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February 26, 2009

Via E-Mail: submissions@cftc.gov

Mr. David Stawick
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
3 Lafayette Centre
1155 21st Street, N.W.
Washington D.C. 20581

RE: Rule Certification: HedgeStreet[®] Amendment to Add Unemployment Rate Binary Contracts – Submission pursuant to Commission Regulations §§40.2 and 40.6(a)

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the Act”), and §§40.2 and 40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (the “Commission”) under the Act, HedgeStreet, Inc. (“HedgeStreet”) hereby submits to the Commission its intent to list new Unemployment Rate Binary contracts (the “Contracts”) as outlined in the new terms and conditions set forth in Rule 12.81. HedgeStreet describes these Contracts in accordance with Commission Regulation §40.2 under Exhibit A. HedgeStreet has also included under Exhibit B new Rule 12.81 to reflect all of the terms and conditions of the new Contracts in accordance with Commission Regulations §§40.2 and 40.6. HedgeStreet intends to list these Contracts and implement these rule additions effective at the start of business on Monday, March 2, 2009.

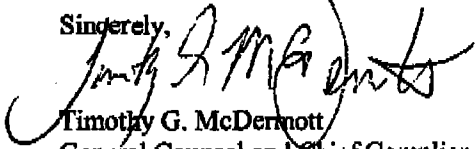
No substantive opposing views were expressed to HedgeStreet with respect to any of these actions.

HedgeStreet hereby certifies that the Contracts and the clearing of the Contracts, including all rules defining the terms and conditions of said Contracts contained herein, comply with the Act and the Commission Regulations adopted thereunder.

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Should you have any questions regarding the above, please do not hesitate to contact me by telephone at (312) 884-0171 or by email at tmcdermott@hedgestreet.com.

Sincerely,



Timothy G. McDermott
General Counsel and Chief Compliance Officer

CC: DMOSubmission@cftc.gov
Jon Hultquist – CFTC (Acting Branch Chief, DMO, Chicago)
Tom Leahy - CFTC
Riva Adriance – CFTC
Nancy Markowitz – CFTC

Ed Dasso – NFA
Yossi Beinart - HedgeStreet, Inc.

EXHIBIT A

UNEMPLOYMENT RATE BINARY HEDGELET CONTRACTS

Scope

The provisions of these rules shall apply to all Unemployment Rate Binary Contracts bought and sold on HedgeStreet.

Underlying

Unemployment Rate contracts allow a trader to take a position on the level of the US Unemployment Rate as reported by the US Department of Labor's Bureau of Labor Statistics.

The Unemployment Rate is a percentage value that is calculated as the number of unemployed persons divided by the total number of persons in the labor force. This number is compiled by the Bureau of Labor Statistics and released in the monthly Employment Situation Summary report, which is usually released on the first Friday of the month. The values used in the calculation come from a survey of 60,000 households where workers are only counted once irrespective of whether they are working part-time or the number of jobs they have. A person is only considered to be unemployed if they are actively looking for work.

The employment situation is a key monthly indicator of aggregate economic activity. The bond market will rally when the employment situation shows weakness and conversely will fall when the employment situation shows strength. The equity market often rallies with the bond market on weak data because low interest rates are good for stocks, although this isn't always the case since a healthy labor market can be favorable for the stock market because it supports economic growth and corporate profits. At the same time, bond traders are concerned about the potential for inflationary pressures, and look to the employment situation to gauge this.

As expected, the unemployment rate rises during downturns in the economy and falls during periods of rapid economic growth. Increases in the unemployment rate are associated with declining interest rates and a weak or contracting economy. Conversely, declines in the unemployment rate are associated with a rising interest rates and an expanding economy. When the unemployment rate falls dramatically and becomes too low, this can cause wages to increase as it becomes more difficult to find workers.

For more information regarding the Current Employment Statistics Scope, please visit <http://www.bls.gov/ces/cescope.htm>.

For more information regarding the Current Employment Statistics Methodology, please visit <http://www.bls.gov/ces/cesmetho.htm>.

Employee Trading Policy – The U.S. Department of Labor has an employee trading policy in place that requires each employee that comes into contact with sensitive economic release information to sign an affidavit that acknowledges the economic sensitivity of data, and that stipulates that they

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are not permitted to undertake any activities whatsoever that could allow them to benefit from economic release information.

Safeguards for early release – Because the Unemployment release already has effects on fixed income markets, the Department of Labor has already put procedures in place to ensure that the releases are fairly disseminated exactly on schedule. The Department of Labor has stringent security and release procedures in place that are overseen by the Inspector General, to ensure that the data is securely stored and that during the release process it is unlikely that anybody will receive advance notice of the release that would allow them an unfair advantage when trading Unemployment Rate contracts.

Cash Market – There is currently no underlying cash market for the Unemployment Rate.

Publication - The Unemployment Rate number is publicly released by the US Department of Labor's Bureau of Labor Statistics in the Employment Situation Summary at 8:30 am ET on a set calendar of release dates. These release dates can be found by visiting the Bureau of Labor Statistics "Press Release Dates for National Current Employment Statistics" at http://www.bls.gov/ces/ces_tab1.htm.

HedgeStreet will also publish the settlement number on the website no later than the close of business on the Settlement Date.

Issuance: All Unemployment Rate Binary Contracts offered on HedgeStreet will coincide with the scheduled BLS Employment Situation Summary report release. These Binary Contracts will be available for trading beginning on the first business day of the week during which the Employment Situation Summary report will be released. The Binary Contracts will be closed for trading at 8:25am ET on the date of the scheduled release.

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EXHIBIT B

New Rule 12.81

RULE 1.1 – RULE 12.80 [Unchanged]

RULE 12.81 UNEMPLOYMENT RATE BINARY HEDGELET CONTRACTS

(a) **SCOPE** – These Rules shall apply to the Class of Contracts referred to as the Unemployment Rate Binary Hedgelet Contracts issued by HedgeStreet.

(b) **UNDERLYING** – The Underlying for this Class of Contracts is the seasonally adjusted monthly change in the Unemployment Rate release last reported by the Source Agency.

(c) **SOURCE AGENCY** – The Source Agency is the United States Department of Labor, Bureau of Labor Statistics.

(d) **TYPE** – The Type of Contract is a Binary Hedgelet Contract.

(e) **ISSUANCE** – For each planned release by the Source Agency of the Underlying, HedgeStreet will issue various Hedgelet Contracts, each of a different Series. A new issuance of Hedgelet Contracts will commence no later than four (4) business days prior to the Expiration Date.

(f) **PAYOUT CRITERION** – The Payout Criterion for each Contract will be set by HedgeStreet at the time the Binary Contracts are initially issued. For the Unemployment Rate Binary Hedgelet Contract, the Payout Criteria for the Contracts will be set as follows:

(i) MONTHLY UNEMPLOYMENT RATE BINARY CONTRACTS

(1) At the commencement of trading in a Monthly Unemployment Rate Binary Contract, HedgeStreet shall list all eligible Payout Criteria in a range of five (5) consecutive increments of either 0.1%, 0.2%, 0.3%, 0.4%, or 0.5% as determined by HedgeStreet, with the maximum value of the Payout Criteria not to exceed 20% and the minimum value of the Payout Criteria not to fall below zero (0), and the contract payout criteria of greater than or equal to (\geq). For example, HedgeStreet may list the following range of Payout Criteria (using the 0.1% increment): 7.5%, 7.6%, 7.7%, 7.8%, and 7.9%. For the next issuance, HedgeStreet may list the following range of Payout Criteria (using a 0.2% increment): 7.2%, 7.4%, 7.6%, 7.8%, and 8.0%.

(2) In each case above, “X” equals the first Payout Criteria listed. In the first example above, this is 7.5%; in the second example above, this is 7.2%.

(ii) HedgeStreet may list additional Unemployment Rate Binary Hedgelet Contracts with different ranges of Payout Criteria on a discretionary basis in accordance with the CEA and Commission Regulations.

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(g) **MINIMUM TICK** – The Minimum Tick size for the Unemployment Rate Binary Hedgelets shall be \$0.25.

(h) **REPORTING LEVEL** – The Reporting Level for the \$100 Unemployment Rate Binary Hedgelets shall be 12,500 contracts.

(i) **POSITION LIMIT** – There are currently no Position Limits for the \$100 Unemployment Rate Binary Hedgelet Contracts.

(j) **LAST TRADING DATE** – The Last Trading Date in a Series is the same day as the Expiration Date. The Unemployment Rate Contracts will stop trading on the Last Trading Date at 8:25AM ET.

(k) **SETTLEMENT DATE** – The Settlement Date will be the date the Unemployment Rate number is released by the Source Agency.

(l) **EXPIRATION DATE** – The Expiration Date of the Contract will be the date on which the Unemployment Rate number is scheduled to be released.

(m) **SETTLEMENT VALUE** – The Settlement Value is the amount paid to the holder of the in the money Contract on Settlement Date. The Settlement Value of an in the money Unemployment Rate Binary Contract is \$100.

(n) **EXPIRATION VALUE** – The Expiration Value is the level of the Unemployment Rate release number on the Expiration Date. The Expiration Value is released by the Source Agency at 8:30 AM ET on the Expiration Date.

(o) **CONTINGENCIES** – If no level is actually announced on the Expiration Date due to a delay, postponement or otherwise in such release announcement by the Source Agency, the Settlement Date will be delayed until the Underlying number is released for that Series.

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