

**Product Submission by ForecastEx LLC – Pursuant to 17 C.F.R. §§ 40.2**

September 30, 2024  
SUBMITTED VIA CFTC PORTAL  
Secretary of the Commission  
Office of the Secretariat  
U.S. Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

**Re: ForecastEx LLC – CFTC Regulation 40.2(a) Notification Regarding the Initial Listing of “US Carbon Emissions Forecast Contract”**

Dear Mr. Kirkpatrick,

Pursuant to Section 5c(c) of the Commodity Exchange Act and Section 40.2(a) of the regulations of the Commodity Futures Trading Commission, ForecastEx LLC (“ForecastEx” or the “Exchange”) hereby notifies the Commission that it is self-certifying the “US Carbon Emissions Forecast Contract”. ForecastEx will list a Forecast Contract corresponding to each annual release of the US Energy-Related Carbon Dioxide Emissions by the US Energy Information Agency (“EIA”).

The submission includes:

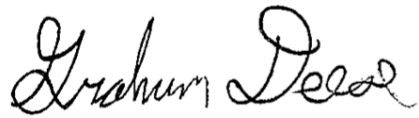
A concise explanation, analysis and background of the Contract;

- Certification;
- Appendix A with the Contract’s Terms and Conditions;
- Confidential Appendices with further information; and
- A request for FOIA confidential treatment.

The Exchange certifies that this submission (other than those appendices for which confidential treatment has been requested) has been concurrently posted on the Exchange’s website.

Any questions regarding this filing, as well as any notices pursuant to Commission Regulation 40.2, should be directed to the attention of the undersigned at [gdeese@forecastex.com](mailto:gdeese@forecastex.com) or 630-743-9013.

Respectfully submitted,

A handwritten signature in black ink that reads "Graham Deese". The signature is written in a cursive, flowing style.

Graham Deese  
ForecastEx Chief Regulatory Officer

Encl. (Appendix A)

cc: David Downey, ForecastEx Chief Executive Officer  
Andrew Naughton, ForecastEx Chief Financial Officer

**Attachments:**

Appendix A - Contract Terms and Conditions

Appendix B (Confidential) – Explanation and Analysis of the Product

Appendix C (Confidential) – Certification that Contracts are not Readily Susceptible to Manipulation

## Appendix A – Contract Terms and Conditions

**Event Question:** Will US Carbon Dioxide emissions exceed [number] million metric tons in [Year]?

**Product Code:** USCE

**Instructions:** The U.S. Energy-Related Carbon Dioxide Emissions are published by the US Energy Information Agency (“EIA”) annually in April.

**Underlying:** The underlying can be accessed at the following: [link](#). Open the “Full Report”. The underlying can be found in Table 1, labelled “Total U.S. energy-related CO2 emissions by sector,” in the row labelled “Total.” Links are provided for informational purposes only and the source agency may decide to publish the data at a different location at any time.

**Source Agency:** EIA

**Minimum Tick:** The Minimum Tick size for the referred Contract shall be \$0.01

**Listing Cycle:** ForecastEx will list annual contracts corresponding to the end of the next three years and then list two additional contracts corresponding to the end of the next two years that end in a 5 or 0 (for example, 2030 and 2035).

**Thresholds:** For each contract expiration, one threshold will initially be listed and additional thresholds will be listed at ForecastEx’s discretion.

**Position Accountability:** The position accountability level is 250,000 Event Positions in any one Forecast Contract.

**Last Trading Time:** 11:59:59 PM CT on December 31<sup>st</sup> of the reference year.

**Payout Criteria:** The Settlement Value of each US Carbon Emissions Contract is \$1.00 or \$0 depending on the Outcome of the Event Question. If the Outcome of the Event Question is “Yes”, then holders of the “Yes” Position will be entitled to receive the Settlement Value of \$1.00 per contract and holders of the “No” Position will receive \$0.00. If the Outcome of the Event Question is “No”, then holders of the “No” Position will be entitled to receive the Settlement Value of \$1.00 per contract and holders of the “Yes” Position will receive \$0.00.

**Resolution Time:** 4:00 PM CT on the day EIA publishes the Annual U.S. Energy-Related Carbon Dioxide Emissions Report.

**Changes in Resolution Time:** The Resolution Time of a Contract is dependent on the time that EIA releases U.S. Energy-Related Carbon Dioxide Emissions data. There are circumstances where ForecastEx may change the Resolution Time of a Contract.

1. **Delay by Source Agency:** In the event that the release of the U.S. Energy-Related Carbon Dioxide Emissions is delayed by EIA, for instance in a government shutdown, ForecastEx will delay the Resolution Time of the Contract until such time as the EIA releases the U.S. Energy-Related Carbon Dioxide Emissions data. In this case, ForecastEx would release a public notice to its website informing Market Participants that the Resolution of the Contract has been delayed and release a second notice to its website informing Market Participants when the contract ultimately resolves.
2. **Contracts with no currently scheduled release date:** The EIA generally only publishes the release month for the next annual release of U.S. Energy-Related Carbon Dioxide Emissions, but does not specify a specific date. The expiration date of US Carbon Emissions contracts is set to be the last date of the release month. In the event that the EIA releases the annual U.S. Energy-Related Carbon Dioxide Emissions contract prior to that date, ForecastEx will accelerate the resolution of the contract in accordance with Rule 413(b) and release a public notice to its website informing Market Participants of the revised Resolution Time.

**Expiration Time:** Same as Resolution time.

**Settlement Time:** Settlement for Resolved US Carbon Emissions Contracts will occur after Resolution Time at 1:00 PM CT the following Settlement Bank Business Day in accordance with ForecastEx Rule 603(b)(3).