

Required fields are shown with yellow backgrounds and asterisks.

Page 1 of * 13

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549
Form 19b-4

File No. * SR 2024 - * 43

Amendment No. (req. for Amendments *)

Filing by NYSE American LLC

Pursuant to Rule 19b-4 under the Securities Exchange Act of 1934

Initial * <input checked="" type="checkbox"/>	Amendment * <input type="checkbox"/>	Withdrawal <input type="checkbox"/>	Section 19(b)(2) * <input type="checkbox"/>	Section 19(b)(3)(A) * <input checked="" type="checkbox"/>	Section 19(b)(3)(B) * <input type="checkbox"/>
--	---	--	--	--	---

Pilot <input type="checkbox"/>	Extension of Time Period for Commission Action * <input type="checkbox"/>	Date Expires * <input type="text"/>	Rule <input type="checkbox"/> 19b-4(f)(1) <input type="checkbox"/> 19b-4(f)(4) <input checked="" type="checkbox"/> 19b-4(f)(2) <input type="checkbox"/> 19b-4(f)(5) <input type="checkbox"/> 19b-4(f)(3) <input type="checkbox"/> 19b-4(f)(6)		
-----------------------------------	--	--	--	--	--

Notice of proposed change pursuant to the Payment, Clearing, and Settlement Act of 2010
Section 806(e)(1) *

Section 806(e)(2) *

Security-Based Swap Submission pursuant to the Securities Exchange Act of 1934
Section 3C(b)(2) *

Exhibit 2 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 *).

Proposal to amend the NYSE American Options Fee 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 Name * Kathleen Last Name * Murphy

Title * Senior Counsel, NYSE Group Inc.

E-mail * Kathleen.Murphy@ice.com

Telephone * (212) 656-4841 Fax (212) 656-8101

Signature

Pursuant to the requirements of the Securities Exchange of 1934, NYSE American LLC has duly caused this filing to be signed on its behalf by the undersigned thereunto duly authorized.

Date 07/01/2024

(Title *)

By David De Gregorio
(Name *)

Associate General Counsel

NOTE: Clicking the signature block at right will initiate digitally signing the form. A digital signature is as legally binding as a physical signature, and once signed, this form cannot be changed.

David De Gregorio

Digitally signed by David De Gregorio
Date: 2024.07.01 14:57:45 -04'00'

Required fields are shown with yellow backgrounds and astericks.

SECURITIES AND EXCHANGE COMMISSION
WASHINGTON, D.C. 20549

For complete Form 19b-4 instructions please refer to the EFFS website.

Form 19b-4 Information *

Add Remove View

19b4 American ACE BOLD CInUp (07

The self-regulatory organization must provide all required information, presented in a clear and comprehensible manner, to enable the public to provide meaningful comment on the proposal and for the Commission to determine whether the proposal is consistent with the Act and applicable rules and regulations under the Act.

Exhibit 1 - Notice of Proposed Rule Change *

Add Remove View

Ex. 1 American ACE BOLD CInUp.doc

The Notice section of this Form 19b-4 must comply with the guidelines for publication 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 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)

Exhibit 1A - Notice of Proposed Rule Change, Security-Based Swap Submission, or Advanced Notice by Clearing Agencies *

Add Remove View

The Notice section of this Form 19b-4 must comply with the guidelines for publication 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 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)

Exhibit 2- Notices, Written Comments, Transcripts, Other Communications

Add Remove View

Copies of notices, written comments, transcripts, other communications. If such documents cannot be filed electronically in accordance with Instruction F, they shall be filed in accordance with Instruction G.

Exhibit Sent As Paper Document

Exhibit 3 - Form, Report, or Questionnaire

Add Remove View

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 referred to by the proposed rule change.

Exhibit Sent As Paper Document

Exhibit 4 - Marked Copies

Add Remove View

The full text shall be marked, in any convenient manner, to indicate additions to and deletions from the immediately preceding filing. The purpose of Exhibit 4 is to permit 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

Add Remove View

Ex 5 American ACE BOLD CInUp (070

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 of the proposed rule change

Partial Amendment

Add Remove View

If the self-regulatory organization is amending only part of the text of a lengthy 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.

1. Text of the Proposed Rule Change

- (a) Pursuant to the provisions of Section 19(b)(1) of the Securities Exchange Act of 1934 (the “Act”)¹ and Rule 19b-4 thereunder,² NYSE American LLC (“NYSE American” or the “Exchange”) proposes to amend the NYSE American Options Fee Schedule (“Fee Schedule”) regarding the American Customer Engagement (“ACE”) Program. The Exchange proposes to implement the fee change effective July 1, 2024.

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

- (b) The Exchange does not believe that the proposed rule change will have any direct effect, or any significant indirect effect, on any other Exchange rule in effect at the time of this filing.
- (c) Not applicable.

2. Procedures of the Self-Regulatory Organization

Senior management has approved the proposed rule change pursuant to authority delegated to it by the Board of the Exchange. No further action is required under the Exchange’s governing documents. Therefore, the Exchange’s internal procedures with respect to the proposed rule change are complete.

The person on the Exchange staff prepared to respond to questions and comments on the proposed rule change is:

Kathleen Murphy
Senior Counsel
NYSE Group, Inc.
(212) 656-4841

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

- (a) Purpose

The purpose of this filing is to modify Section I.E. of the Fee Schedule regarding the ACE Program. Specifically, the Exchange proposes to clarify the operation of the Program as relates to Customer volume executed via the BOLD Mechanism (“BOLD

¹ 15 U.S.C. 78s(b)(1).

² 17 CFR 240.19b-4.

volume”) and to make other minor technical changes as described herein.³ This proposal would not alter how the ACE Program operates (or the credits applied on eligible BOLD volume) and is instead designed to clarify a potential ambiguity in the Fee Schedule.

The ACE Programs, as described in Section I.E., offers Order Flow Providers (OFP)⁴ per contract credits based on, and applied to, certain Electronic Customer volume executed on the Exchange.⁵ The ACE Program has five tiers and offers increasing per contract credits to an OFP that meets or exceeds increasing volume thresholds. Regarding BOLD volume, Section I.E. provides that “[t]he per contract credits in the table below apply to Electronic options transactions, including those executed via the BOLD Mechanism” and that such volume “will be included in an OFP’s Electronic volume calculation for purposes of the ACE Program.”⁶

Section I.M. of the Fee Schedule describes the fees and credits applied to BOLD volume.⁷ Specifically, the Exchange offers per contract credits on each “BOLD Initiating Order” executed on behalf of Customers that are the “[b]etter of (\$0.12) or, if eligible for a higher credit via the ACE Program, per Section I.E., (\$0.13).”⁸ Thus, although not specified in Section I.E., an OFP’s potential per contract credit on eligible BOLD volume is capped at (\$0.13) regardless of what ACE Program tier an OFP achieves.

To address this potential ambiguity, the Exchange proposes to amend Section I.E. as relates to BOLD volume. First, the Exchange proposes to reorganize current rule text to make clear that, like volume executed via the Customer Best Execution (“CUBE”) Auction, Customer volume “executed via the BOLD Mechanism” will be “included in an OFP’s Electronic volume calculation for purposes of the ACE Program tiers.”⁹ Second, the Exchange proposes to modify the first sentence of Section I.E., regarding the application of ACE Program credits, to remove reference to BOLD volume.¹⁰ Instead, the Exchange proposes to add a cross-reference to Section I.M., which specifies the per

³ See Rule 994NY (describing the operation of the Broadcast Order Liquidity Delivery (“BOLD”) Mechanism).

⁴ An OFP is an Order Flow provider means “any ATP Holder that submits, as agent, orders to the Exchange.” See Rule 900.2NY.

⁵ See Fee Schedule, Section I.E. (American Customer Engagement (“ACE”) Program).

⁶ Id.

⁷ See Fee Schedule, Section I.M. (BOLD Mechanism Fees & Credits).

⁸ See id. A “BOLD Initiating Order” is “an order submitted to be executed via the BOLD Mechanism.” See Fee Schedule, KEY TERMS and DEFINITIONS.

⁹ See proposed Fee Schedule, Section I.E. (American Customer Engagement (“ACE”) Program). The Exchange proposes to make clear that, for purposes of determining whether an OFP qualifies for any of the “ACE Program tiers“, the Exchange includes Customer volume resulting from CUBE Auctions and executions via the BOLD Mechanism. See id. (emphasis added).

¹⁰ See id. (“The per contract credits in the table below apply to Electronic options transactions.”).

contract credits available for eligible BOLD volume.¹¹ Finally, the Exchange proposes a technical change to clarify that ACE Program credits are not “payable” or “paid” to OFPs but are instead “available” to OFPs and are “applied” to an OFPs fees, if earned.¹²

(b) Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹³ in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,¹⁴ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes the proposed change to specify the per contract credit available on eligible BOLD volume is reasonable, equitable and not unfairly discriminatory because the change would add clarity, transparency, and internal consistency, to the Fee Schedule. Likewise, the proposed technical change would add clarity and transparency to the Fee Schedule. Taken together, the proposed changes would benefit investors because such changes should improve the accuracy and comprehensibility of the Fee Schedule.

4. Self-Regulatory Organization’s Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. This proposal is not a competitive change. Instead, the changes proposed herein would add clarity, transparency, and internal consistency to the Fee Schedule thereby improving its accuracy and comprehensibility to the benefit of investors.

5. Self-Regulatory Organization’s Statement on Comments on the Proposed Rule Change Received from Members, Participants, or Others

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

6. Extension of Time Period for Commission Action

Not applicable.

¹¹ See *id.* The Exchange also proposes minor technical changes to specify that credits applicable to certain CUBE Auction volume are “*as set forth* in Section I.G.” (emphasis added).

¹² See *id.* (specifying, for example, that the ACE Program credits are “available” to OFPs; and “applied solely to Customer volume”; and “applied” based on an OFP’s eligible Customer volume).

¹³ 15 U.S.C. 78f(b).

¹⁴ 15 U.S.C. 78f(b)(4) and (5).

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

The foregoing rule change is effective upon filing pursuant to Section 19(b)(3)(A)(ii) of the Act¹⁵ because it establishes a due, fee, or other charge imposed by the Exchange. At any time within 60 days of the filing of such 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 under Section 19(b)(2)(B) of the Act to determine whether the proposed rule change should be approved or disapproved.¹⁶

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

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

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

Not applicable.

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

Not applicable.

11. Exhibits

Exhibit 1 – Form of Notice of the Proposed Rule Change for Publication in the Federal Register

Exhibit 5 – Amendment to the Exchange’s Fee Schedule

¹⁵ 15 U.S.C. 78s(b)(3)(A)(ii).

¹⁶ 15 U.S.C. 78s(b)(2)(B).

SECURITIES AND EXCHANGE COMMISSION
(Release No. 34- ; File No. SR-NYSEAMER-2024-43)

[Date]

Self-Regulatory Organizations; NYSE American LLC; Notice of Filing and Immediate Effectiveness of Proposed Change to amend the NYSE American Options Fee Schedule

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 July 1, 2024, NYSE American LLC (“NYSE American” or the “Exchange”) 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 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 amend the NYSE American Options Fee Schedule (“Fee Schedule”) regarding the American Customer Engagement (“ACE”) Program. The Exchange proposes to implement the fee change effective July 1, 2024. The proposed rule change is available on the Exchange’s website at www.nyse.com, at the principal office of the Exchange, and at the Commission’s Public Reference Room.

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

¹ 15 U.S.C. 78s(b)(1).

² 15 U.S.C. 78a.

³ 17 CFR 240.19b-4.

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 purpose of this filing is to modify Section I.E. of the Fee Schedule regarding the ACE Program. Specifically, the Exchange proposes to clarify the operation of the Program as relates to Customer volume executed via the BOLD Mechanism (“BOLD volume”) and to make other minor technical changes as described herein.⁴ This proposal would not alter how the ACE Program operates (or the credits applied on eligible BOLD volume) and is instead designed to clarify a potential ambiguity in the Fee Schedule.

The ACE Programs, as described in Section I.E., offers Order Flow Providers (OFP)⁵ per contract credits based on, and applied to, certain Electronic Customer volume executed on the Exchange.⁶ The ACE Program has five tiers and offers increasing per contract credits to an OFP that meets or exceeds increasing volume thresholds. Regarding BOLD volume, Section I.E. provides that “[t]he per contract credits in the table below apply to Electronic options transactions, including those executed via the BOLD Mechanism” and that such volume “will be included in an OFP’s Electronic volume calculation for purposes of the ACE Program.”⁷

⁴ See Rule 994NY (describing the operation of the Broadcast Order Liquidity Delivery (“BOLD”) Mechanism).

⁵ An OFP is an Order Flow provider means “any ATP Holder that submits, as agent, orders to the Exchange.” See Rule 900.2NY.

⁶ See Fee Schedule, Section I.E. (American Customer Engagement (“ACE”) Program).

⁷ Id.

Section I.M. of the Fee Schedule describes the fees and credits applied to BOLD volume.⁸ Specifically, the Exchange offers per contract credits on each “BOLD Initiating Order” executed on behalf of Customers that are the “[b]etter of (\$0.12) or, if eligible for a higher credit via the ACE Program, per Section I.E., (\$0.13).”⁹ Thus, although not specified in Section I.E., an OFP’s potential per contract credit on eligible BOLD volume is capped at (\$0.13) regardless of what ACE Program tier an OFP achieves.

To address this potential ambiguity, the Exchange proposes to amend Section I.E. as relates to BOLD volume. First, the Exchange proposes to reorganize current rule text to make clear that, like volume executed via the Customer Best Execution (“CUBE”) Auction, Customer volume “executed via the BOLD Mechanism” will be “included in an OFP’s Electronic volume calculation for purposes of the ACE Program tiers.”¹⁰ Second, the Exchange proposes to modify the first sentence of Section I.E., regarding the application of ACE Program credits, to remove reference to BOLD volume.¹¹ Instead, the Exchange proposes to add a cross-reference to Section I.M., which specifies the per contract credits available for eligible BOLD volume.¹² Finally, the Exchange proposes a technical change to clarify that ACE Program credits are not “payable” or “paid” to OFPs but are instead “available” to OFPs and are “applied” to an OFPs fees, if

⁸ See Fee Schedule, Section I.M. (BOLD Mechanism Fees & Credits).

⁹ See id. A “BOLD Initiating Order” is “an order submitted to be executed via the BOLD Mechanism.” See Fee Schedule, KEY TERMS and DEFINITIONS.

¹⁰ See proposed Fee Schedule, Section I.E. (American Customer Engagement (“ACE”) Program). The Exchange proposes to make clear that, for purposes of determining whether an OFP qualifies for any of the “ACE Program tiers”, the Exchange includes Customer volume resulting from CUBE Auctions and executions via the BOLD Mechanism. See id. (emphasis added).

¹¹ See id. (“The per contract credits in the table below apply to Electronic options transactions.”).

¹² See id. The Exchange also proposes minor technical changes to specify that credits applicable to certain CUBE Auction volume are “*as set forth* in Section I.G.” (emphasis added).

earned.¹³

2. Statutory Basis

The Exchange believes that the proposed rule change is consistent with Section 6(b) of the Act,¹⁴ in general, and furthers the objectives of Sections 6(b)(4) and (5) of the Act,¹⁵ in particular, because it provides for the equitable allocation of reasonable dues, fees, and other charges among its members, issuers and other persons using its facilities and does not unfairly discriminate between customers, issuers, brokers or dealers.

The Exchange believes the proposed change to specify the per contract credit available on eligible BOLD volume is reasonable, equitable and not unfairly discriminatory because the change would add clarity, transparency, and internal consistency, to the Fee Schedule. Likewise, the proposed technical change would add clarity and transparency to the Fee Schedule. Taken together, the proposed changes would benefit investors because such changes should improve the accuracy and comprehensibility of the Fee Schedule.

B. Self-Regulatory Organization's Statement on Burden on Competition

In accordance with Section 6(b)(8) of the Act, the Exchange does not believe that the proposed rule change would impose any burden on competition that is not necessary or appropriate in furtherance of the purposes of the Act. This proposal is not a competitive change. Instead, the changes proposed herein would add clarity, transparency, and internal consistency to the Fee Schedule thereby improving its accuracy and comprehensibility to the benefit of investors.

¹³ See *id.* (specifying, for example, that the ACE Program credits are “available” to OFPs; and “applied solely to Customer volume”; and “applied” based on an OFP’s eligible Customer volume).

¹⁴ 15 U.S.C. 78f(b).

¹⁵ 15 U.S.C. 78f(b)(4) and (5).

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

No written comments were solicited or received with respect to the proposed rule change.

III. Date of Effectiveness of the Proposed Rule Change and Timing for Commission Action

The foregoing rule change has become effective upon filing pursuant to Section 19(b)(3)(A)¹⁶ of the Act and paragraph (f) 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.

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 (<https://www.sec.gov/rules/sro.shtml>); or
- Send an email to rule-comments@sec.gov. Please include file number SR-NYSEAMER-2024-43 on the subject line.

Paper Comments:

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

¹⁶ 15 U.S.C. 78s(b)(3)(A).

All submissions should refer to file number SR-NYSEAMER-2024-43. This file number should be included on the subject line if email 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 website (<https://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 a.m. and 3 p.m. Copies of the filing also will be available for inspection and copying at the principal office of the Exchange. Do not include personal identifiable information in submissions; you should submit only information that you wish to make available publicly. We may redact in part or withhold entirely from publication submitted material that is obscene or subject to copyright protection. All submissions should refer to file number SR-NYSEAMER-2024-43 and should be submitted on or before [INSERT DATE 21 DAYS AFTER DATE OF PUBLICATION IN THE *FEDERAL REGISTER*].

For the Commission, by the Division of Trading and Markets, pursuant to delegated authority.¹⁷

Sherry R. Haywood,

Assistant Secretary.

¹⁷ 17 CFR 200.30-3(a)(12).

Additions underscored

Deletions [bracketed]

NYSE AMERICAN OPTIONS FEE SCHEDULE*

*NYSE American Options is the options trading facility of NYSE American LLC

Effective as of [~~June 12~~]July 1, 2024

E. American Customer Engagement (“ACE”) Program. The per contract credits in the table below apply to Electronic options transactions[, including those executed via the BOLD Mechanism]. The credits are [payable]available to the OFP that submits, as agent, orders to the Exchange, and are [payable only on]applied solely to Customer volume.

Volume resulting from CUBE Auction executions and from executions via the BOLD Mechanism will be included in an OFP’s Electronic volume calculation for purposes of the ACE Program tiers, but is ineligible for credits shown in the table below because there are separate credits applied[paid] for certain CUBE Auction volumes (as set forth in Section I. G.) and for [V]volume resulting from executions via the BOLD Mechanism (as set forth in Section I. M.)[will be included in an OFP’s Electronic volume calculation for purposes of the ACE Program].
