Required fields are shown with yellow backgrounds and asterisks.

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

OMB APPROVAL

Page 1 of * 14			EXCHANGE (TON, D.C. 2 orm 19b-4			File No.*	SR - 2017 - * 27
Filing by Miami International Securities Exchange, LLC.							
Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934							
Initial * ✓	Amendment *	Withdrawal	Section 19(l	o)(2) *	Section	on 19(b)(3)(A) *	Section 19(b)(3)(B) *
1 1101	ension of Time Period Commission Action *	Date Expires *			19b-4(f) 19b-4(f) 19b-4(f))(2) 19b-4(f)(5)	
Notice of pro		to the Payment, Clearin Section 806(e)(2) *	ng, and Settler	ment Act of 2	010	Security-Based Swap to the Securities Exch 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 relating to Long Term Options Series							
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 '	Richard		Last Name *	Rudolph			
Title *	Vice President and Senior Counsel						
E-mail *	rrudolph@miami-holdings.com						
Telephone *	(609) 897-1484	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 06/06/2017 Vice President and Senior Counsel							
	ard S. Rudolph						
(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.

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1. Text of the Proposed Rule Change

(a) Miami International Securities Exchange, LLC ("MIAX Options" or "Exchange"), pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² proposes to amend Exchange Rule 406, Long Term Option Contracts.

A notice of the proposed rule change for publication in the <u>Federal Register</u> is attached hereto as <u>Exhibit 1</u>, and the text of the proposed rule change is attached hereto as <u>Exhibit 5</u>.

- (b) Not applicable.
- (c) Not applicable.

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

The proposed rule change was approved by the Chief Executive Officer of the Exchange pursuant to authority delegated by the MIAX Options Board of Directors on December 8, 2016. Exchange staff will advise the Board of Directors of any action taken pursuant to delegated authority. No other action by the Exchange is necessary for the filing of the proposed rule change.

Questions and comments on the proposed rule change may be directed to Richard S. Rudolph, Vice President and Senior Counsel, at (609) 897-1484.

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

a. Purpose

The Exchange is proposing to amend Exchange Rule 406, Long Term Option Contracts, to make clarifying changes to the Rule, as described below.

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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Currently, Exchange Rule 406(a) states that the Exchange may list long-term option contracts that expire from twelve (12) to thirty-nine (39) months from the time they are listed. The Exchange proposes to amend Rule 406(a) by defining expirations from twelve (12) to thirty-nine (39) months from the time the option is listed as "long-term expiration months."

Rule 406(a) states that there may be "up to six additional expiration months." As currently written, the Rule does not specify which expiration months the six months are in addition to, or whether that means that there may be a total of six long-term expiration months (six long-term expiration months in addition to existing non-long-term expiration months) or a total of seven expiration months (one long term expiration month plus six additional long-term expiration months), and thus is ambiguous. Accordingly, for clarity, the Exchange proposes to delete the word "additional" from Rule 406(a). As amended, the rule would clearly and simply provide that the Exchange may list up to six long-term expiration months (i.e., that expire from twelve up to thirty-nine months from the time they are listed).

Finally, in order to further clarify the Rule, the Exchange is proposing to amend Rule 406(a) to state that there may be up to six (6) long-term expiration months per option class.

Thus, there is no limit to the number of option classes for which the Exchange could list options with long-term expiration months; the rule will now clearly state that there may be up to six long-term expiration months per class, i.e., for any class(es) in which the Exchange determines to list options with long-term expiration months.

b. Statutory Basis

MIAX Options believes that its proposed rule change is consistent with Section 6(b) of the Act³ in general, and furthers the objectives of Section 6(b)(5) of the Act⁴ in particular, in that

³ 15 U.S.C. 78f(b).

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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, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest, by clarifying rule language associated with permitted listings of long term options on the Exchange.

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

MIAX Options does not believe that the proposed rule change will impose any burden on competition not necessary or appropriate in furtherance of the purposes of the Act. The proposed rule change will have no impact on competition as it is not designed to address any competitive issues but rather to add additional clarity to, and remedy possible conflicts in, the Exchange's Rules.

The Exchange does not believe that the proposed rule changes will impose any burden on intermarket competition as the Rules apply equally to all Exchange Members.

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

No written comments were either solicited or received.

Extension of Time Period for Commission Action

Not applicable.

⁴ 15 U.S.C. 78f(b)(5).

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

Pursuant to Section 19(b)(3)(A) of the Act⁵ and Rule 19b-4(f)(6)⁶ thereunder, the Exchange has designated this proposal as one that 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. The proposed rule change merely makes simple clarifying changes to the rule text.

The Exchange believes that the proposed rule change does not raise any new regulatory issues. Accordingly, the Exchange believes that the proposed rule change is non-controversial and is therefore eligible for immediately effective treatment under the Commission's current procedures for processing rule filings.

Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file 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 Exchange has satisfied this requirement. Furthermore, a proposed rule change filed pursuant to Rule 19b-4(f)(6) under the Act⁷ normally does not become operative for 30 days after the date of its filing.

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

⁵ 15 U.S.C. 78s(b)(3)(A).

⁶ 17 CFR 240.19b-4(f)(6).

¹⁷ CFR 240.19b-4(f)(6).

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action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

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

The proposed rule change is based on a proposed rule change recently submitted by NASDAQ PHLX LLC ("Phlx").⁸

9. Security-Based Swap Submissions Filed Pursuant to Section 3C of the Act Not applicable.

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

Not applicable.

11. Exhibits

- 1. Notice of proposed rule for publication in the <u>Federal Register</u>.
- 5. Text of proposed rule change.

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See Securities Exchange Act Release No. 80769 (May 25, 2017), 82 FR 25473 (June 1, 2017)(SR-Phlx-2017-41) (Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Amend Rule 1012).

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EXHIBIT 1

SECURITIES AND EXCHANGE COMMISSION (Release No. 34-; File No. SR-MIAX-2017-27)

June ___, 2017

Self-Regulatory Organizations: Notice of Filing and Immediate Effectiveness of a Proposed Rule Change by Miami International Securities Exchange LLC to Amend MIAX Options Rule 406, Long Term Option Contracts

Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")¹ and Rule 19b-4 thereunder,² notice is hereby given that on June 6, 2017, Miami International Securities Exchange, LLC ("MIAX Options" or "Exchange") filed with the Securities and Exchange Commission ("Commission") a proposed rule change as described in Items I, II, and III below, which Items have been prepared by the Exchange. 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</u> Rule Change

The Exchange is filing a proposal to make a technical amendment to Exchange Rule 406, Long Term Option Contracts.

The text of the proposed rule change is available on the Exchange's website at http://www.miaxoptions.com/rule-filings, at MIAX's principal office, and at the Commission's Public Reference Room.

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

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

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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 Basis for, the Proposed Rule Change</u>

1. Purpose

The Exchange is proposing to amend Exchange Rule 406, Long Term Option Contracts, to make clarifying changes to the Rule, as described below.

Currently, Exchange Rule 406(a) states that the Exchange may list long-term option contracts that expire from twelve (12) to thirty-nine (39) months from the time they are listed. The Exchange proposes to amend Rule 406(a) by defining expirations from twelve (12) to thirty-nine (39) months from the time the option is listed as "long-term expiration months."

Rule 406(a) states that there may be "up to six additional expiration months." As currently written, the Rule does not specify which expiration months the six months are in addition to, or whether that means that there may be a total of six long-term expiration months (six long-term expiration months in addition to existing non-long-term expiration months) or a total of seven expiration months (one long term expiration month plus six additional long-term expiration months), and thus is ambiguous. Accordingly, for clarity, the Exchange proposes to delete the word "additional" from Rule 406(a). As amended, the rule would clearly and simply provide that the Exchange may list up to six long-term expiration months (i.e., that expire from twelve up to thirty-nine months from the time they are listed).

Finally, in order to further clarify the Rule, the Exchange is proposing to amend Rule 406(a) to state that there may be up to six (6) long-term expiration months per option class.

Thus, there is no limit to the number of option classes for which the Exchange could list options with long-term expiration months; the rule will now clearly state that there may be up to six

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long-term expiration months per class, i.e., for any class(es) in which the Exchange determines to list options with long-term expiration months.

2. <u>Statutory Basis</u>

MIAX believes that its proposed rule change is consistent with Section 6(b) of the Act³ in general, and furthers the objectives of Section 6(b)(5) of the Act⁴ 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, to remove impediments to and perfect the mechanisms of a free and open market and a national market system and, in general, to protect investors and the public interest, by clarifying rule language associated with permitted listings of long term options on the Exchange.

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

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. The proposed rule change will have no impact on competition as it is not designed to address any competitive issues but rather to add additional clarity to, and remedy possible conflicts in, the Exchange's Rules.

The Exchange does not believe that the proposed rule changes will impose any burden on intermarket competition as the Rules apply equally to all Exchange Members.

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

Written comments were neither solicited nor received.

³ 15 U.S.C. 78f(b).

⁴ 15 U.S.C. 78f(b)(5).

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

Because the foregoing 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 after the date of the filing, or such shorter time as the Commission may designate, it has become effective pursuant to 19(b)(3)(A) of the Act⁵ and Rule $19b-4(f)(6)^6$ 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 shall institute proceedings to determine whether the proposed rule 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

⁵ 15 U.S.C. 78s(b)(3)(A).

¹⁷ CFR 240.19b-4(f)(6). In addition, Rule 19b-4(f)(6) requires a self-regulatory organization to give the Commission written notice of its intent to file 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 Exchange has satisfied this requirement.

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□ Send an e-mail to rule-comments@sec.gov. Please include File Number SR-MIAX-2017-27 on the subject line.

Paper comments:

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

All submissions should refer to File Number SR-MIAX-2017-27. 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 post all comments on the Commission's Internet Web site (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, DC 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.

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All submissions should refer to File Number SR-MIAX-2017-27 and should be submitted on or before [insert date 21 days from publication in the <u>Federal Register</u>]. For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.⁷

Brent J. Fields Secretary

⁷ 17 CFR 200.30-3(a)(12).

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EXHIBIT 5

New text is underlined; Deleted text is in [brackets]

MIAMI INTERNATIONAL SECURITIES EXCHANGE, LLC Rules

Rule 406. Long-Term Option Contracts

(a) Notwithstanding conflicting language in Rule 404, the Exchange may list long-term option contracts that expire from twelve (12) to thirty-nine (39) months from the time they are listed ("long-term expiration months"). There may be up to six (6) [additional] <u>long-term</u> expiration months <u>per option class</u>. Strike price interval (Rule 404), bid/ask differential (Rule 603(b)(4)) and continuous quoting (Rule 604(e)(2) and (3)) rules shall not apply to such options series until the time to expiration is less than nine (9) months.

(b) No change.
