

## **RULE SELF-CERTIFICATION**

February 10, 2012

Office of the Secretary Commodity Futures Trading Commission Three Lafayette Center 1155 21<sup>st</sup> St., N.W. Washington, D.C. 20581

> Re: Green Exchange LLC Reference File: GX-2012-04

Ladies and Gentlemen:

Pursuant to Section 40.6 of the regulations (the "<u>CFTC Rules</u>") promulgated by the Commodity Futures Trading Commission (the "<u>Commission</u>") under the Commodity Exchange Act, as amended (the "<u>Act</u>"), Green Exchange LLC ("<u>GreenX</u>"), a designated contract market under the Act, hereby submits this self-certification for the following.

GreenX is notifying the CFTC of the issuance of Advisory Notice # 2012-02 which will be released to the marketplace on February 28, 2012. The Advisory Notice informs market participants that are currently operating under the terms of an Exchange-approved exemption from speculative position limits that the Exchange is temporarily waiving the requirement under Exchange Rule 532 (Position Limits and Exemptions) that they annually file an updated application. This waiver will be in effect through May 31, 2012.

The new CFTC rules on position limits will likely be in effect in the near future and may require revisions of the Exchange Rule 532. Any changes to the Rule may require market participants to provide new applications. The intent of the temporary waiver is to reduce the administrative burden on market participants and the Exchange pending the new CFTC Rules becoming effective. This rule certification has been posted on the GreenX website under the "Market Regulation" tab at http://www.thegreenx.com/market-regulation/pending-rules.html .

GreenX hereby certifies that the rule amendments comply with the Act and the CFTC Rules. The effective date of the rule amendments is February, 28, 2012. There are no opposing views among GreenX's Board of Directors, Participants or market participants regarding the rule amendments. The text of the rule amendments, showing deletions and additions is attached as Appendix A hereto.

If you have any further questions or comments about GreenX's actions, please contact me at 212-299-2510.

Sincerely

Kari S. Larsen Chief Regulatory Officer / General Counsel



## APPENDIX A

Advisory

## Temporary Waiver of Annual Application Update for Position Limit Exemptions (GreenX Rule 532)

Advisory Notice #: 2012-02 Notice Date: February 28, 2012

Effective immediately, GreenX is granting a <u>temporary</u> waiver of the requirement under Exchange Rule 532 (Position Limits and Exemptions) that market participants file an updated application on an annual basis to exceed position limits.

On November 18, 2011, the Commodity Futures Trading Commission ("CFTC") final rules governing position limits and exemptions were published in the Federal Register. These rules, which become effective 60 days after the CFTC further defines the term "swap", outline specific requirements for obtaining an exemption from federal position limits. As a result of the final CFTC rules, various types of exemptions authorized by Rule 532 will no longer be applicable, while additional types of exemptions will be added. Further information on the revisions to the types of exemptions from speculative position limits that will be permitted pursuant to Rule 532 will be the subject of a future GreenX Advisory Notice.

In light of the fact that the new CFTC rules will likely be effective in the near future and will require new applications to be filed with the Exchange, we are temporarily waiving the annual updated application filing requirements through May 31, 2012. The temporary waiver is intended to reduce the administrative burden on both market participants operating under an exemption and the Exchange. Should the final rules not be in effect prior to May 31, GreenX will review whether an extension is warranted and will advise the marketplace accordingly.

All market participants presently operating under the terms of an Exchange-granted exemption from speculative position limits remain bound by and must comply with all relevant terms and conditions of such exemptions and Exchange rules.

Please refer all queries on this subject to:

Compliance Officer Nicholas Galati Tel: +1 212 299 2569 E-mail: <u>nicholas.galati@thegreenx.com</u>