



March 9, 2012

**Via Electronic Mail**

Mr. David Stawick  
Secretary  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

Re: CBOE Futures Exchange, LLC Rule Certification  
Submission Number CFE-2012-07

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("Act"), and §40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission ("CFTC") under the Act, CBOE Futures Exchange, LLC ("CFE" or "Exchange") hereby submits an amendment ("Amendment") to revise CFE Rule 1202(q) so that it does not allow for Trade at Settlement ("TAS")<sup>1</sup> spread transactions in CBOE Volatility Index ("VIX") futures to be executed on CFE's trading system (referred to in CFE's rules as the CBOE System). The Amendment will become effective on March 26, 2012.

CFE Rule 1202(q) currently states that TAS spread transactions in VIX futures may be transacted on CFE's trading system.<sup>2</sup> CFE is revising this language to not allow for these transactions so that CFE can make a systems update to the functionality that processes these transactions. CFE anticipates that it will submit a subsequent rule certification to the CFTC to again allow for these transactions after CFE completes this systems update. Spread TAS transactions will continue to be permitted to be executed as Block Trades in VIX futures.

CFE believes that the impact of the Amendment will be beneficial to the public and market participants. CFE is not aware of any substantive opposing views to the Amendment.

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<sup>1</sup> A TAS transaction is a transaction in a contract at a price or premium equal to the daily settlement price, or a specified differential above or below the daily settlement price, for the contract on a trading day. The actual amount of a TAS transaction price or premium is determined subsequent to the transaction based upon the daily settlement price of the contract. CFE currently only permits TAS transactions in VIX futures.

<sup>2</sup> Pursuant to CFE Rule 418(a), CFE temporarily disabled, prior to the opening of trading on February 24, 2012, the functionality that allows for the execution of spread TAS transactions on CFE's trading system. This functionality has been disabled since that time.

CFE hereby certifies that the Amendment complies with the Act and the regulations thereunder. CFE further certifies that it has posted a notice of pending certification with the Commission and a copy of this submission on CFE's Web site (<http://cfe.cboe.com/aboutcfe/rules.aspx>) concurrent with the filing of this submission with the Commission.

The Amendment, marked to show additions in underlined text and deletions in [bracketed] text, consists of the following:

**CBOE Futures Exchange, LLC Rules**

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**1202. Contract Specifications for CBOE Volatility Index Futures**

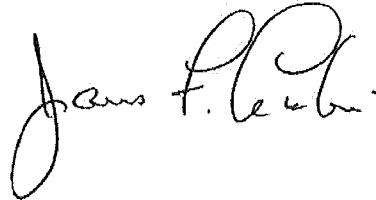
(a) – (p) No change.

(q) *Trade at Settlement Transactions.* Trade at Settlement ("TAS") transactions pursuant to Rule 404A are permitted in VIX futures and may be transacted on the CBOE System[,] (other than as spread transactions), as Block Trades (including as spread transactions but not [other than] as a strip) and as Exchange of Contract for Related Position transactions. The trading hours for all types of TAS transactions in VIX futures are from 7:00 a.m. Chicago time to 3:12 p.m. Chicago time. The permissible price range for all types of TAS transactions in VIX futures is from \$100 (0.10 index points x \$1,000) below the daily settlement price to \$100 above the daily settlement price. The permissible minimum increment for TAS non-spread transactions in VIX futures that are transacted on the CBOE System is 0.01 index points, and the permissible minimum increment for TAS spread transactions, Block Trades and Exchange of Contract for Related Position transactions in VIX futures is 0.01 index points.

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Questions regarding this submission may be directed to Arthur Reinstein at (312) 786-7570 or Jennifer Klebes at (312) 786-7466. Please reference our submission number CFE-2012-07 in any related correspondence.

CBOE Futures Exchange, LLC



By: James F. Lubin  
Managing Director

cc: Rachel Berdansky (CFTC)  
Nancy Markowitz (CFTC)  
National Futures Association  
The Options Clearing Corporation