



Rule Self-Certification

September 8, 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
Regulatory and Permit Fees
Reference File: SR-NFX-2015-65**

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 extend the waiver of a fee and not assess another fee on its Fee Schedule. The Exchange previously waived the Regulatory Fee through October 1, 2015.¹ At this time, the Exchange extends the waiver of the Regulatory Fee through May 1, 2016. The Exchange also previously waived the Permit Fee through October 1, 2015.² The Exchange will not assess a Permit Fee in 2015. The Exchange attaches a Futures Regulatory Alert announcing the waiver of the Regulatory Fee through May 1, 2016 and the waiver of the Permit Fee for 2015. The text of the alert is attached as Exhibit A. Amendments to the Fee Schedule are attached as Exhibit B. The date of implementation for this rule change is September 23, 2015.

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. The Exchange is extending the waiver of this fee from October 1, 2015 through May 1, 2016. The Exchange is not assessing transaction fees in products currently listed on the Exchange until May 1, 2016. This waiver of the Regulatory Fee coincides with the assessment of such transaction fees. The Permit Fee is a \$100 per annum fee effective on the first of July each year and is assessed to Futures

¹ See SR-NFX-2015-42.

² Id.

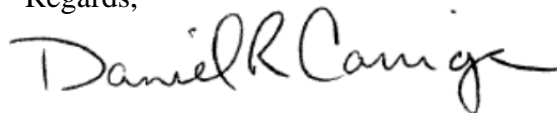
Participants. This fee is currently waived through October 1, 2015. The Exchange has determined to waive this fee in 2015, as trading commenced on the Exchange in the third quarter of this year.

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 are consistent with Core Principles 2 (Compliance with Rules), 4 (Prevention of Market Disruption), 7 (Availability of General Information), 9 (Execution of Transactions), 12 (Protection of Market Participants), 18 (Recordkeeping) and 19 (Antitrust Considerations) under Section 5 of the Act. The waiver 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 until May 1, 2016 and no market participant will be subject to a Permit Fee in 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 be executed on the Exchange. The Exchange’s Rules include prohibitions against fraudulent, non-competitive, unfair or abusive practices. All Futures Participants are subject to NFX Rules. Finally, the Exchange’s 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 Act and regulations thereunder. The Exchange also certifies that a notice of pending certification with the Commission and a copy of this submission have been concurrently posted on the Exchange’s website at <http://business.nasdaq.com/nasdaq-futures/nfx-market>.

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-2015-65 in any related correspondence.

Regards,



Daniel R. Carrigan
President

cc: National Futures Association
The Options Clearing Corporation

Attachments:
Exhibit A – Futures Regulatory Alert
Exhibit B – Fee Schedule

Exhibit A

Futures Regulatory Alert #2015 - XXX NFX to Extend Waiver of Regulatory and Permit Fees

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-2015-65

NASDAQ Futures, Inc. (NFX) previously filed SR-NFX-2015-42 to waive the assessment of the Regulatory Fee and the Permit Fee through October 1, 2015. The Exchange will extend the waiver of the Regulatory Fee through May 1, 2016 and will not assess a Permit Fee in 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 Regulatory Fee will not be assessed until May 1, 2016.

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 Permit Fee will not be assessed in 2015.

For more information, please refer to SR-NFX-2015-65 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 (waived in 2015)

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

Section III - Regulatory Fee (waived through May 1, 2016)

\$175 per month*

* This Regulatory Fee will 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.

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