

**MEMO# 18723**

March 29, 2005

## **PROPOSED CHANGES TO NYSE'S CONTINUED LISTED STANDARDS; YOUR VIEWS REQUESTED BY MARCH 31ST**

©2005 Investment Company Institute. All rights reserved. Information may be abridged and therefore incomplete. Communications from the Institute do not constitute, and should not be considered a substitute for, legal advice. [18723] March 29, 2005 TO: CLOSED-END INVESTMENT COMPANY COMMITTEE No. 16-05 RE: PROPOSED CHANGES TO NYSE'S CONTINUED LISTED STANDARDS; YOUR VIEWS REQUESTED BY MARCH 31ST The Securities and Exchange Commission recently published for comment a proposal filed by the New York Stock Exchange to strengthen certain aspects of its listing standards for closed-end funds and other issuers.\* According to the Release, the NYSE adjusts its listing standards periodically to ensure that the standards recognize and reflect current market conditions. The aspects of the proposal that relate to closed-end funds are summarized below. Under the proposal, the continued listing criteria for closed-end funds would be increased from \$15 million to \$25 million. Accordingly, the NYSE would initiate suspension and delisting procedures with respect to any closed-end fund if its average market capitalization over 30 consecutive trading days was below \$25 million. The notification threshold would be increased from \$25 million to \$35 million. Therefore, the NYSE would notify a closed-end fund if its average market capitalization falls below \$35 million. Comments on the proposal are due to the SEC by April 6th. The Institute is planning on submitting a comment letter on the proposal. Please provide any comments you would like us to consider including in the letter by email ([ddonohue@ici.org](mailto:ddonohue@ici.org)) or phone (202/218-3563) as soon as possible but no later than Thursday, March 31st. Dorothy M. Donohue Associate Counsel \* Securities and Exchange Act Release No. 51322 (March 8, 2005), 70 FR 12924 (March 16, 2005) ("Release"). The Release is available at <http://www.sec.gov/rules/sro/nyse/34-51332.pdf>.