

### **Rule Self-Certification**

October 22, 2015

Christopher J. Kirkpatrick Office of the Secretariat Commodity Futures Trading Commission Three Lafayette Center 1155 21<sup>st</sup> Street, NW Washington, DC 20581

Re: CFTC Regulation 40.6(a) Certification: Delisting of Previously-Listed Contract Months for NFX WTI Crude Oil Financial Futures, NFX Options on NFX WTI Crude Oil Financial Futures, NFX Heating Oil Financial Futures, and NFX RBOB Gasoline Financial Futures

Reference File: SR-NFX-2015-76

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("<u>Act</u>"), and Section 40.6(a) of the Commission's regulations thereunder, NASDAQ Futures, Inc. ("<u>NFX</u>" or "<u>Exchange</u>") is self-certifying the delisting of previously listed contract months for the following futures and options contracts effective October 22, 2015 for trade date October 23, 2015. The affected contract months have no open interest.

Contract Title	Symbol	Rulebook Appendix A Chapter	Current Listing Schedule	Contract months delisted on October 21, 2015
NFX WTI Crude	CLQ	103	Up to 60 consecutive	January 2017 and
Oil Financial			monthly contracts	beyond
Futures				
NFX Options on	LOQ	104	Up to 18 consecutive	December 2015
NFX WTI Crude			monthly contracts,	and beyond
Oil Financial			beginning with the	
Futures			nearby contract month	
NFX Heating Oil	HOQ	106	Up to 36 consecutive	September 2016
Financial Futures			monthly contracts	and beyond
NFX RBOB	RBQ	107	Up to 36 consecutive	June 2016 and
Gasoline			monthly contracts	beyond
Financial Futures				

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With respect to LOQ which has no open interest in any month, the Exchange is deleting the language in Rulebook Appendix A Chapter 104 governing that product. The Exchange likewise intends to finally delist the remaining three products and to remove the rules specific to them from the rulebook when current open interest reduces to zero.<sup>2</sup>

In connection with the delisting, the Exchange has reviewed the designated contract market core principles ("Core Principles") as set forth in the Act. With respect to Core Principle 6, Emergency Authority, there will be no market disruption relating to the delisting as there is no open interest in the contract months subject to change. With respect to Core Principle 7, Availability of General Information, the Exchange will make publically available the details of the delisting by publishing the Futures Trader Alert attached as Exhibit 1.

As of the time of this submission there were no opposing views among the NFX's Board of Directors, members or market participants. The Exchange hereby certifies that the delisting of the contract months complies with the Act and the Commission's 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 Carla Behnfeldt at (215) 496-5208 or via e-mail at carla.behnfeldt@nasdag.com. Please reference SR-NFX-2015-76 in in any related correspondence.

Regards,

)R Camq Daniel R. Carrigan

President

### Attachments:

Exhibit 1: Futures Trader Alert

Exhibit 2: Rulebook Appendix A Amendments

Exhibit 3: Fee Schedule Amendments

The rulebook amendments are set forth on Exhibit 2. NFX is also deleting references to LOQ in the Fee Schedule (see Exhibit 3), in Rulebook Appendix B - Table of Position Limits, Position Accountability Levels and Large Trader Reporting Levels (see Exhibit 4, under separate cover), and in the list of products covered by the Broker Incentive Program (see Exhibit 5).

<sup>&</sup>lt;sup>2</sup> The Exchange has separately filed to list a number of new contracts which largely replicate the contracts to be delisted. See SR-NFX-2015-72 submitted on October 21, 2015, and the Futures Trader Alert attached hereto. The Exchange anticipates that trading interest will migrate to these new contracts.

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Exhibit 4: Amendments to Rulebook Appendix B - Table of Position Limits, Position Accountability Levels and Large Trader Reporting Levels (under separate cover). Exhibit 5: Terms and Conditions of Broker Incentive Program

#### Exhibit 1 to SR-NFX-2015-76

### Futures Trader Alert #2015 - xx

Delisting of Existing NFX Crude Oil, Heating Oil and RBOB Gasoline Contracts; Listing of New NFX Crude Oil, Heating Oil and RBOB Gasoline Contracts

Category:

System Impact

**Markets Impacted:** 

Nasdaq Futures

**Contact Information:** 

<u>U.S. Market Operations -</u> <u>Futures</u> at +1 215 496 1571

<u>U.S. Market Sales</u> at +1 800 846 0477

Futures Sales
Futures Regulation

**Resources:** 

On October 21, 2015 the Exchange filed to list the following three new energy futures contract on November 5 for trade date November 6, 2015 and the following new futures option contract on November 10 for trade date November 11, 2015 pending all relevant CFTC regulatory review periods (the "New Products"):

- NFX WTI Crude Oil Penultimate Financial Futures (TQ)
- NFX Options on NFX WTI Crude Oil Penultimate Financial Futures (TOQ)
- NFX Heating Oil Penultimate Financial Futures (OQ)
- NFX RBOB Gasoline Penultimate Financial Futures (RQ)

The filing for the New Products is SR-NFX-2015-72 which may be found here: www.business.nasdaq.com/nasdaq-futures/regulation.

Contract specifications are available on the NFX website at www.business.nasdaq.com/nasdaq-futures/products.

The Exchange will delist the following products (the "<u>Old Products</u>") and respective Contract months when open interest reduces to zero (see table below). Effective immediately, no new Contract months will be added.

- NFX WTI Crude Oil Financial Futures (CLQ)
- NFX Options on NFX WTI Crude Oil Financial Futures (LOQ)
- NFX Heating Oil Financial Futures (HOQ)
- NFX RBOB Gasoline Financial Futures (RBQ)

Market participants may elect to keep positions in the Old Products open until expiration. Alternatively, market participants may elect to close out open positions from the Old Products and establish positions in the New Products via the Exchange Order Book or Off-Exchange trades. The NFX Trading System functionality provides a transparent Order Book for Combination Orders (Old versus New) and Trade at Settlement (TAS) Orders (TAS Orders are limited to the front four Contract months).

Additionally, Block and Exchange for Related Position trades are permissible, noncompetitive, privately negotiated transactions executed apart and away from the public auction market (Order Book) in accordance with Exchange rules. See the NFX Off-Exchange Transactions Reference Guide for further information.

## Exhibit 1 to SR-NFX-2015-76

Effective October 22, 2015, the Exchange will delist previously-listed contract months having no open interest in the following contracts (collectively, the "Old Products"):

Contract Title	Symbol	Rulebook Appendix A Chapter	Current Listing Schedule	Contract months delisted on October 22, 2015
NFX WTI Crude Oil Financial Futures	CLQ	103	Up to 60 consecutive monthly contracts	January, 2017 and beyond
NFX Options on NFX WTI Crude Oil Financial Futures	LOQ	104	Up to18 consecutive monthly contracts, beginning with the nearby contract month	December, 2015 and beyond
NFX Heating Oil Financial Futures	HOQ	106	Up to 36 consecutive monthly contracts	September, 2016 and beyond
NFX RBOB Gasoline Financial Futures	RBQ	107	Up to 36 consecutive monthly contracts	June, 2016 and beyond

For additional information, contact Daniel Carrigan at (215) 496-5017 or <a href="mailto:daniel.carrigan@nasdaq.com">daniel.carrigan@nasdaq.com</a>.

### Exhibit 2 to SR-NFX-2015-76

New language is <u>underlined</u>; deletions are <del>struck through</del>

**Rulebook Appendix A - Listed Contracts** 

**Introduction** No change.

**Chapter 101 – 103** No change.

Chapter 104 Reserved. NFX Options on NFX WTI Crude Oil Financial Futures (LOQ)

### **104.01 Unit of Trading**

The unit of trading for one contract is one futures contract which equals 1000 barrels.

### 104.02 Nature of NFX Options on WTI Crude Oil Financial Futures.

A put or call option traded on the Exchange represents an option to assume a short or long position in one NFX WTI Crude Oil Financial Futures contract of a specified contract month.

Subject to Clearing Corporation rules, upon exercise the holder has the right, in the case of a call, to have such call replaced by a long position in the underlying futures contract equal to the unit of trading for such option contract and in the case of a put, to have such put replaced by a short position in the underlying futures contract equal to the unit of trading for such option contract.

Subject to Clearing Corporation rules, a writer has the obligation, upon assignment by the Clearing Corporation of an exercise in respect of such contract, in the case of a call, to have such call replaced by a short position in the underlying futures contract equal to the unit of trading for such option contract and in the case of a put, to have such put replaced by a long position in the underlying futures contract equal to the unit of trading for such option contract.

Underlying futures contracts that are opened in settlement of exercises and assignments of futures option contracts shall be deemed to have been opened on the day of exercise and shall be deemed to be opened at the exercise price for such futures option, which shall be deemed the contract price for such futures contract.

#### 104.03 Contract Months and Expiration Date

The Exchange may list for trading up to 18 consecutive monthly contracts, beginning with the nearby contract month. A contract shall expire at 11:59 PM EPT on the last trading day.

#### 104.04 Exercise Prices

On the first business day of trading in an option contract month, the Exchange will list a minimum of five exercise prices in increments of \$0.50 per barrel above and below the at the money exercise price per contract month. The at the money exercise price shall be the previous day's settlement price for the NFX WTI Crude Oil Financial Futures contract in the corresponding contract month rounded to the nearest \$0.50 increment strike price. Thereafter, on any business day prior to the expiration of the option: (i) new consecutive fifty cent increment strike prices for both puts and calls will be added such that at all times there will be at least five fifty cent increment strike prices above and below the at the money strike price available for trading in all options contract months.

### 104.05 Exercise Style

The options contracts are American-style exercise. The buyer of the option may exercise the option on any business day prior to expiration by giving notice of exercise to the Clearing Corporation by the deadline established by the Clearing Corporation. At such time as the Clearing Corporation establishes for automatic exercise on the last trading day, the Clearing Corporation will automatically exercise all options that are in-the-money on behalf of the holder unless instructed otherwise by the holder. Unexercised options which are out of the money expire automatically.

### 104.06 Last Trading Day

Trading for a particular contract month terminates three business days before the last day of trading for the underlying NFX WTI Crude Oil Financial Futures contract. Trading ceases at 2:30 PM EPT on the last trading day.

### **104.07 Prices and Minimum Increments**

Prices are quoted in U.S. dollars and cents per barrel. The minimum trading increment is \$0.01 per barrel which is equal to \$10.00 per contract; provided, however, that a trade may occur at a price of \$0.001 per barrel, or \$1.00 per contract (a "cabinet trade").

### **104.08 Daily Settlement Prices**

Pursuant to Chapter V, Section III, the daily settlement price shall be equal to the daily settlement price for the corresponding NYMEX Crude Oil Option (LO). If the daily settlement price described in the previous sentence is unavailable the Exchange may in its sole discretion establish a daily settlement price that it deems to be a fair and reasonable reflection of the market.

## 104.09 Trading Algorithm and Reporting Window

Pursuant to Chapter IV, Section 5, the trading system shall execute orders within the trading system pursuant to the price time priority order execution algorithm.

## 104.10 Block Trade Minimum Quantity Threshold

Pursuant to Chapter IV, Section 10, block trades shall be permitted with a minimum quantity threshold of 25 contracts and the Reporting Window shall be fifteen minutes.

### **104.11 Order Price Limit Protection**

Order Price Limit Protection under Chapter IV, Section 8, shall not apply.

## 104.12 Non-Reviewable Range

For purposes of Chapter V, Section 5, there shall be no non-reviewable range.

\* \* \* \* \*

# Exhibit 3 to SR-NFX-2015-76

New language is <u>underlined</u>; deletions are struck through

# NASDAQ FUTURES FEE SCHEDULE

**TABLE OF CONTENTS** – No change.

**PREFACE** - No change.

# **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 Options on NFX WTI Crude Oil Financial Futures (LOQ)	\$0.00
NFX Low Sulphur Gasoil Financial Futures (GOQ)	\$0.00
NFX Heating Oil Financial Futures (HOQ)	\$0.00
NFX RBOB Gasoline Financial Futures (RBQ)	\$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

## **Section II - III** No change.

# **Section IV - Incentive Program**

**Purpose**: The purpose of this Program is to incent a number of key participants representing different market sectors who will be Futures Participants or Authorized Customers to enhance liquidity in the Energy Products identified below listed on the Exchange. The resulting increase in liquidity benefits all participants in the market.

## **Product Scope:**

The following Contracts are subject to the Program: NFX Brent Crude Financial Futures; NFX Options on NFX Brent Crude Financial Futures; NFX WTI Crude Oil Financial Futures; NFX Options on NFX WTI Crude Oil Financial Futures; NFX Low Sulphur Gasoil Financial Futures; NFX Heating Oil Financial Futures; NFX RBOB Gasoline 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.

# **Eligible Participants:**

Participants are certain Futures Participants or Authorized Customers, subject to the Rules of the Exchange, and must execute a requisite amount of volume on the Exchange to be eligible for incentives.

## Exhibit 5 to SR-NFX-2015-76

New text is underlined; deleted text is stricken

## **Energy Broker Incentive Program**

## **Program Purpose**

The purpose of the Energy Broker Incentive Program (the "Program") is to incentivize Off-Exchange Reporting Brokers ("ORBs") to increase their volume they submit to NFX as Block Trades via NasdaQ-Port in the energy products listed below. The resulting additional liquidity should benefit all participants in the market.

## **Product Scope**

The following energy products ("Products") that are submitted for clearing by ORBs via NasdaQ-Port and then cleared by The Options Clearing Corporation:

Products	Trading Symbol	Payment (per cleared contract side except Power)
NFX Options on NFX Henry Hub Penultimate Financial Futures - 10,000	LNQ	\$0.20
NFX Options on NFX Henry Hub Penultimate Financial Futures -10,000	LNQ	\$0.25 (over 200,000 sides in a month)
NFX Henry Hub Natural Gas Financial Futures - 2,500	NNQ	\$0.025
NFX Henry Hub Natural Gas Penultimate Financial Futures – 2,500	NPQ	\$0.025
NFX Henry Hub Natural Gas Financial Futures - 10,000	ННО	\$0.10
NFX Henry Hub Natural Gas Penultimate Financial Futures - 10,000	HUQ	\$0.10
NFX Options on NFX Brent Crude Financial Futures	BCQ	\$0.20
NFX Options on NFX WTI Crude Oil Financial Futures	<del>LOQ</del>	<del>\$0.20</del>
NFX CAISO NP-15 Hub Day-Ahead Off-Peak Financial Futures	ONPQ	\$.00083 per MWh

<b>Trading Symbol</b>	Payment (per cleared contract side except
	Power)

NFX CAISO NP-15 Hub Day-Ahead Peak Financial Futures	NPMQ	\$.00083 per MWh
NFX CAISO SP-15 Hub Day-Ahead Off-Peak Financial Futures	OFPQ	\$.00083 per MWh
NFX CAISO SP-15 Hub Day-Ahead Peak Financial Futures	SPMQ	\$.00083 per MWh
NFX ISO-NE Massachusetts Hub Day-Ahead Off-Peak Financial Futures	NOPQ	\$.00083 per MWh
NFX ISO-NE Massachusetts Hub Day-Ahead Peak Financial Futures	NEPQ	\$.00083 per MWh
NFX MISO Indiana Hub Real-Time Off-Peak Financial Futures	CPOQ	\$.00083 per MWh
NFX MISO Indiana Hub Real-Time Peak Financial Futures	CINQ	\$.00083 per MWh
NFX PJM AEP Dayton Hub Real-Time Off- Peak Financial Futures	AODQ	\$.00083 per MWh
NFX PJM AEP Dayton Hub Real-Time Peak Financial Futures	MSOQ	\$.00083 per MWh
NFX PJM Northern Illinois Hub Real-Time Off-Peak Financial Futures	NIOQ	\$.00083 per MWh
NFX PJM Northern Illinois Hub Real-Time Peak Financial Futures	PNLQ	\$.00083 per MWh
NFX PJM Western Hub Day-Ahead Off-Peak Financial Futures	PJDQ	\$.00083 per MWh
NFX PJM Western Hub Day-Ahead Peak Financial Futures	PJCQ	\$.00083 per MWh
NFX PJM Western Hub Real-Time Off-Peak Financial Futures	OPJQ	\$.00083 per MWh
NFX PJM Western Hub Real-Time Peak Financial Futures	PJMQ	\$.00083 per MWh
NFX Brent Crude Financial Futures	BFQ	\$0.20
NFX WTI Crude Oil Financial Futures	CLQ	\$0.20
NFX Low Sulphur Gasoil Financial Futures	GOQ	\$0.20
NFX Heating Oil Financial Futures	HOQ	\$0.20

NFX RBOB Gasoline Financial Futures	RBQ	\$0.20	

## **Eligible Participants**

Any ORB registered with the Exchange is an eligible participant. There is no limit to the number of ORBs that may register with the Exchange and participate in the program by submitting Block Trades. ORBs must have login credentials in order to submit Block Trades in the Products.

# **Program Term**

The Program Term will expire on July 24, 2016.

## **Hours**

N/A.

## **Program Obligations**

All ORBs must be registered with the Exchange and may only submit Block Trades eligible for incentive payments after they have obtained login credentials. Participants must disclose the accounts in which they plan to submit matched trades.

## **Program Incentives**

Upon meeting all Program obligations, as determined by NFX, ORBs who submit Block Trades in the Products which are cleared will be eligible for the incentives set forth in the table above under Product Scope.

### **Monitoring and Termination of Status**

NFX shall monitor trading activity and participants' performance and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets eligibility requirements.