based on the following: (Compliance Manager at 5 hours) + (Compliance Attorney at 2.5 hours) + (Director of Compliance at 0.5 hour) = 8 burden hours per broker or dealer.

[7] This figure is based on the following: (8 burden hours per broker or dealer)/(3 years) = 2.67 initial burden hours per broker or dealer, per year.

[8] This figure is based on the following: (2.67 burden hours per broker or dealer) x (3 brokers and dealers) = 8.01 aggregate initial burden hours per year.

[9] This figure is based on the following: (Compliance Manager at 30 hours) + (Compliance Attorney at 12 hours) + (Director of Compliance at 6 hours) = 48 burden hours per broker or dealer. In estimating these burden hours, the Commission also examined the estimated initial and ongoing burden hours imposed on registered security-based swap dealers under Regulation SBSR—Reporting and Dissemination of Security-Based Swap Information. *See* Exchange Act Release No. 74244 (Feb. 11, 2015), 80 FR 14564, 14683 (Mar. 19, 2015) (''Regulation SBSR''). Regulation SBSR requires registered security-based swap dealers to establish, maintain, and enforce written policies and procedures that are reasonably designed to ensure compliance with any security-based swap transaction reporting obligations. *Id.* The estimated initial and ongoing compliance burden on registered security-based swap dealers under Regulation SBSR were 216 burden hours and 120 burden hours, respectively. *Id.* The policies and procedures under Rule 15b9–1 are much more limited in nature.

[10] This figure is based on the following: (48 burden hours per broker or dealer) × (3 non-FINRA brokers and dealers) = 144 aggregate, ongoing burden hours per year.

ongoing burden, would be approximately 152.01 hours per year.[11]

An agency may not conduct or sponsor, and a person is not required to respond to, a collection of information unless it displays a currently valid OMB Control Number.

The public may view and comment on this information collection request at: *https://www.reginfo.gov/public/do/PRAViewICR?ref_nbr=202606-3235-015* or email comment to *MBX.OMB.OIRA.SEC_desk_officer@omb.eop.gov* within 30 days of the day after publication of this notice, by October 15, 2026.

Dated: September 9, 2026.

Sherry R. Haywood,

Assistant Secretary.

[FR Doc. 2026–18634 Filed 9–11–26; 8:45 am]

BILLING CODE 8011–01–P

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34–106301; File No. SR–NYSEARCA–2026–89]

Self-Regulatory Organizations; NYSE Arca, Inc.; Notice of Filing and Immediate Effectiveness of Proposed Rule Change To Add a New Partial Cabinet Solution Bundle as Part of Its Co-Location Services

September 9, 2026.

Pursuant to Section 19(b)(1)[1] of the Securities Exchange Act of 1934 (''Act'')[2] and Rule 19b–4 thereunder,[3] notice is hereby given that, on August 26, 2026, NYSE Arca, Inc. (''NYSE Arca'' or the ''Exchange'') filed with the Securities and Exchange Commission (the ''Commission'') the proposed rule change as described in Items I and II 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

The Exchange proposes to add a new Partial Cabinet Solution bundle as part of its co-location services and change the wording in the existing Partial Cabinet Solution bundle. The description of the Partial Cabinet Solution bundles and related fees in the Connectivity Fee Schedule (''Fee Schedule'') would be updated accordingly. The proposed rule change is available on the Exchange's website at *www.nyse.com* and at the principal office of the Exchange.

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

1. Purpose

The Exchange proposes to add a new Partial Cabinet Solution (''PCS'') bundle as part of its co-location services and change the wording in the existing PCS bundle. Specifically, the Exchange proposes to add a 4 kW PCS bundle and change the reference to ''Precision Timing Protocol'' in the existing PCS bundle. The description of the PCS bundles and related fees in the Fee Schedule would be updated accordingly.

The Exchange expects that the proposed rule change would become operative no later than October 31, 2026. The Exchange will announce the date through a customer notice.

Background

Currently, the Exchange offers Users[4] a PCS bundle which includes a 2 kW partial cabinet; access to the Liquidity Center Network (''LCN'') and internet protocol (''IP'') network, the local area networks available in the data center; two NMS network[5] connections, two fiber cross connections; and connectivity to one of two time feeds.[6] In addition to other requirements, a User and its Affiliates[7] must have an Aggregate Cabinet Footprint[8] of 2 kW or less to qualify for the PCS bundle.

The PCS bundles were designed to attract smaller Users, including those with minimal power or cabinet space demands or those for which the costs attendant with having a dedicated cabinet or greater network connection bandwidth are too burdensome.[9] That has not changed. But as hardware and other infrastructure has evolved, even those with minimal demands need more power to meet the requirements of their hardware, such that even smaller Users may find the existing 2 kW PCS bundle inadequate to meet their needs.

Proposed Changes

To respond to Users' increased power needs, the Exchange proposes to offer an additional 4 kW PCS bundle. To differentiate it from the existing 2 kW PCS bundle, the Exchange proposes to label them as Options A and B. Like the existing 2 kW PCS Option A, the proposed Option B would be sized to meet the needs of smaller Users and their current power needs.

At the same time, the Exchange proposes to change the reference to ''Precision Timing Protocol'' to ''Precision Time Protocol'' in the existing PCS bundle, to conform the reference to the terminology used elsewhere in the Fee Schedule.[10]

To implement the changes, the Exchange would amend Note 1, in relevant part, as follows (proposed additions italicized):

1. To qualify for a Partial Cabinet Solution bundle, a User must meet the following conditions: (1) it must purchase only one Partial Cabinet

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[11] This figure is based on the following: (8.01 aggregate, initial burden hours) + (144 aggregate, ongoing burden hours) = 152.01 total burden hours per year.

[1] 15 U.S.C. 78s(b)(1).

[2] 15 U.S.C. 78a.

[3] 17 CFR 240.19b–4.

[4] For purposes of the Exchange's colocation services, a ''User'' means any market participant that requests to receive colocation services directly from the Exchange. *See* Securities Exchange Act Release No. 76010 (September 29, 2015), 80 FR 60197 (October 5, 2015) (SR–NYSEArca–2015–82). As specified in the Fee Schedule, a User that incurs colocation fees for a particular colocation service pursuant thereto would not be subject to colocation fees for the same colocation service charged by the New York Stock Exchange LLC, NYSE American LLC, NYSE National, Inc. and NYSE Texas, Inc. (together, the ''Affiliate SROs''). Each Affiliate SRO has submitted substantially the same proposed rule change to propose the change described herein.

[5] The NMS Network is an alternate dedicated network connection that Users use to access the NMS feeds for which the Securities Industry Automation Corporation is engaged as the securities information processor. *See* Securities Exchange Act Release No. 88837 (May 7, 2020), 85 FR 28671 (May 13, 2020) (SR–NYSE–2019–46, SR–NYSEAMER–2019–34, SR–NYSEArca–2019–61, SR–NYSENAT–2019–19).

[6] *See* Securities Exchange Act Release No. 97749 (June 16, 2023), 88 FR 41164 (June 23, 2023) (SR–NYSEArca–2023–42).

[7] An ''Affiliate'' of a User is any other User or Hosted Customer that is under 50% or greater common ownership or control of the first User. Fee Schedule, p 1.

[8] The ''Aggregate Cabinet Footprint'' of a User is the total kW of the User's cabinets, including both partial and dedicated cabinets. Fee Schedule, p 1.

[9] *See* Securities Exchange Act No. 77070 (February 5, 2016), 81 FR 7401 (February 11, 2016) (SR–NYSEArca–2015–102).

[10] *See* Connectivity Fee Schedule, pages 18 and 26.