Required fields are shown with yellow backgrounds and asterisks.

OMB Number: 3235-0045 Estimated average burden hours per response......38

OMB APPROVAL

Page 1 o	f * 16		EXCHANGE (TON, D.C. 2 orm 19b-4			File No.* S	SR - 2017 - * 026 mendments *)	
Filing by C2 Options Exchange, Incorporated								
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934								
Initial * ✓	Amendment *	Withdrawal	Section 19(t	o)(2) *	Section	on 19(b)(3)(A) *	Section 19(b)(3)(B) *	
Pilot	Extension of Time Period for Commission Action *	Date Expires *			19b-4(f) 19b-4(f))(2) 19b-4(f)(5)		
	of proposed change pursuant	Section 806(e)(2) *	ng, and Settler	ment Act of 2	2010	Security-Based Swap to the Securities Exchi Section 3C(b)(2)	-	
Exhibit 2 Sent As Paper Document Exhibit 3 Sent As Paper Document Exhibit 3 Sent As Paper Document								
Description Provide a brief description of the action (limit 250 characters, required when Initial is checked *). Proposed rule change that will correct an inadvertent marking error in the Fees Schedule.								
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 N	ame * Corinne		Last Name *	Klott				
Title * Senior Counsel								
E-mail	E-mail * klott@cboe.com							
Teleph	one * (312) 786-7793	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 *)								
Date 09/21/2017 SVP, Associate General Counsel								
By	Anders franzon		,	Contorui	2001100	·-		
٥,	(Name *)							
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 EFFS website. The self-regulatory organization must provide all required information, presented in a Form 19b-4 Information * clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal Remove is consistent with the Act and applicable rules and regulations under the Act. The Notice section of this Form 19b-4 must comply with the guidelines for publication Exhibit 1 - Notice of Proposed Rule Change * 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 Add Remove View 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) The Notice section of this Form 19b-4 must comply with the guidelines for publication **Exhibit 1A- Notice of Proposed Rule** in the Federal Register as well as any requirements for electronic filing as published Change, Security-Based Swap Submission, by the Commission (if applicable). The Office of the Federal Register (OFR) offers or Advance Notice by Clearing Agencies * 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, Copies of notices, written comments, transcripts, other communications. If such Transcripts, Other Communications documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G. Remove View Add Exhibit Sent As Paper Document П Exhibit 3 - Form, Report, or Questionnaire 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 Add Remove View referred to by the proposed rule change. Exhibit Sent As Paper Document The full text shall be marked, in any convenient manner, to indicate additions to and **Exhibit 4 - Marked Copies** deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit Add Remove View 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** 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 Add Remove View of the proposed rule change. If the self-regulatory organization is amending only part of the text of a lengthy **Partial Amendment** 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.

Item 1. <u>Text of the Proposed Rule Change</u>

- (a) C2 Options Exchange, Incorporated (the "Exchange" or "C2") proposes to amend its Fees Schedule. The text of the proposed rule change is provided in Exhibit 5.
 - (b) Not applicable.
 - (c) Not applicable.

Item 2. <u>Procedures of the Self-Regulatory Organization</u>

- (a) The Exchange's President (or designee) pursuant to delegated authority approved the proposed rule change on September 21, 2017.
- (b) Please refer questions and comments on the proposed rule change to Joanne Moffic-Silver, Executive Vice President, General Counsel, and Corporate Secretary, (312) 786-7462, or Corinne Klott, (312) 786-7793, C2 Options Exchange, Incorporated, 400 South LaSalle, Chicago, Illinois 60605.

Item 3. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis for, the Proposed Rule Change</u>

(a) Purpose

The Exchange proposes to amend its Fees Schedule to correct an inadvertent marking error made to the Exhibit 5 in a previous rule filing. Specifically, on April 13, 2017, the Exchange filed a rule filing, SR-C2-2017-015, which proposed to eliminate certain PULSe fees, effective April 3, 2017. The Exchange notes that it mistakenly used outdated text contained in Section 11 of the Fees Schedule in the Exhibit 5 of that filing. Particularly, prior to filing SR-C2-2017-015, the Exchange had reduced the monthly fee assessed to TPHs who either receive or send drop copies via a PULSe workstation. More

The Exchange initially filed the proposed fee change on April 3, 2017 (SR-C2-2017-012). On April 13, 2017, the Exchange withdrew that filing and submitted SR-C2-2017-015. See Securities Exchange Act Release No. 80473 (April 17, 2017), 82 FR 18790 (April 21, 2017) (SR-C2-2017-015).

specifically, if a customer receiving drop copies is a TPH, that TPH customer (the receiving TPH) is now charged a fee of \$425 per month (down from \$1000 per month), per PULSe broker from whom it receives drop copies via PULSe. If a customer receiving drop copies is a non-TPH, the PULSe broker (the sending TPH) who sends drop copies via PULSe to that customer is now charged a fee of \$400 per month (down from \$500 per month)². The Exhibit 5 filed in SR-C2-2017-015 however, inadvertently did not reflect the new prices that had previously been adopted for Drop Copy fees (i.e., \$425 per month and \$400 per month). Rather it listed the older prices of \$1,000 per month and \$500 per month, respectively. The Exchange notes that it was not its intention to revert back to the old pricing and that no such change was otherwise implemented, referenced or implied in the 19b-4 of SR-C2-2017-008 or any other filing since then. Rather it was an inadvertent mistake that the Exchange seeks to correct.

Lastly, the Exchange notes that it had previously renamed the "OATS Reporting" fee to the "Equity Order Reports" fee.³ The Exchange inadvertently did not incorporate the name change in the Exhibit 5 of SR-C2-2017-015. The Exchange notes that it was not its intention to revert back to the old name and that no such change was otherwise referenced or implied in the 19b-4 of SR-C2-2017-008 or any other filing since then.

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See Securities Exchange Act Release No. 80031 (February 13, 2017), 82 FR 11087 (February 17, 2017) (SR-C2-2017-008). The Exchange notes that in the filing that adopted the Drop Copy fees, the appended footnote for the "Drop Copy (received by non-TPH customer)" fee mistakenly referenced the fee as \$1,000/month instead of \$500/month. See Securities Exchange Act Release No. 79807 (January 17, 2017), 82 FR 8238 (January 24, 2017) (SR-C2-2017-002).

³ Id.

Accordingly, the Exchange proposes to amend the Fees Schedule to reflect the accurate prices of the Drop Copy Fees and the accurate name of the Equity Order Reports fee. No substantive changes are being made by the proposed rule change.

(b) Statutory Basis

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁴ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)⁵ requirements that the rules of an exchange be 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, 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.

The Exchange believes correcting an inadvertent marking error from a previous rule filing in order to accurately reflect the Drop Copy prices and the name of the Equity Order Reports fee will alleviate potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system and protecting investors and the public interest.

⁵ 15 U.S.C. 78f(b)(5).

⁴ 15 U.S.C. 78f(b).

Item 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 competition that is not necessary or appropriate in furtherance of the purposes of the Act. As discussed above, the proposed change is merely intended to correct an inadvertent marking error made in a previous rule filing, which will alleviate potential confusion.

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

The Exchange neither solicited nor received comments on the proposed rule change.

Item 6. Extension of Time Period for Commission Action

Not applicable.

- (a) The proposed rule change is filed for immediate effectiveness pursuant to Section 19(b)(3)(A) of Act⁶ and Rule 19b-4(f)(6)⁷ thereunder.
- (b) The Exchange designates that the proposed rule change effects a change that (i) does not significantly affect the protection of investors or the public interest; (ii) does not impose any significant burden on competition; and (iii) by its terms, does not become operative for 30 days after the date of the filing, or such shorter time as the Commission may designate if consistent with the protection of investors and the public interest. Additionally, the Exchange has given the Commission written notice of its

⁶ 15 U.S.C. 78s(b)(3)(A).

⁷ 17 CFR 240.19b-4(f)(6).

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 of the proposed rule change, or such shorter time as designated by the Commission.

The proposed change corrects a marking error in the Exhibit 5 of a recent rule filing which inadvertently omitted recent fee changes in the C2 Fees Schedule relating to PULSe fees. Correcting that error to ensure that the Fees Schedule remains current and accurate alleviates confusion, thereby protecting investors and the public interest.

For the foregoing reasons, this rule filing qualifies as a "non-controversial" rule change under Rule 19b-4(f)(6), which renders the proposed rule change effective upon filing with the Commission. At any time within 60 days of the filing of this 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 will institute proceedings to determine whether the proposed rule change should be approved or disapproved. The Exchange respectfully requests that the Commission waive the five-day pre-filing requirement and the 30-day operative delay period after which a proposed rule change under Rule 19b-4(f)(6) becomes effective. Waiver of these delays will allow the immediate correction of the Fees Schedule. Without the waivers, the Fees Schedule would not reflect the accurate fees relating to Drop Copy fees and the accurate name of the Equity Order Reports fee, which could cause potential confusion to market participants as to the applicability of the fees.

(c) Not applicable.

(d) Not applicable.

Item 8. <u>Proposed Rule Change Based on Rules of Another Self-Regulatory Organization or of the Commission</u>

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

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

Not applicable.

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

Not applicable.

Item 11. <u>Exhibits</u>

Exhibit 1. Completed Notice of Proposed Rule Change for publication in the Federal Register.

Exhibit 5. Proposed rule text.

EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION

[Release No. 34- ; File No. SR-C2-2017-026]

[Insert date]

Self-Regulatory Organizations; C2 Options Exchange, Incorporated; Notice of Filing and Immediate Effectiveness of a Proposed Rule Change to Amend the Fees Schedule

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 (the "Act"), ¹ and Rule 19b-4 thereunder, ² notice is hereby given that on [insert date], C2 Options Exchange, Incorporated (the "Exchange" or "C2") 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 Exchange. The Exchange filed the proposal as a "non-controversial" proposed rule change pursuant to Section 19(b)(3)(A)(iii) of the Act³ and Rule 19b-4(f)(6) thereunder. ⁴ The Commission is publishing this notice to solicit comments on the proposed rule change from interested persons.

I. <u>Self-Regulatory Organization's Statement of the Terms of Substance of the Proposed Rule Change</u>

The Exchange proposes to amend its Fees Schedule to correct an inadvertent marking error made to the Exhibit 5 in a previous rule filing.

The text of the proposed rule change is also available on the Exchange's website (http://www.cboe.com/AboutCBOE/CBOELegalRegulatoryHome.aspx), at the Exchange's Office of the Secretary, and at the Commission's Public Reference Room.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

³ 15 U.S.C. 78s(b)(3)(A)(iii).

⁴ 17 CFR 240.19b-4(f)(6).

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

In its filing with the Commission, the Exchange 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 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 aspects of such statements.

A. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory</u> Basis for, the Proposed Rule Change

1. <u>Purpose</u>

The Exchange proposes to amend its Fees Schedule to correct an inadvertent marking error made to the Exhibit 5 in a previous rule filing. Specifically, on April 13, 2017, the Exchange filed a rule filing, SR-C2-2017-015, which proposed to eliminate certain PULSe fees, effective April 3, 2017. The Exchange notes that it mistakenly used outdated text contained in Section 11 of the Fees Schedule in the Exhibit 5 of that filing. Particularly, prior to filing SR-C2-2017-015, the Exchange had reduced the monthly fee assessed to TPHs who either receive or send drop copies via a PULSe workstation. More specifically, if a customer receiving drop copies is a TPH, that TPH customer (the receiving TPH) is now charged a fee of \$425 per month (down from \$1000 per month), per PULSe broker from whom it receives drop copies via PULSe. If a customer receiving drop copies is a non-TPH, the PULSe broker (the sending TPH) who sends drop copies via PULSe to that customer is now charged a fee of \$400 per month (down

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The Exchange initially filed the proposed fee change on April 3, 2017 (SR-C2-2017-012). On April 13, 2017, the Exchange withdrew that filing and submitted SR-C2-2017-015. See Securities Exchange Act Release No. 80473 (April 17, 2017), 82 FR 18790 (April 21, 2017) (SR-C2-2017-015).

from \$500 per month)⁶. The Exhibit 5 filed in SR-C2-2017-015 however, inadvertently did not reflect the new prices that had previously been adopted for Drop Copy fees (i.e., \$425 per month and \$400 per month). Rather it listed the older prices of \$1,000 per month and \$500 per month, respectively. The Exchange notes that it was not its intention to revert back to the old pricing and that no such change was otherwise implemented, referenced or implied in the 19b-4 of SR-C2-2017-008 or any other filing since then. Rather it was an inadvertent mistake that the Exchange seeks to correct.

Lastly, the Exchange notes that it had previously renamed the "OATS Reporting" fee to the "Equity Order Reports" fee.⁷ The Exchange inadvertently did not incorporate the name change in the Exhibit 5 of SR-C2-2017-015. The Exchange notes that it was not its intention to revert back to the old name and that no such change was otherwise referenced or implied in the 19b-4 of SR-C2-2017-008 or any other filing since then.

Accordingly, the Exchange proposes to amend the Fees Schedule to reflect the accurate prices of the Drop Copy Fees and the accurate name of the Equity Order Reports fee. No substantive changes are being made by the proposed rule change.

2. <u>Statutory Basis</u>

The Exchange believes the proposed rule change is consistent with the Securities Exchange Act of 1934 (the "Act") and the rules and regulations thereunder applicable to

See Securities Exchange Act Release No. 80031 (February 13, 2017), 82 FR 11087 (February 17, 2017) (SR-C2-2017-008). The Exchange notes that in the filing that adopted the Drop Copy fees, the appended footnote for the "Drop Copy (received by non-TPH customer)" fee mistakenly referenced the fee as \$1,000/month instead of \$500/month. See Securities Exchange Act Release No. 79807 (January 17, 2017), 82 FR 8238 (January 24, 2017) (SR-C2-2017-002).

⁷ Id.

the Exchange and, in particular, the requirements of Section 6(b) of the Act.⁸ Specifically, the Exchange believes the proposed rule change is consistent with the Section 6(b)(5)⁹ requirements that the rules of an exchange be 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 regulating, clearing, settling, processing information with respect to, and facilitating transactions in securities, 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.

The Exchange believes correcting an inadvertent marking error from a previous rule filing in order to accurately reflect the Drop Copy prices and the name of the Equity Order Reports fee will alleviate potential confusion, thereby removing impediments to and perfecting the mechanism of a free and open market and a national market system and protecting investors and the public interest.

B. <u>Self-Regulatory Organization</u>'s Statement on Burden on Competition

The Exchange does not believe that the proposed rule change will impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. As discussed above, the proposed change is merely intended to correct an inadvertent marking error made in a previous rule filing, which will alleviate potential confusion.

⁸ 15 U.S.C. 78f(b).

⁹ 15 U.S.C. 78f(b)(5).

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

The Exchange neither solicited nor received comments on the proposed rule change.

III. <u>Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action</u>

Because the foregoing proposed rule change does not:

- A. significantly affect the protection of investors or the public interest;
- B. impose any significant burden on competition; and
- C. 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 Act¹⁰ and Rule 19b-4(f)(6)¹¹ thereunder. 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 will institute proceedings 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:

¹⁰ 15 U.S.C. 78s(b)(3)(A).

¹¹ 17 CFR 240.19b-4(f)(6).

Electronic comments:

- Use the Commission's Internet comment form
 (http://www.sec.gov/rules/sro.shtml); or
- Send an e-mail to <u>rule-comments@sec.gov</u>. <u>Please include File Number</u>
 <u>SR-C2-2017-026 on the subject line.</u>

Paper comments:

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

All submissions should refer to File Number SR-C2-2017-026. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will all post comments the Commission's Internet website on (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 Room, 100 F Street, NE, Washington, D.C. 20549 on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All

submissions should refer to File Number SR-C2-2017-026 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. 12

Secretary

¹²

EXHIBIT 5

(additions are underlined; deletions are [bracketed])

* * * * *

C2 OPTIONS EXCHANGE, INCORPORATED FEES SCHEDULE [May 16]September 21, 2017

* * * * *

1. - 10. No Change.

11. Facility Fees

A) PULSe Workstation

* * * * *

5. Drop Copy (received by TPH customer

[1,000] 425/month (per sending $TPH)^3$

6. Drop Copy (received by non-TPH customer)

\$[5]400/month (per receiving non-

 $TPH)^4$

* * * * *

11. [Oats Reporting] Equity Order Reports Fees

\$250/month

* * * * *

³ This fee is payable by a TPH customer receiving drop copies and is \$[1000]425/month for each TPH broker that sends the TPH customer drop copies via a PULSe workstation.

This fee is payable by a TPH broker sending drop copies and is \$[1000]400/month for each non-TPH customer to which the TPH broker sends drop copies via a PULSe workstation.