

Rule Self-Certification

June 12, 2015

VIA ELECTRONIC PORTAL

Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Center
1155 21st Street, N.W.
Washington, D.C. 20581

Re: **Regulation §40.6 Submission Certification
Fee Waivers
Reference File: SR-NFX-2015-42**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Section 40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (“Commission”) under the Act, NASDAQ Futures, Inc. (“NFX” or “Exchange”) submits this self-certification to waive certain fees on its Fee Schedule. The Exchange is waiving the Regulatory Fee and the Permit Fee through October 1, 2015. The Exchange attaches a Futures Regulatory Alert announcing the waiver of these fees. The text of the alert is attached as Exhibit A. An amendment to the Fee Schedule is attached at Exhibit B. This filing will be implemented on June 29, 2015.

The Exchange previously waived the Regulatory Fee until such time as it launched a new product.¹ At this time, the Exchange waives this fee until October 1, 2015. The Exchange will begin to assess this fee as of October 1, 2015. The Exchange currently does not list any products. By way of background, the Exchange assesses a monthly \$175 Regulatory Fee, which fee may be waived for Futures Participants who incur a minimum of \$175 in transaction fees in a billing month. Market Makers are exempt from the Regulatory Fee. This fee is listed on the Exchange’s Fee Schedule. The Exchange attaches the Futures Regulatory Alert which will be sent to Futures Participants to notify them of the waiver.

The Exchange will waive the Permit Fee until October 1, 2015. The Exchange will begin to assess this fee as of October 1, 2015. By way of background, the Permit Fee is a \$100 per

¹ See SR-NFX-2014-04.

annum fee effective on the first of July each year. The Exchange is amending the Permit Fee rule text to make clear that Futures Participants will be assessed this fee. This fee is listed on the Exchange's Fee Schedule. The Exchange attaches the Futures Regulatory Alert which will be sent to Futures Participants to notify them of the waiver.

With respect to the designated contract market core principles ("Core Principles") as set forth in the Act, the Exchange believes that the waiver of the Regulatory and Permit Fees is consistent with Core Principles 2 (Compliance with Rules), 4 (Prevention of Market Disruption), 9 (Execution of Transactions), 12 (Protection of Market Participants), 18 (Recordkeeping) and 19 (Antitrust Considerations) under Section 5 of the Act. The waive of the Regulatory and Permit Fees will be applied to all market participants in a uniform manner. No market participant would be subject to the Regulatory Fee or the Permit Fee until October 1, 2015. The waivers will not incentivize manipulative trading or market abuse and will not impact the Exchange's ability to perform its trade practice and market surveillance obligations under the Act. The Exchange's market regulation staff will continue to monitor trading to prevent manipulative trading and market abuse. The waivers will not impact the manner in which Orders are will continue to be executed on NFX. The Exchange's Rules include prohibitions against fraudulent, non-competitive, unfair or abusive practices. All Futures Participants are subject to NFX Rules. Finally, the waiver of the Regulatory Fee or the Permit Fee does not result in an unreasonable restraint of trade.

With respect to compliance with Core Principle 7, the fees will continue to be set forth in a clear and transparent manner on the Exchange's Fee Schedule, which is publically available on the Exchange's website.

There were no opposing views among the Exchange's Board of Directors, members or market participants. The Exchange hereby certifies that the waiver of the Regulatory and Permit Fees complies with the Commodity Exchange Act and 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 to: www.nasdaqomx.com/nasdaq-futures.

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If you require any additional information regarding the submission, please contact Angela S. Dunn at +1 215 496 5692 or via e-mail at angela.dunn@nasdaq.com. Please reference SR-NFX-2015-42 in any related correspondence.

Regards,

A handwritten signature in black ink that reads "Daniel R Carrigan". The signature is written in a cursive style with a large, sweeping initial "D".

Daniel Carrigan
President

cc: National Futures Association
The Options Clearing Corporation

Attachment:

Exhibit A – Futures Regulatory Alert
Exhibit B – Fee Schedule

Exhibit A

Futures Regulatory Alert #2015 - XXX NFX to Waive Regulatory Fee and Permit Fee

Category:

Pricing

Markets Impacted:

Nasdaq Futures, Inc. (NFX)

Contact Information:

[U.S. Market Operations](#) at +1
212 231 5180

[U.S. Market Sales](#) at +1 800
846 0477

Resources:

SR-NFX-2015-42

[NASDAQ FuturesSM \(NFXSM\)](#) has filed SR-NFX-2015-42 to waive the assessment of the Regulatory Fee and the Permit Fee through October 1, 2015.

The Regulatory Fee is a monthly fee of \$175. This fee may be waived for Futures Participants who incur a minimum of \$175 in transaction fees in a billing month. Market Makers are exempt from the Regulatory Fee.

The Permit Fee is a \$100 per annum fee effective on the first of July each year. This fee is assessed to Futures Participants.

The Exchange will begin to assess these fees as of October 1, 2015.

For more information, please refer to SR-NFX-2015-42 or contact [Daniel Carrigan](#) at +1 215 496 5017.

Exhibit B

New text is underlined.

NASDAQ FUTURES FEE SCHEDULE

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Section II-Permit Fee

\$100 per annum to be effective on the first of July each year to each Futures Participant.

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