



1921 Gallows Road, 3rd Floor  
Tysons Corner, Virginia 22182  
p: 703-962-9800  
f: 703-962-9850  
[www.nodalexchange.com](http://www.nodalexchange.com)

part of eex group

May 15, 2018

**VIA CFTC PORTAL**

Commodity Futures Trading Commission  
Attention: Chris Kirkpatrick, Secretary  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**Re: CFTC Regulation 40.6(a) Certification: Amendment to Nodal Clear Rule 3.29**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission ("Commission" or "CFTC") Regulation 40.6(a), Nodal Clear, LLC ("Nodal Clear") hereby notifies the Commission that it is self-certifying an amendment to existing Nodal Clear Rule 3.29 (the "Rule Amendment"). Such Rule Amendment shall become effective on May 30, 2018.

The Rule Amendment is required in order to clarify that a Nodal Clear Clearing Member ("Clearing Member") may, but will not automatically, be suspended in the event such Clearing Member is insolvent or fails to comply with the membership qualifications of Nodal Clear Rule 3.2. Nodal Clear management has assessed the Rule Amendment and its compliance with applicable provisions of the Commodity Exchange Act ("CEA"), including the Commission's Regulations and DCO Core Principles. Nodal Clear has identified that the Rule Amendment may have some bearing on the following Core Principles:

Core Principle G - Default Rules and Procedures: The Rule Amendment is intended to enhance the ability of Nodal Clear to manage certain types of Clearing Member default by providing flexibility in determining whether to suspend a Clearing Member. For example, in the event a Clearing Member is insolvent, but has entered into resolution and continues to make timely payments, the Rule Amendment permits the Clearing House to continue to provide the Clearing Member with access to the Clearing House.

Core Principle L - Public Information: As required by Core Principle L, Nodal Clear is publicly posting this self-certification letter on its website to ensure that market participants receive advance notice of the updated Nodal Clear Rules. On the effective date of the Rule Amendment, the updated Nodal Clear Rules will be posted on the Nodal Clear website.

Pursuant to Section 5c(c)(1) of the CEA and the Commission's Regulation 40.6(a), Nodal Clear certifies that the Rule Amendment complies with the CEA and the Commission's Regulations thereunder. Nodal Clear is not aware of any opposing views expressed regarding this amendment. Nodal Clear certifies that this submission has been concurrently posted on the Nodal Clear website at [www.nodalclear.com](http://www.nodalclear.com).

If you have any questions or need additional information regarding this submission, please contact me at 703-962-9864 or [alvarez@nodalexchange.com](mailto:alvarez@nodalexchange.com).

Sincerely,

/s/Cody Alvarez

Cody Alvarez  
Chief Compliance Officer  
Corporate Counsel

Attachments:

Redline of Nodal Clear Rule 3.29