

**SUBMISSION COVER SHEET**

**IMPORTANT:** Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 14-336

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a:  DCM  SEF  DCO  SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): August 14, 2014 Filing Description: Modifications to Brent Crude Oil Options Fee Waiver Program.

**SPECIFY FILING TYPE**

Please note only ONE choice allowed per Submission.

**Organization Rules and Rule Amendments**

- Certification § 40.6(a)
- Approval § 40.5(a)
- Notification § 40.6(d)
- Advance Notice of SIDCO Rule Change § 40.10(a)
- SIDCO Emergency Rule Change § 40.10(h)

Rule Numbers: **Not Applicable**

**New Product**

Please note only ONE product per Submission.

- Certification § 40.2(a)
- Certification Security Futures § 41.23(a)
- Certification Swap Class § 40.2(d)
- Approval § 40.3(a)
- Approval Security Futures § 41.23(b)
- Novel Derivative Product Notification § 40.12(a)
- Swap Submission § 39.5

**Official Product Name:**

**Product Terms and Conditions (product related Rules and Rule Amendments)**

- Certification § 40.6(a)
- Certification Made Available to Trade Determination § 40.6(a)
- Certification Security Futures § 41.24(a)
- Delisting (No Open Interest) § 40.6(a)
- Approval § 40.5(a)
- Approval Made Available to Trade Determination § 40.5(a)
- Approval Security Futures § 41.24(c)
- Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a)
- "Non-Material Agricultural Rule Change" § 40.4(b)(5)
- Notification § 40.6(d)

**Official Name(s) of Product(s) Affected:**

**Rule Numbers:**

August 14, 2014

**VIA ELECTRONIC PORTAL**

Ms. Melissa Jurgens  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**RE: Modifications to Brent Crude Oil Options Fee Waiver Program  
NYMEX Submission No. 14-336**

Dear Ms. Jurgens:

New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC” or “Commission”) that it plans to modify its Brent Crude Oil Options Fee Waiver Program (“Program”). The modifications to the Program will become effective on September 1, 2014.

Exhibit 1 sets forth the terms of the Program. The modifications appear below, with additions underscored and deletions ~~overstruck~~.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”). During the review, NYMEX staff identified the following Core Principles as potentially being impacted: Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants, Compliance with Rules and Recordkeeping.

The modifications to the Program will not impact the Exchange’s ability to perform its trade practice and market surveillance obligations under the CEA. NYMEX market regulation staff will monitor the Program’s products to prevent manipulative trading and market abuse. NYMEX has implemented systems to track Program participants’ volume to ensure proper distribution of earned incentives. The products included in this Program are listed for trading in the open and competitive market. The incentives available under the Program will apply to transactions by participants via any of NYMEX’s available execution and/or clearing venues, including the NYMEX trading floor. Additionally, the incentives are equal across all available NYMEX execution venues. Therefore, the incentives under this Program protect any price discovery taking place in the centralized market. Participants in the Program will be selected by NYMEX staff using criteria as further stated in Exhibit 1. Chapter 4 of the NYMEX rules includes prohibitions against fraudulent, non-competitive, unfair or abusive practices. All participants must execute an application or an agreement in which each participant will expressly agree to comply with and be subject to, applicable regulations and NYMEX rules. The Program is subject to the Exchange’s record retention policies which comply with the CEA.

NYMEX certifies that the Program complies with the CEA and the regulations thereunder. There were no substantive opposing views to this Program.

The Exchange certifies that this submission has been concurrently posted on the Exchange’s website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact Tim Elliott at 312-466-7478 or via e-mail at [tim.elliott@cmegroup.com](mailto:tim.elliott@cmegroup.com), or contact me at 212-299-2200. Please reference our NYMEX Submission No. 14-336 in any related correspondence.

Sincerely,

/s/ Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit 1

# EXHIBIT 1

## Brent Crude Oil Options Fee Waiver Program

### Program Purpose

The purpose of this Program is to incentivize high volume crude options firms to provide liquidity in the Brent option products ~~listed below~~. The resulting addition of cross-venue liquidity benefits all participants in the market.

### Product Scope

All Brent Crude Oil options and WTI Crude Oil options products ~~option products listed below~~ that are traded via any available NYMEX trading venue or submitted for clearing via CME ClearPort ("Products").

~~Dated Brent (Platts) Average Price Option  
Brent Calendar Spread (1 Month) Options  
Brent Calendar Spread (2 Month) Options  
Brent Calendar Spread (3 Month) Options  
Brent Calendar Spread (6 Month) Options  
Brent Calendar Spread (12 Month) Options  
Daily Brent Crude Oil Option  
Brent Crude Oil Last Day Financial Calendar Spread (1 Month) Options  
Brent Crude Oil Last Day Financial Calendar Spread (2 Month) Options  
Brent Crude Oil Last Day Financial Calendar Spread (3 Month) Options  
Brent Crude Oil Last Day Financial Calendar Spread (6 Month) Options  
Brent Crude Oil Last Day Financial Calendar Spread (12 Month) Options  
Brent 25-Day (Platts) European Options  
Brent 25-Day (Platts) Average Price Options  
Brent Crude Oil Average Price Options  
Brent Look-Alike Crude Oil Options  
Brent Crude Oil Options  
Brent Option on Quarterly Futures Strip  
Brent WTI Crude Oil Spread Options  
Brent 25-Day (Platts) Options  
Brent 25-Day (Platts) European Options  
Brent 25-Day (Platts) Average Price Options~~

### Eligible Participants

There is no limit to the number of participants in the Program. Participants may be a NYMEX member or non-member firm. In order to qualify for the Program, a potential applicant must have maintained a pre-determined average daily volume in certain NYMEX options products measured over either (i) the period beginning January 1<sup>st</sup> of the current year through the date the participant applies for the Program, or (ii) the calendar month immediately preceding the date the participant applies for the Program. Notwithstanding the foregoing, NYMEX may, from time to time, add or subtract from the aforementioned requirements as it deems necessary.

### Program Term

Start date is October 23, 2012. End date is December 31, 2014.

**Hours**

N/A

**Incentives**

Participants in the Program shall be eligible to receive predetermined fee discounts in the Products.

**Monitoring and Termination of Status**

The Exchange shall monitor trading activity and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets the eligibility requirements of the Program.