

UNITED STATES OF AMERICA
Before the
COMMODITY FUTURES TRADING COMMISSION

In the Matter of the Application
of ForecastEx LLC for
Designation as a Contract Market

ORDER OF DESIGNATION

ForecastEx, LLC (“ForecastEx”), a Delaware limited liability company headquartered in Chicago, Illinois, has submitted to the Commodity Futures Trading Commission (“Commission”), pursuant to Section 5(a) of the Commodity Exchange Act (“Act”), 7 U.S.C. § 7(a), and Commission Regulation 38.3(a), 17 C.F.R. § 38.3(a), an application for designation as a contract market, which includes submissions dated March 11, 2022, through June 19, 2024.

WHEREAS, ForecastEx represents that it will offer trading on an anonymous electronic central limit order book using a matching algorithm based upon price /time priority and inverse pricing;

WHEREAS, ForecastEx represents that all members of ForecastEx (“Members”) must be a futures commission merchant (“FCM”) registered with the Commission, Members may sponsor other FCMs (“Sponsored FCMs”) to directly access the platform on behalf of their customers, and market participants must have an agreement with a Member FCM or Sponsored FCM to trade on ForecastEx;

WHEREAS, ForecastEx represents that it is responsible for conducting its own surveillance, utilizing various in-house and external tools to monitor ForecastEx activity in real time and on a trade-date-plus-one basis, and for enforcing its trading rules;

WHEREAS, ForecastEx represents that it will conduct its own regulatory reporting and recordkeeping, investigations, and disciplinary actions, and arbitration hearings involving ForecastEx's market participants, and it will monitor Members' compliance with ForecastEx's minimum financial standards, as required under Commission Regulation 38.604, 17 C.F.R §38.604;

WHEREAS, ForecastEx represents that all contracts of sale of a commodity for future delivery (or options on such contracts or on a commodity) listed for trading on the ForecastEx DCM will be cleared by a derivative clearing organization registered under Section 5b of the Act, 7 U.S.C. § 7a-1(a);

WHEREAS, ForecastEx represents that it has a clearing services agreement with the ForecastEx clearinghouse, a derivatives clearing organization registered under Section 5b of the Act; and that the ForecastEx clearinghouse will provide clearing and settlement services to ForecastEx for all transactions executed on or through ForecastEx;

WHEREAS, ForecastEx represents that it meets all the requirements for contract market designation under Section 5(a) of the Act, complies with all core principles applicable to designated contracts markets under Section 5(d) of the Act and the Commission's regulations thereunder and remains subject to and compliant with all provisions of the Act and the Commission's regulations applicable to designated contract markets, including self-regulatory responsibilities applicable to designated contract markets under the Act and the Commission's regulations; and

WHEREAS Commission staff reviewed and analyzed ForecastEx's application for designation as a contract market, including ForecastEx's rules and all amendments thereto and representations made by ForecastEx, and conducted a technical evaluation of ForecastEx's operational capabilities, to evaluate ForecastEx's compliance with the core principles and corresponding Commission regulations in accordance with Section 5(d) of the Act, 7 U.S.C 7(d)(1), Commission Regulations 38.100-38.1201, 17 C.F. R. §§ 38.100-38.1201.

Based upon the foregoing, the Commission FINDS that as required by Section 6(a) of the Act, 7 U.S.C. § 8(a), and Commission Regulation 38.3(a), 17 C.F.R. § 38.3(a), ForecastEx's application has demonstrated its ability to comply with the Act and the Commission's regulations applicable to DCMs and provides sufficient assurance that it will continue to comply with the requirements of the Act and the Commission's regulations.

Therefore:

IT IS HEREBY ORDERED, pursuant to Sections 5 and 6(a) of the Act, that the application of ForecastEx for designation as a contract market is approved. The approval of ForecastEx's application for contract market designation is based on the representations ForecastEx made to the Commission in its application, as shown in the application record, and is subject to the following terms and conditions:

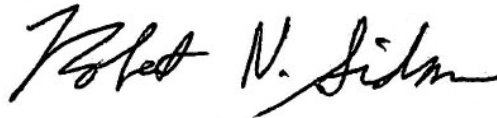
(1) ForecastEx shall comply with all representations and submissions made by ForecastEx in support of its application for designation as a contract market, as shown in the application record; and

(2) ForecastEx shall comply with all provisions of the Act and all requirements set forth in the Commission's regulations, as may be amended or adopted from time to time, that are applicable to designated contract markets.

This Order of Designation is based upon the representations made and supporting material provided to the Commission by ForecastEx. Any changes to or omissions in the material facts or circumstances pursuant to which this Order of Designation is issued may require a new or amended order. The Commission may condition, modify, suspend, terminate, or otherwise restrict the terms of this Order of Designation, as appropriate and as permitted by law, on its own motion.

Issued in Washington, D.C., this 24th day of June, 2024.

By the Commission

A handwritten signature in black ink, appearing to read "Robert N. Sidman". The signature is written in a cursive, flowing style.

Robert N. Sidman
Deputy Secretary of the Commission