

June 20, 2024

**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: Nodal Clear Charters**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“Commission” or “CFTC”) Regulation 40.6(a), Nodal Clear, LLC (“Nodal Clear” or the “Clearing House”) hereby notifies the Commission that it is self-certifying the charters of two new Nodal Clear committees and amendments to Nodal Clear’s existing Risk Management Committee Charter (the “Nodal Charters”).<sup>1</sup> The Nodal Charters are attached hereto. The Nodal Charters shall become effective on July 5, 2024.

To comply with new CFTC Regulation 39.24(b)(11), the Nodal Clear Board has approved the Nodal Clear, LLC, Risk Management Advisory Committee Charter, establishing the committee.

To comply with new CFTC Regulation 39.24(b)(12), the Nodal Clear Board has approved the Nodal Clear, LLC, Risk Working Group Charter, establishing the group.

Nodal Clear is also making amendments to its existing Risk Management Committee Charter to account for its relationship with the new Risk Management Advisory Committee and Risk Working Group.

**Analysis of the Rule Amendments under DCO Core Principles**

Nodal Clear management has assessed the Rule Amendments and their compliance with applicable provisions of the Commodity Exchange Act (“CEA”), including the Commission’s Regulations and DCO Core Principles. Nodal Clear has identified that the Nodal Charters may have some bearing on the following Core Principles:

Core Principle A – Compliance with Core Principles: The Nodal Charters codify Nodal’s compliance with new CFTC governance regulations requiring DCOs to establish a Risk Management Committee and Risk Working Group.

Core Principle D – Risk Management: The Nodal Charters will continue to ensure Nodal Clear’s ability to identify and manage the risks associated with discharging the responsibilities of a DCO.

Core Principle L – Public Information: The amended Risk Management Committee Charter will be posted on the Nodal Clear website along with this self-certification letter.

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<sup>1</sup> Capitalized terms not defined herein have the meaning set forth in the Nodal Clear Rulebook.

Core Principle O – Governance: The Nodal Charters provide additional forums for Nodal Clear to consider the views of clearing members and market participants.

Pursuant to Section 5c(c)(1) of the CEA and Commission Regulation 40.6(a), Nodal Clear certifies that the Nodal Charters comply with the CEA and the Commission’s Regulations thereunder. Nodal Clear certifies that this submission has been concurrently posted on the Nodal Clear website at [www.nodalclear.com](http://www.nodalclear.com).

If you have any questions or need additional information regarding this submission, please contact me at 703-962-9864 or [alvarez@nodalexchange.com](mailto:alvarez@nodalexchange.com).

Sincerely,

/s/Cody Alvarez

Cody Alvarez  
Chief Compliance Officer  
Corporate Counsel

Attachments:

Nodal Clear Risk Management Advisory Committee Charter – Confidential Treatment Requested  
Nodal Clear Risk Working Group Charter - Confidential Treatment Requested  
Nodal Clear Risk Management Committee Charter (Redline)