



Sean M. Downey
Director and Assistant General Counsel
Legal Department

February 8, 2013

VIA E-MAIL

Ms. Melissa Jurgens
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

**RE: Regulation 40.6(a) Rule Certification. Kansas City Board of Trade, Inc.
Submission # 13-033: Revision to Rule 302 ("Complaint Committee")**

Dear Ms. Warfield:

Kansas City Board of Trade, Inc. ("KCBT") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying a revision to Rule 302 ("Complaint Committee") that will eliminate a reference in the rule to the Complaint Committee ("Committee") having authority to accept settlement terms in disciplinary matters. On November 15, 2012, KCBT self-certified various revisions to its rules in connection with CME Group's acquisition of KCBT. Included with those revisions were modifications intended to align KCBT rules more closely with the rulebooks of the other CMEG subsidiary exchanges, including rules concerning disciplinary procedures.

The November 15th filing should have included the elimination of the authority of the Committee to accept settlement terms in disciplinary matters as it is intended to operate in the same manner as the CME, CBOT, NYMEX and COMEX Probable Cause Committees, which may not accept settlement offers. Consideration of settlement offers and the conducting of contested hearings is the purview of the Business Conduct Committee, and the KCBT Business Conduct Committee rules were appropriately modified to reflect that they are responsible for considering settlement offers.

The Market Regulation Department and the Legal Department collectively reviewed the designated contract market core principles ("DCM Core Principles") as set forth in the Commodity Exchange Act ("Act"). During the review, we have identified that the changes described in this Submission may have some bearing on the following DCM Core Principle:

Disciplinary Procedures: The revision to Rule 302 will eliminate a legacy reference to the Committee's authority to consider settlement terms in disciplinary matters in order to ensure that its rules correctly reflect that it is intended to operate similarly to the CME/CBOT/NYMEX/COMEX Probable Cause Committees. The Committee has the authority to issue charges. Disposition of such charges, including via settlement offers, is the purview of the Business Conduct Committee at all five CME Group DCMs. Accordingly, the revision remains in compliance with this Core Principle.

The revision to Rule 302 appears in Exhibit A, with deletions overstruck, and will become effective on February 26, 2013. KCBT certifies that the revision to Rule 302 complies with the Act and regulations thereunder. There were no opposing views to these changes. The Exchange certifies that this submission has been concurrently posted on the Exchange's website at http://www.kcbt.com/KCBT_pending_certif.html.

If you have any questions regarding this submission, please contact Joe Ott, Compliance, at 816.753.7500 or via email at Joe.Ott@kcbt.com. Alternatively, you may contact me at 312.930.8167 or via email at Sean.Downey@cmegroup.com. Please reference KCBT Submission # 13-033 in any related correspondence.

Sincerely,

/s/ Sean Downey
Director & Assistant General Counsel

Attachment: Exhibit A – Revisions to Rule 302

EXHIBIT A

Rule 302. Complaint Committee

There shall be appointed by the Board, a standing Complaint Committee. The Complaint Committee shall consist of five (5) Panelists who possess sufficiently diverse interests so as to ensure fairness and to prevent special treatment or preference for any person in the conduct of the Complaint Committee's responsibilities. One (1) of the five (5) Panelists of the Complaint Committee shall be either a public director or someone who would qualify as a public director under Core Principle 15 for Designated Contract Markets. The other four (4) Panelists shall be Permit Holders.

The Complaint Committee shall review Exchange staff reports of investigations into possible rule violations, to see if formal disciplinary proceedings appear necessary, and if so, approve and issue the notice of charges, ~~accept settlement of terms, and make recommendations to the Business Conduct Committee.~~

In order that the business of the Complaint Committee can be handled, a quorum shall be three (3) Panelists, at least one (1) of whom shall be either a public director or someone who would qualify as a public director under Core Principle 15 for Designated Contract Markets. Should any member of the Complaint Committee be unable to serve on a particular matter and a quorum cannot be reached as a result, the Board shall appoint a substitute. Should an appointed member of the Complaint Committee resign or become permanently unable to serve, the Board shall appoint a replacement.