



## Regulatory Circular 06-033

Date: December 12, 2006

To: ETP Holders

From: James C. Yong Chief Regulatory Officer

Re: TRANSITION OF ADDITIONAL STOCKS TO THE NASD/NSX TRF

On Monday, November 27, 2006, the National Stock Exchange, Inc. ("NSX<sup>SM</sup>" or the "Exchange") and the National Association of Securities Dealers ("NASD") began operation of its trade reporting facility (the "NASD/NSX TRF"). NASD will regulate all transactions in this facility, and the NASD/NSX TRF will collect, verify and report these internalized Tape C trade transactions to the exclusive UTP Plan data consolidator for Nasdaq-listed securities, the Nasdaq Exclusive Securities Information Processor ("Nasdaq ESIP"). In order to report trades to the NASD/NSX TRF, firms must be approved as a NASD/NSX TRF participant. The NASD/NSX TRF will begin to report transactions by phasing-in issues as per its roll-out plan.

***As of Wednesday, December 13, 2006, all Nasdaq-listed stocks that have a symbol beginning with the letters "L" through "S" will be transitioned into the NASD/NSX TRF.*** Additional Nasdaq-listed stocks will be phased into the NASD/NSX TRF over the next several weeks, followed by all non-Nasdaq listed securities (*i.e.*, securities listed on the New York Stock Exchange, the American Stock Exchange and other regional exchanges).

The rules governing the transactions on the NASD/NSX TRF are contained in the NASD's rule proposal, SR-NASD-2006-108 (a copy of the proposal can be found on [http://www.nasd.com/RulesRegulation/RuleFilings/2006RuleFilings/NASDW\\_017394](http://www.nasd.com/RulesRegulation/RuleFilings/2006RuleFilings/NASDW_017394)). The Securities and Exchange Commission approved the proposal on November 17, 2006. See <http://www.sec.gov/rules/sro/nasd/2006/34-54715.pdf>.

We will keep you informed as to the phase-in of other securities to be added to NSX BLADE<sup>SM</sup> and the NASD/NSX TRF.

If you have any questions, please call me at 312.786.8893.