



1921 Gallows Road, 3rd Floor  
Tysons Corner, VA 22182  
**Phone** (703) 962 9800  
**Fax** (703) 962 9850  
[www.nodalexchange.com](http://www.nodalexchange.com)

June 28, 2016

**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: Submission No. 16-020 - New Nodal Exchange 2016 Power Incentive Program II**

Dear Mr. Kirkpatrick:

Nodal Exchange, LLC (“Nodal Exchange” or “Exchange”) is notifying the Commodity Futures Trading Commission (“CFTC” or “Commission”) that it intends to implement trading incentives on the Exchange’s power contracts, referred to herein as the “Program,” that Nodal Exchange is self-certifying pursuant to Commission Regulation 40.6(a). The complete description of the Program is separately included and segregated as Exhibit 1 for which the Exchange seeks confidential treatment. A redacted version is also included. The Exchange intends to implement the Program in 10 business days on July 13, 2016.

Exchange management has assessed the Program and its compliance with applicable provisions of the Commodity Exchange Act (“Act”), including the Commissions Regulations and the Core Principles. Nodal Exchange has identified that the Program may potentially affect the following Core Principles as follows:

**Core Principle 2 - Compliance with Rules:** All participants in the Program must comply with and be subject to Exchange Rules. Participants violating Exchange Rules will be disqualified at the discretion of the Exchange.

**Core Principle 4 – Prevention of Market Disruption:** The Program does not impact the Exchange’s ability to perform its trade practice and market surveillance obligations pursuant to the Act and Commission Regulations. The Exchange’s surveillance staff and compliance personnel will monitor trading in the Program’s products to prevent manipulative trading and market abuse.

**Core Principle 9 – Execution of Transactions:** The Program incentives do not impact the Exchange’s process for order execution.

Core Principle 12 – Protection of Markets and Market Participants: Section VI of the Nodal Exchange Rulebook protects the market and market participants from abusive, disruptive, fraudulent, noncompetitive and unfair conduct and trade practices. To be eligible for the Program, participants must agree to comply with Exchange Rules and be subject to the Exchange’s jurisdiction.

Core Principle 18 – Recordkeeping: The Program is subject to the Exchange’s record retention policies, which comply with the Act and the Commissions Regulations.

Pursuant to Section 5c(c) of the Act and Commission Regulation 40.6, the Exchange certifies that the Program complies with the Act and the Commission’s Regulations thereunder. There have not been any opposing views expressed regarding the Program.

Nodal Exchange certifies that, concurrent with this submission, a redacted version of the Program was posted on the Nodal Exchange website at [www.nodalexchange.com](http://www.nodalexchange.com).

If you have any questions or need additional information regarding this submission, please contact me at 703-962-9853 or [Markotic@nodalexchange.com](mailto:Markotic@nodalexchange.com).

Sincerely,  
/s/ Max Markotic  
Compliance Manager

**Attachments:**

Exhibit 1: Nodal Exchange 2016 Power Incentive Program II - Confidential  
Exhibit 1: Nodal Exchange 2016 Power Incentive Program II – Redacted  
Request for Confidential Treatment