**Rule Self-Certification**

October 21, 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**

**Energy Product Fees**

**Reference File: SR-NFX-2015-73**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Section 40.6(a) of the Commission’s regulations thereunder, NASDAQ Futures, Inc. (“NFX” or “Exchange”) submits this self-certification to amend the NASDAQ Futures Fee Schedule as it relates to fees to include the four financially settled futures and futures options products filed under filing SR-NFX-2015-72 (collectively with the initial 28 energy futures and futures options products, the “Energy Products”).[[1]](#footnote-1) The amendments to the current NASDAQ Futures Fee Schedule are set forth in Exhibit A. Subject to the Commission’s regulatory review period, this rule change for the new NFX Options on NFX WTI Penultimate Crude Oil Financial Futures contracts will be implemented on November 10, 2015; the rule change for the other three new futures contracts will be implemented on November 5, 2015.

The amendments set forth in Exhibit A reflect changes to certain aspects of filing SR-NFX-2015-52 relating to the Energy Product transaction charges which was filed on July 6, 2015, and implemented on July 21, 2015. Specifically, the Exchange has now determined that it will assess no transaction charges with respect to the 4 financially settled futures and futures options products filed under filing SR-NFX-2015-72 until May 1, 2016. The Exchange plans to announce revised fees prior to May 1, 2016. The fees will apply to trades entered into the Exchange’s Order Book and off-exchange transactions (Block or Exchange for Related Position). The Exchange will assess these fees by billing Futures Participants.

The Exchange believes that the amendments to the Fee Schedule are consistent with Core Principles 2 (Compliance with Rules) and 7 (Availability of General Information) under Section 5 of the Act because the fees are equitable and do not unfairly discriminate as between Futures Participants and persons with trading privileges. With respect to compliance with Core Principle 2, the Exchange’s Rule at Chapter III, Section 24, entitled “General Trading Standards and Prohibited Practices” prohibits abusive trading practices. The Exchange provides real-time surveillance for activity on the Exchange to maintain an orderly marketplace and level playing field for investors, market participants and listed companies. The Exchange monitors for compliance with Exchange Rules and policies through real-time surveillance of price and volume information reported by market participants in Options and Futures transactions. With respect to compliance with Core Principle 7, the fees will be set forth in a clear and transparent manner on the Exchange’s Fee Schedule, which is publically available on the Exchange’s website.

Further, with respect to the fees related to certain new Energy Products, all market participants will continue to be granted equal access to the Exchange. The transaction fees for the Energy Products will be comparable for all types of market participants, regardless of whether the market participant is a Futures Participant or Authorized Customer granted Direct Access as provided in Chapter V, Section 4. All market participants will be assessed the same transaction fees for Energy Products regardless of the method selected for executing an Order.

There were no opposing views among the Exchange’s Board of Directors, members or market participants. The Exchange certifies that the changes to the Exchange’s Fee Schedule and the clarification set forth herein comply 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 <http://business.nasdaq.com/nasdaq-futures/nfx-market>.

If you require any additional information regarding the submission, please contact Stephen Matthews at (301) 978-8458. Please reference SR-NFX-2015-73 in any related correspondence.

Regards,

Daniel Carrigan

President

**Exhibit A**

***New text is underlined and deleted text is stricken.***

**NASDAQ FUTURES FEE SCHEDULE**

**\* \* \* \* \***

**Section I-Transaction Charges**

**Energy Products. The transaction charges are per contract and will be set at $0.00 until May 1, 2016.**

|  |  |
| --- | --- |
| **OIL AND REFINED PRODUCTS** | **FEE** |
| NFX Brent Crude Financial Futures (BFQ) | $0.00 |
| NFX Options on NFX Brent Crude Financial Futures (BCQ) | $0.00 |
| NFX WTI Crude Oil Financial Futures (CLQ) | $0.00 |
| NFX WTI Crude Oil Penultimate Financial Futures (TQ) | $0.00 |
| NFX Options on NFX WTI Crude Oil Financial Futures (LOQ) | $0.00 |
| NFX Options on NFX WTI Crude Oil Penultimate Financial Futures (TOQ) | $0.00 |
| NFX Low Sulphur Gasoil Financial Futures (GOQ) | $0.00 |
| NFX Heating Oil Financial Futures (HOQ) | $0.00 |
| NFX Heating Oil Penultimate Financial Futures (OQ) | $0.00 |
| NFX RBOB Gasoline Financial Futures (RBQ) | $0.00 |
| NFX RBOB Gasoline Penultimate Financial Futures (RQ) | $0.00 |
|  |  |
| **NATURAL GAS PRODUCTS** |  |
| NFX Henry Hub Natural Gas Financial Futures – 2,500 (NNQ) | $0.00 |
| NFX Henry Hub Natural Gas Penultimate Financial Futures – 2,500 (NPQ) | $0.00 |
| NFX Henry Hub Natural Gas Financial Futures – 10,000 (HHQ) | $0.00 |
| NFX Henry Hub Natural Gas Penultimate Financial Futures – 10,000 (HUQ) | $0.00 |
| NFX Options on NFX Henry Hub Penultimate Financial Futures – 10,000 (LNQ) | $0.00 |
|  |  |
| **POWER CONTRACTS** |  |
| NFX CAISO NP-15 Hub Day-Ahead Off-Peak Financial Futures (ONPQ) | $0.00 |
| NFX CAISO NP-15 Hub Day-Ahead Peak Financial Futures (NPMQ) | $0.00 |
| NFX CAISO SP-15 Hub Day-Ahead Off-Peak Financial Futures (OFPQ) | $0.00 |
| NFX CAISO SP-15 Hub Day-Ahead Peak Financial Futures (SPMQ) | $0.00 |
| NFX ISO-NE Massachusetts Hub Day-Ahead Off-Peak Financial Futures (NOPQ) | $0.00 |
| NFX ISO-NE Massachusetts Hub Day-Ahead Peak Financial Futures (NEPQ) | $0.00 |
| NFX MISO Indiana Hub Real-Time Off-Peak Financial Futures (CPOQ) | $0.00 |
| NFX MISO Indiana Hub Real-Time Peak Financial Futures (CINQ) | $0.00 |
| NFX PJM AEP Dayton Hub Real-Time Off-Peak Financial Futures (AODQ) | $0.00 |
| NFX PJM AEP Dayton Hub Real-Time Peak Financial Futures (MSOQ) | $0.00 |
| NFX PJM Northern Illinois Hub Real-Time Off-Peak Financial Futures (NIOQ) | $0.00 |
| NFX PJM Northern Illinois Hub Real-Time Peak Financial Futures (PNLQ) | $0.00 |
| NFX PJM Western Hub Day-Ahead Off-Peak Financial Futures (PJDQ) | $0.00 |
| NFX PJM Western Hub Day-Ahead Peak Financial Futures (PJCQ) | $0.00 |
| NFX PJM Western Hub Real-Time Off-Peak Financial Futures (OPJQ) | $0.00 |
| NFX PJM Western Hub Real-Time Peak Financial Futures (PJMQ) | $0.00 |

**\* \* \* \* \***

1. The Energy Products are: NFX Brent Crude Financial Futures; NFX Options on NFX Brent Crude Financial Futures; NFX WTI Crude Oil Financial Futures; NFX WTI Crude Oil Penultimate Financial Futures; NFX Options on NFX WTI Crude Oil Financial Futures; NFX Options on NFX WTI Crude Oil Penultimate Financial Futures; NFX Low Sulphur Gasoil Financial Futures; NFX Heating Oil Financial Futures; NFX Heating Oil Penultimate Financial Futures; NFX RBOB Gasoline Financial Futures; NFX RBOB Gasoline Penultimate Financial Futures; NFX Henry Hub Natural Gas Financial Futures – 2,500; NFX Henry Hub Natural Gas Penultimate Financial Futures – 2,500; NFX Henry Hub Natural Gas Financial Futures – 10,000; NFX Henry Hub Natural Gas Penultimate Financial Futures – 10,000; NFX Options on NFX Henry Hub Penultimate Financial Futures – 10,000 (LNQ); NFX CAISO NP-15 Hub Day-Ahead Off-Peak Financial Futures; NFX CAISO NP-15 Hub Day-Ahead Peak Financial Futures; NFX CAISO SP-15 Hub Day-Ahead Off-Peak Financial Futures; NFX CAISO SP-15 Hub Day-Ahead Peak Financial Futures; NFX ISO-NE Massachusetts Hub Day-Ahead Off-Peak Financial Futures; NFX ISO-NE Massachusetts Hub Day-Ahead Peak Financial Futures; NFX MISO Indiana Hub Real-Time Off-Peak Financial Futures; NFX MISO Indiana Hub Real-Time Peak Financial Futures; NFX PJM AEP Dayton Hub Real-Time Off-Peak Financial Futures; NFX PJM AEP Dayton Hub Real-Time Peak Financial Futures; NFX PJM Northern Illinois Hub Real-Time Off-Peak Financial Futures; NFX PJM Northern Illinois Hub Real-Time Peak Financial Futures; NFX PJM Western Hub Day-Ahead Off-Peak Financial Futures; NFX PJM Western Hub Day-Ahead Peak Financial Futures; NFX PJM Western Hub Real-Time Off-Peak Financial Futures; and NFX PJM Western Hub Real-Time Peak Financial Futures. [↑](#footnote-ref-1)