



Via Electronic Mail to [submissions@cftc.gov](mailto:submissions@cftc.gov) and [dmosubmissions@cftc.gov](mailto:dmosubmissions@cftc.gov)

April 3, 2013

Ms. Melissa Jurgens  
Secretary  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

Re: Notice to Members: EFP Confirmations

Dear Ms. Jurgens:

Pursuant to section 5c(c)(1) of the Commodity Exchange Act, as amended (the “Act”), and section 41.24 of the regulations promulgated by the Commission under the Act, submitted herewith is a Notice to Members (“NTM”) regarding exchange future for physical (“EFP”) confirmations. OneChicago (“OCX”) is self-certifying the notice.

This notice further identifies an obligation for market participants to provide the EFP execution price on confirmations to customers.

The EFP Confirmation notice is included as Attachment A. These changes will become effective on April 18, 2013.


Comments on this OneChicago Notice to Members have not been solicited and none have been received. The Regulatory Oversight Committee has reviewed and approved the notice.

The EFP confirmation supports Core Principle 2, Compliance with Rules, Core Principle 9, Execution of Transactions and Core Principle 12, Protection of Markets and Markets Participants in that it clarifies firms obligations in reporting exchange future for physical transactions to customers.

There is no new operational impact related to this notice.

On behalf of OneChicago, I hereby certify that the notice to members complies with the Act and the regulations promulgated thereunder and a copy of the submission has been posted on the OneChicago website at [http://www.onechicago.com/?page\\_id=8917](http://www.onechicago.com/?page_id=8917).

Respectfully submitted,

A handwritten signature in black ink that reads "Thomas G. McCabe". The signature is written in a cursive style with a long horizontal stroke at the end.

Thomas G. McCabe  
Chief Operating Officer  
OneChicago, LLC

Encl: Attachment A

Attachment A



Notice to Members 2013-09

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Date: April 3, 2013  
Re: EFP Confirmations  
Effective Date: April 18, 2013

As noted in OneChicago Notice to Members 2012-14, securities firms can markup/markdown the cash leg price on exchange future for physical (“EFP”) trades to include commissions and fees provided the stock confirmation shows the original stock price and the markup.

After reviewing these practices for EFPs, OneChicago has determined that the firm also needs to provide the actual (gross) EFP execution price as well as the net EFP price to the customer when the trade is confirmed, regardless of whether the confirmation is verbal, text, instant message, email, or fax. For example, a firm buys an EFP at \$0.10, the futures leg is priced at \$20.00 and the stock leg is priced at \$19.90 with a \$0.30 markdown to \$19.60. The EFP confirmation needs to indicate EFP execution price of \$0.10 with net price of \$0.40 including the markdown.

Any questions can be directed to [marketsurveillance@onechicago.com](mailto:marketsurveillance@onechicago.com) or 312.424.8530