**Rule Self-Certification**

February 21, 2017

Christopher J. Kirkpatrick

Office of the Secretariat

Commodity Futures Trading Commission

Three Lafayette Center

1155 21st Street, NW

Washington, DC 20581

Re: **NFX Fee Schedule Amendments for**

**NFX Options on Heating Oil and RBOB Financial Futures**

**Reference File: SR-NFX-2017-05**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Section 40.6 of the Commission’s regulations thereunder, NASDAQ Futures, Inc. (“NFX” or “Exchange”) is amending its fee schedule in connection with the listing of two Options on financial futures contracts, the NFX Option on Heating Oil Penultimate Financial Futures and NFX Options on NFX RBOB Gasoline Penultimate Financial Futures (“NFX Options”). The Exchange anticipates listing the NFX Options beginning March 14, 2017, for trade date March 15, 2017.[[1]](#footnote-1) The fee schedule amendments, attached hereto as Exhibit A, will be effective on the listing of the NFX Options and are explained briefly below.

Base Transaction Fees and Block Trade/EFRP Surcharges

Currently, the Exchange assesses Transaction Fees and Block Trade/EFRP Surcharges that vary by contract. The Transaction Fees are assessed per cleared side, on a trade date basis, to the Clearing Futures Participant for the execution that is identified on the trade record for the applicable transaction, regardless of whether the trade is given up to another Clearing Futures Participant for clearing. The Transaction Fees are a combined charge for Exchange execution and for The Options Clearing Corporation (“OCC”) clearing fee.[[2]](#footnote-2) The Exchange will now assess Transaction Fees and Block Trade/EFRP Surcharges for transactions in the NFX Options. The Exchange is amending the fee schedule as set forth on Exhibit A with respect to the NFX Options to establish the same fee schedule as those used for Heating Oil and RBOB 1st Line Financial Futures.

Designated Market Maker Fee Waiver

To the extent applicable, the Designated Market Maker Fee Waiver will apply to transactions in the NFX Options in the same manner it applies to transactions in all existing contracts.[[3]](#footnote-3)

DCM Core Principles

The Exchange believes the fee schedule amendments are consistent with Designated Contract Market (“DCM”) Core Principles. The Exchange will publish the amended fee schedule on its website to ensure that market participants have been advised of the Transaction Fees and the Block Trade/EFRP Surcharge for the NFX Options. The Exchange believes the level at which the fees are set is reasonable and furthers the Exchange’s goal of offering products to the marketplace that are competitively priced. The revenue generated by the proposed fees will enhance the Exchange’s ability to discharge its financial, operational and managerial responsibilities as a DCM.

Certification

There were no opposing views among NFX’s Board of Directors, members or market participants. The Exchange hereby certifies that the fee schedule amendments as set forth herein comply with the Act and the Commission’s regulations thereunder. The Exchange also certifies that notice of pending certification and a copy of this submission have been concurrently posted on the Exchange’s website at [business.nasdaq.com/futures](http://business.nasdaq.com/nasdaq-futures/nfx-market).

If you require any additional information regarding the submission, please contact Aravind Menon at (301) 978-8416. Please refer to SR-NFX-2017-05 in any related correspondence.



Regards,

Daniel R. Carrigan

President

Attachments:

Exhibit A: NASDAQ Futures, Inc. Fee Schedule Amendments

**Exhibit A to SR-NFX-2017-05**

(additions are underlined; deletions are ~~overstruck)~~

**NASDAQ FUTURES FEE SCHEDULE**

**TABLE OF CONTENTS**

\* \* \* \* \*

|  |  |  |  |  |  |  |
| --- | --- | --- | --- | --- | --- | --- |
|  |  |  | **LEVEL 1** | **LEVEL 2** | **LEVEL 3** |  |
|  |  |  | **AVERAGE DAILY** | **AVERAGE DAILY** | **AVERAGE DAILY** |  |
|  |  |  | **VOLUME** | **VOLUME** | **VOLUME** |  |
|  |  |  |  |  |  |  |
|  |  |  | **0-999** | **1,000-2,499** | **>2,500** |  |
| **CHAPTER** | **PRODUCT NAME AND SYMBOL** |  | **BASE** | **BASE** | **BASE** | **BLOCK** |
|  |  |  | **TRANSACTION** | **TRANSACTION** | **TRANSACTION** | **TRADE/EFRP** |
|  |  |  | **FEE** | **FEE** | **FEE** | **SURCHARGE** |
|  |  |  |  |  |  |  |
|  | **OIL AND REFINED PRODUCTS** |  |  |  |  |  |
|  |  |  |  |  |  |  |
|  |  |  |  |  |  |  |
| 106C | NFX Option on Heating Oil Penultimate Financial Futures  \*\*\*\*\* |  | $0.40 | $0.30 | $0.20 | $0.10 |
| 107D | NFX Options on NFX RBOB Gasoline Penultimate Financial Futures (“NFX Options”) |  | $0.40 | $0.30 | $0.20 | $0.10 |

\* \* \* \* \*

1. The Exchange is separately certifying the NFX Options Contracts pursuant to Rule 40.2 in submission SR-NFX-2017-03. [↑](#footnote-ref-1)
2. OCC options exercise fees and any other OCC fees remain the responsibility of Clearing Futures Participants. [↑](#footnote-ref-2)
3. The fee schedule provides that Transaction Fees are waived for Exchange-selected Designated Market Makers (“DMMs”) participating in the Exchange’s Energy DMM Program in their assigned DMM contracts. Transaction Fees are also waived for DMMs’ hedging transactions in futures contracts underlying their assigned options. The Block Trade/EFRP surcharge is not waived. Upon the termination of participation of a DMM in an Exchange DMM program, transactions of the DMM are subject to the standard Transaction Fee as outlined in Exhibit A. [↑](#footnote-ref-3)