May 4, 2026

Ms. Vanessa Countryman
Secretary
U.S. Securities and Exchange Commission
100 F Street NE
Washington, D.C. 20549-1090

RE: Supplemental Request for Immediate Extension of Tick Size and Access Fee Compliance Dates (File No. S7-2026-10)

Dear Ms. Countryman:

The Securities Industry and Financial Markets Association[1] ("SIFMA") appreciates the opportunity to submit this letter to reiterate our request that the U.S. Securities and Exchange Commission (the "Commission") take immediate action to issue an order extending the compliance dates of the amendments to Rules 612 (minimum quoting increment/tick size) and 610(c) (access fee caps) of Regulation NMS ("Reg NMS") the Commission adopted in September 2024.[2] As we previously described in our earlier comment letter in response to MEMX's proposal, failure to extend the current Rule 610 and 612 compliance date will result in irreparable harm to market participants if the Commission subsequently further amends the rules as a result of its ongoing review of Rule 611 of Regulation NMS.[3]

Executive Summary

In SIFMA's original letter, we discussed the timely need for this delay as well as potential methodological refinements to Rules 610 and 612, given the Commission's ongoing Rule 611 review and the interconnected nature of these rules to Rule 611. We

[1] SIFMA is the leading trade association for broker-dealers, investment banks and asset managers operating in the U.S. and global capital markets. On behalf of our industry's one million employees, we advocate on legislation, regulation and business policy affecting retail and institutional investors, equity and fixed income markets and related products and services. We serve as an industry coordinating body to promote fair and orderly markets, informed regulatory compliance, and efficient market operations and resiliency. We also provide a forum for industry policy and professional development. SIFMA, with offices in New York and Washington, D.C., is the U.S. regional member of the Global Financial Markets Association (GFMA).

[2] Release No. 34-101070 (Sept. 18, 2024), 89 FR 81620 (Oct. 8, 2024).

[3] SIFMA Letter to the Commission re: File No. S7-2026-10 (Mar. 31, 2026), https://www.sec.gov/comments/s7-2026-10/s7202610-737867-2293954.pdf.

are reiterating the urgency of our request based on the industry-wide need for a delay in the current implementation deadline. Our justifications for the delay include:

- The implementation deadline for Rules 612 and 610(c) should be aligned with changes to Rule 611, as all of these rules are closely interconnected.
- The uncertainty and potential duplicative work is an industry-wide concern, for the buyside, sellside, exchanges, market data vendors, and OMS/EMS providers.
- The uncertainty around the final state of Rules 610 and 612 has international impacts as well, as many NYSE/Nasdaq-listed securities are dual listed in Canada (i.e., inter-listed stocks).
- Many open questions remain unaddressed from the (then) proposed changes to Rules 610 and 612, some of which require SEC guidance.
- Market participants are beginning implementation work now with about six months remaining until the November 2, 2026 deadline and need to queue that work with other regulatorily mandated implementation deadlines in 2026.

Implementation Deadline for Rules 612 and 610(c) Should Be Immediately Delayed and Aligned with Changes to Rule 611

We respectfully renew our request that the Commission act now to extend the approaching November 2, 2026 compliance date for Rules 610 and 612 until after it has completed its ongoing review of Rule 611. All three of these rules are closely connected. Rules 611 and 610 are directly correlated, as discussed at both of the Commission's roundtables reviewing Rule 611. Similarly, Rules 610 and 612 are also directly correlated, as noted by the Commission in the adopting release for changes to Rules 610 and 612. Therefore, if the Commission proceeds with proposing amendments to, or rescinding, Rule 611, corresponding changes to access fee caps (Rule 610(c)) and tick sizes (Rule 612) likely will also be necessary.

To comply with the amendments to Rules 610(c) and 612 by November 2, 2026, market participants will need to make significant updates to their existing processes and technology systems, which will require time, capital, and labor to successfully complete. If the Commission's Rule 611 review results in additional corresponding changes to Rules 610 and 612, the industry would be forced to make a second round of new changes to the exact same processes and systems, incurring significant duplicative costs and creating potential investor confusion. For example, if the November 2 deadline is not extended, the industry will take all the steps necessary to implement an access fee cap of 10 mils ($0.001 per share). If the SEC were then to repeal or modify Rule 611 and in connection with that action determined that an access fee cap is not necessary, the industry would have dedicated time, resources, and costs toward a fee cap reduction that ended up being unnecessary.

Delaying the Rule 610(c)/612 compliance dates now while waiting for the completion of the Rule 611 review would remove any uncertainty and eliminate the need

for duplicative technology changes. The delay is needed now to avoid duplicative work, as firms across the industry either have begun or will soon need to begin making the requisite technology and operational changes.

Uncertainty and Duplicative Work Is an Industry-Wide Concern, for the Buyside, Sellside, Exchanges, SIPs/Market Data Vendors, and OMS/EMS Providers

Amendments to Rules 610 and 612 require changes to pricing and quoting logic, order-handling systems, fee/commission engines, market-data consumption, and supervisory and compliance controls. These changes cascade across the entire market-structure stack, meaning every type of market participant is affected, including but not limited to:

- Exchanges: update matching engine pricing logic, tick size calculation and tables, fee and rebate calculations, and fee schedules for the reduced access fee cap and file these with the SEC.
- Sellside broker-dealers: update smart order routers for all new exchange fees and rebates as a result of fee cap reduction; update systems for tick size handling and rejection of impermissibly priced orders; update client facing UIs, fractional share pricing engines, and order validation layers on the retail side.
- Buyside/asset managers: update systems to account for appropriate tick sizes to accurately price and size orders, algorithms, and portfolio analytics tools.
- SIPs/market data vendors: SIPs need to be ready to disseminate accurate tick size indicator/information and update consolidated data logic, ensure consistent dissemination of new tick size dependent quoting, and modify data feed handlers, tick size reference files, and display logic.

The Uncertainty Around the Final State of Rules 610 and 612 Could Have International Impacts as Well

Further, many NYSE/Nasdaq-listed securities are dual listed on the Toronto Stock Exchange (TSX). The uncertainty around the final state of Rule 612 in the U.S. could have flow through impacts to the Canadian equity markets as well.[4] U.S. tick size and access fee changes alter cross-market arbitrage, routing economics, and quote-formation, to which Canadian venues must react for competitive alignment. For example, the Canadian Investment Regulatory Organization's (CIRO) Universal Market Integrity Rules (UMIR) strive to maintain harmonization with U.S. microstructure, given concerns about the potential loss of trading activity in Canada in U.S. inter-listed

[4] *See CSA announces adoption of final amendments to trading fee caps charged by marketplaces* (Apr. 23, 2026), https://www.osc.ca/en/news-events/news/csa-announces-adoption-final-amendments-trading-fee-caps-charged-marketplaces. *See also*, Langton, James, *CSA Cuts Trading Fee Cap, But Less Than Expected*, Investment Executive (Apr. 23, 2026) (discussing Canadian regulatory uncertainty on where to set an access fee cap in relation to U.S. markets), https://www.investmentexecutive.com/news/csa-cuts-trading-fee-cap-but-less-than-expected/.

securities if Canadian trading increments were not harmonized with the equivalent minimum pricing increments in U.S. Rule 612.

This is exemplified by the December 2025 memo[5] where the Canadian Securities Administrators (CSA) approved amendments to distinguish U.S. inter-listed securities from other Canadian securities and to allow CIRO to designate the applicable trading increment for those securities explicitly to align with the U.S. Rule 612 framework. An immediate delay in implementing Rules 610 and 612 in the U.S. could potentially prevent the need for duplicative workstreams in the Canadian market as well.

Open Questions Remain from the (Then) Proposed Changes to Rule 612 on Tick Sizes

Additionally, in its 2023 letter[6] on the (then) proposed rule changes to Rule 612 and other rules, SIFMA raised a number of significant operational concerns that needed to be addressed. These questions remain unanswered today. This includes accounting for stock splits, treatment of IPOs, and volatile stocks (when a stock rapidly moves from being tick-constrained to no longer being tick-constrained). There remains uncertainty around FINRA's guidance on the minimum price improvement standards exception to the Manning Rule (FINRA Rule 5320).

The Commission has not provided clarifying guidance with respect to expectations when market participants use ISOs to clear protected quotations given the inclusion of best odd-lot orders in consolidated market data. The inclusion of the best odd-lot orders as part of consolidated market data could result in the display of locked or crossed quotations. The industry still awaits clarifying guidance regarding how broker-dealers should handle good-till-cancelled (GTC) and stop orders when there is a change to the pricing increment for the security. Additionally, questions remain around the impact of changes to Rule 612 on CAT data.

As noted above, Rules 610 and 612 are highly interconnected and should be analyzed and implemented together. As such the need for clarity on the open questions regarding Rule 612 further reinforces the need for a delay in the implementation deadline of Rules 610 and 612.

Duplicative Work Has the Potential to Stress the System Given the Multiple Implementation Deadlines in 2026

Finally, 2026 has been dubbed the year of implementation, concentrating an unprecedented volume of market-structure implementation across equities and options (and U.S. Treasuries) in a single-year (please see table below). The overlapping

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[5] Amendments Respecting Trading Increments, Canadian Investment Regulatory Organization (CIRO), https://www.ciro.ca/newsroom/publications/amendments-respecting-trading-increments

[6] SIFMA Letter to the Commission re: SEC 2022 Equity Market Structure Proposals, at 42-44 (Mar. 31, 2023), https://www.sifma.org/wp-content/uploads/2023/03/Market-Structure-Proposals.pdf.

deadlines require exchanges, brokers, vendors, and clearing firms to simultaneously update matching engines, routing logic, market-data infrastructure, billing systems, and regulatory-reporting pipelines, often on the same codebases and with the same constrained operations teams. Because many of these changes interact with one another, firms must test not only their own systems but also cross-market dependencies.

The compression of go-lives into a single calendar year increases the probability of implementation errors, data-quality issues, routing instability, and unanticipated cross-venue feedback loops. Since the entire industry is upgrading simultaneously, there is little room for rollback, staggered deployment, or capacity absorption, which elevates the potential for systemic operational risk. 2026 is not just a heavy lift for a single firm or subset of firms. It is a series of interconnected events across the full market-structure stack.

Not delaying the implementation deadline for Rules 610 and 612 now creates potential duplicative work on systems, adding to the potential stresses on the system. With about 6 months remaining until the November 2 deadline, market participants need to begin systems work now given all of the other regulatorily mandated requirements that require systems and technology changes per the following table below:

Equities	February	Rule 610(d) (fees determinable at time of execution)
	February	Fractional shares disseminated on the SIPs
	April/May	Odd lot quotes added to the SIP (top of book, priced at or better than NBBO)
	May	Best Odd Lot Order (BOLO) disseminated on the SIPs
	May/June	Systems work related to reinstated CAT fees and pass through to clients
	June	23/5 Trading: DTCC readiness
	July	Texas Stock Exchange launch
	August	Fractional share orders become part of the new Rule 605 order size categories
	August/September	Rule 605 data gathering and then reporting
	November (TBD?)	Rules 610 and 612
	December	23/5 Trading: SIPs + TRFs readiness
Options	July	ORF go-live

	July	Nasdaq NOM options fusion re-platform go-live
	September	MEMX2 options exchange launch
	October	IEX options exchange launch
US Treasuries	December (June '27)	Cash UST clearing (repo)

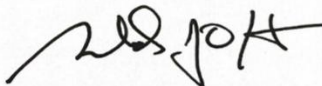
* * *

Conclusion

SIFMA urges the Commission to delay the compliance dates for the changes to Rules 610 and 612 while the Commission conducts its review of Rule 611. We look forward to continuing to engage with the Commission on its review of Rule 611 and potential methodological refinements to Rules 610 and 612, given the interconnected nature of these rules. Please feel free to reach out to the undersigned with any questions regarding these comments.

Respectfully Submitted,

Katie Kolchin, CFA
Managing Director, Head of Equity & Options Market Structure
SIFMA



Gerald O'Hara
Vice President & Assistant General Counsel
SIFMA

cc:
Hon. Hester M. Peirce, Commissioner
Hon. Mark T. Uyeda, Commissioner
Mr. Jamie Selway, Director, Division of Trading and Markets