

NASDAQ OMX Futures Exchange, Inc.  
1900 Market Street  
Philadelphia, PA 19103

C.F.T.C.  
OFFICE OF THE SECRETARIAT  
2009 APR 22 AM 8 59

**Rule Self-Certification**

April 21, 2009

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

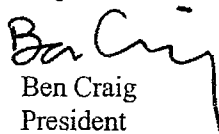
Re: Amendments to NFX Fee Schedule  
Reference File SR-NFX-2009-06 (Revised)

Ladies and Gentlemen:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("Act"), and Section 40.6 of the regulations promulgated by the Commodity Futures Trading Commission under the Act, the NASDAQ OMX Futures Exchange, Inc. ("NFX" or "Exchange") hereby resubmits the attached amendment to its Fee Schedule regarding the waiver of its Application Fee and Seat Transfer Fee, which Fee Schedule was originally submitted on March 26, 2009 for effectiveness as of April 1, 2009. The waiver of the Application Fee and Seat Transfer Fee is for a limited time period, from April 1, 2009 through June 30, 2009. NFX is filing this revision at this time as the following language, "Not Applicable to Transactions in Products Cleared by International Derivatives Clearinghouse" was inadvertently omitted from the original Fee Schedule which was filed on March 26, 2009. The Commission approved the omitted language, filed as SR-PBOT-2008-17, which language was effective on December 29, 2008.

There were no opposing views among NFX's Board of Directors, members or market participants. NFX hereby certifies that these fee amendments comply with the Commodity Exchange Act and regulations thereunder.

Regards,

  
Ben Craig  
President

cc: Mr. Glenn Spann  
Ms. Jane Croessmann

Exhibit A  
**NFX**  
**FEE SCHEDULE**

TRANSACTION CHARGES (NOT APPLICABLE TO TRANSACTIONS IN PRODUCTS CLEARED BY INTERNATIONAL DERIVATIVES CLEARINGHOUSE)

- a. Customer<sup>1</sup>: \$0.40 per contract side
- b. Firm<sup>2</sup>: \$0.40 per contract side
- c. Market Maker<sup>3</sup>: \$0.00 per contract side

MEMBERSHIP-RELATED FEES

A. Application[, Initiation] and Seat Transfer Fees:

- a. Application Fee: \$350.00<sup>4</sup>
- b. Seat Transfer Fee: \$250.00<sup>5</sup>

B. Seat Lease

- a. \$100.00 per month

C. Membership dues: \$100 per annum to be effective on the first of June each year ("annual dues"). The annual dues apply only to [PBOT]NFX members who are not affiliated with a Philadelphia Stock Exchange member firm.

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<sup>1</sup> [PBOT]NFX clearing account type "C" to be cleared through a "segregated futures account".

<sup>2</sup> [PBOT]NFX clearing account type "F" to be cleared through a "firm account".

<sup>3</sup> [PBOT]NFX clearing account type "M" to be cleared through a "segregated futures professional account" or a "proprietary futures professional account."

<sup>4</sup> The Application Fee will be waived effective April 1, 2009 through June 30, 2009 for current NFX members seeking to transfer legal and/or equitable title. All other applicants seeking NFX membership will be required to pay the Application Fee.

<sup>5</sup> The Seat Transfer Fee will be waived effective April 1, 2009 through June 30, 2009.