

January 18, 2008

**By electronic mail: [www.cesr.eu](http://www.cesr.eu)**

The Committee of European Securities Regulators (CESR)  
11-13 Avenue de Friedland  
Paris, France 75008

**RE: CESR Consultation Paper on Improving the Functioning of the MiFID Database**

Ladies and Gentlemen:

Bloomberg L.P. (“Bloomberg”) welcomes and appreciates the opportunity to comment on CESR’s consultation paper (the “Consultation Paper”) dated December 17, 2007. The Consultation Paper proposes and seeks suggestions on improvements and changes to the database of information (the “Database”) CESR maintains in accordance with Council Directive 2004/39/EC of 21 April 2004 on markets in financial instruments (“MiFID”) and Commission Regulations and Directives promulgated thereunder.<sup>1</sup> We are most appreciative of CESR’s use of the consultation process to solicit information from market participants on the functioning of its Database. We wish to collaborate and assist CESR in this project and respectfully offer certain observations on the Database and suggestions we hope are of use.

**Suggestions and Observations Regarding Improvement of the Database**

We support CESR’s interest in improving the Database. In accordance with MiFID Implementing Regulation (No. 1287/2006), CESR is required to maintain and disseminate information available on its Database regarding the systematic internalisers involved with the trading of shares on E.U. regulated markets and information of shares admitted to trading on an E.U. regulated market.<sup>2</sup>

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<sup>1</sup> Article 34(5) of Commission Regulation (EC) No 1287/2006 of 10 August 2006 (“MiFID Implementing Regulation (No 1287/2006)”) provides that CESR shall maintain a website containing data supplied by or on behalf of competent authorities that relates, in pertinent part, to shares admitted to trading on regulated markets.

<sup>2</sup> Specifically, Article 34(5)(b) of MiFID Implementing Regulation (No. 1287/2006) requires that CESR make public the information on a share’s competent authority, average daily turnover, average daily number of transactions, and free float (if applicable). The Database also must contain average value of orders executed information and the standard market size for liquid shares, as well as whether liquid shares

Currently, the Database organizes its information in one of the following five categories: (1) shares admitted to trading on E.U. regulated markets; (2) systematic internalisers; (3) multilateral trading facilities (“MTFs”); (4) regulated markets; and (5) central counterparties. The Consultation Paper sets forth specific changes to the sections containing information on shares admitted to trading on E.U. regulated markets and systematic internalisers.

#### Shares Admitted to Trading on an E.U. Regulated Market

The Database now provides ten fields that categorize information of shares admitted to trading on E.U. Regulated Markets. The database also contains three symbols indicating whether a share has been recently added, whether information on a share has recently been added, or whether a share is liquid. CESR now proposes that it would add fields on exchange rates for non-European countries, specific dates as to when information of a certain share was updated and the applicability or effectiveness of any such information. There are also five existing search parameter fields available on the Database.<sup>3</sup> The Consultation Paper seeks to introduce the ability to identify and extract information with respect to liquid shares listed in the Database, thereby filtering out information on illiquid shares.

We welcome any improvements with respect to the organization of information and expanded search capabilities as currently presented in the Database. It bears noting, however, that any improvements should not come at the expense of the timeliness or accuracy of such information. We would specifically like to see that CESR ensure the reliability of information regarding changes or additions to a share’s ISIN number and that such information is not stale.

#### Systematic Internalisers

As noted in the Consultation Paper, the Database lists investment firms that are systematic internalisers as well. CESR proposes to change the presentation of these investment firms by specifically identifying those that are systematic internalisers and, depending on the business model of the firm, any branches where the firm has its own internalization activity.

We again appreciate CESR’s receptiveness to improving the presentation of data on its Database and agree that this proposed amendment will allow for easier identification of the investment firms on the Database that are also systematic internalisers. We respectfully suggest that at this stage CESR consider implementing a function that would allow users to determine the trade reporting entities that systematic internalisers or MTFs use to post data in accordance with

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have been designated as an additional liquid share in accordance with Article 22(3) of MiFID and, if so, the competent authority that is so designated.

<sup>3</sup> Currently, users may search shares by: (1) complete and partial ISIN and share names; (2) country; (3) competent authority; (4) date; or (5) columns.

their respective pre- and post-trade obligations under MiFID. Alternatively, if this information could not be made available we recommend that the Database contain the contact information of systematic internalisers. This would assist users in discovering where pre- and post- trade data are posted. CESR is not required to present this information in its Database, however, this information would benefit aggregators such as ourselves to ensure that all relevant sources have been considered and analyzed prior to disseminating market information to clients.

Again, we appreciate CESR's involvement of market participants in connection with amending and improving the information contained in the Database. We hope that CESR will continue to consult the market on the operation of the Database. The suggestions we have made are not exhaustive, and we would be more than pleased to continue participating in the dialogue with CESR if it has additional specific issues or questions with respect to the Database.

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We appreciate the opportunity to make our views known to CESR.

Respectfully submitted,

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