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OFFICE OF THE SECRETARIAT

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April 29, 2009

Mr. David Stawick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

**RE: CBOT Market Making Program Modifications
 CBOT Submission No. 09-068**

Dear Mr. Stawick:

The Chicago Board of Trade, Inc. ("CBOT" or "Exchange") wishes to inform the Commodity Futures Trading Commission ("Commission") of several CBOT market maker programs for interest rate products that were modified, extended or otherwise revised without providing prior notification to the Commission. This oversight was identified as a result of an internal review of internal Exchange approvals and corresponding certifications that were initiated by Exchange staff. The Exchange wishes to update all of these market maker notifications at this time to ensure the Commission is current with all of the market maker programs and to certify the modifications to the programs. The Exchange hereby notifies the Commission that it has approved the modifications to the following market maker programs:

1. Extension of the Treasury Options market maker program by one year, through December 31, 2009. Two modifications to this program have occurred including expanding the number of participants to 60 from 48 and increasing the maximum flow allocated per product to 30% from 25%.
2. Extension of Federal Funds Options market maker program by one year, through December 31, 2009.
3. Extension of the Deferred Federal Fund futures market maker program by one year, through December 31, 2009. Modification of the program increasing the monthly rebate cap for non-members only to \$30,000 from \$15,000.
4. Modification of the 2006 CBOT Swap futures market maker program to include Treasury/Swaps inter-commodity spreads as eligible products. Extension of the 2006 CBOT 30-Year Swap futures market maker program through July 1, 2011 in order to align the 30-Year Swap futures expiration date with that of the 5-Year and 10-Year Swap futures within the 2006 CBOT Swap futures market maker program.
5. Extension of CBOT Swap futures market maker program by one year, through December 31, 2009. Several modifications to this program have occurred including the addition of the 7-Year swap futures and Treasury/Swaps inter-commodity spreads as eligible products for the program, adding non-members as eligible participants for the program, and reducing fees for registered market makers.

CBOT certifies that these programs comply with the Commodity Exchange Act and the regulations thereunder.

If you require any additional information regarding these programs, please contact Daniel Grombacher at 312-634-1583 or via e-mail at daniel.grombacher@cmegroup.com, or me at 312-648-5422. Please reference our CBOT Submission No. 09-068 in any related correspondence.

Sincerely,

/s/ Stephen M. Szarmack
Director and Associate General Counsel

Attachments

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Appendix 1
U.S. Treasury Options Electronic Market Maker Program

I. Original Terms of Market Maker Program

Eligible Participants

- Market makers must be a CBOT individual equity, trading, or e-cbot[®] member.
- An average of 12 market makers will be allowed in each product and each time period.

Hours

- Extended and Regular Trading Hours (ETH and RTH).

Obligations

- All market makers must respond to 70 percent of all Requests for Quotes (RFQs) regardless of contract, month, or strike.
- Treasury option market makers must stream quotes in ATM Straddles, ATM Calls and ATM Puts, and the four Calls and Puts to nearest ATM. The first two serial and the first two quarterly months will be reviewed.
- Market makers will be ranked on a quarterly basis with benefits going into effect the next month.

Tentative Evaluation and Allocation Periods	
Evaluation Period For	Allocation Effective Date
March 16, 2008 – June 15, 2008	July 1, 2008 – September 30, 2008
June 16, 2008 – September 15, 2008	October 1, 2008 – December 31, 2008
September 16, 2008 – December 15, 2008	January 1, 2009 – March 31, 2009*
*Contingent upon extension of market maker program after 2008.	

Tentative Scoring for Allocation Consideration and Rankings

- ETH market makers will be evaluated on their ETH performance.
- RTH market makers will be evaluated on both their RTH and ETH performance, regardless of official participation in the ETH program.

Program Term

- Start date is Sunday, January 27, 2008.
- End date is Wednesday, December 31, 2008.

Monitoring and Termination of Status

- CME Group will monitor market making activity on an ongoing basis, and retains the right to revoke market making status if CME Group concludes from its review that a program participant is not complying with the market-making obligations of the program.

Program Time Line

- CBOT Globex Launch – January 27, 2008 through March 15, 2008: All market makers will be ranked and given frequent updates when possible. This period will be used for the market makers to become comfortable with the new platform and develop their systems. These rankings will not be counted towards allocations.
- March 16, 2008 through June 15, 2008: All market makers will be ranked and sent weekly updates. These rankings will be real and final results will be applied towards allocations.
- June 1, 2008: Flow allocations will begin in both RTH and ETH programs. These allocations will be good through September 30, 2008.

II. Program Modifications

- **The program has been extended through December 31, 2009.**
- The number of participants has been expanded to 60 from 48.
- The maximum flow allocated per product has been increased to 30% from 25%.

Appendix 2
Federal Funds Options Market Maker Program 08-10

I. Original Terms of Market Program

Eligible Participants

- Market makers must be a CBOT individual equity, trading, or e-cbot® member.
- Up to 10 market makers will be allowed in each time period.

Hours

- Extended and Regular Trading Hours (ETH and RTH).

Obligations

- All market makers must respond to 70 percent of all Requests for Quotes (RFQs) regardless of contract, month or strike.
- Market makers will be ranked on a quarterly basis with benefits going into effect the next month.

Tentative Evaluation and Allocation Periods	
Evaluation Period For	Allocation Effective Date
March 16, 2008 – June 15, 2008	July 1, 2008 – September 30, 2008
June 16, 2008 – September 15, 2008	October 1, 2008 – December 31, 2008
September 16, 2008 – December 15, 2008	January 1, 2009 – March 31, 2009*
*Contingent upon extension of market maker program after 2008.	

Tentative Scoring for Allocation Consideration and Rankings

- ETH market makers will be evaluated on their ETH performance.
- RTH market makers will be evaluated on both their RTH and ETH performance, regardless of official participation in the ETH program.

Program Term

- Start date is Sunday, January 27, 2008.
- End date is Wednesday, December 31, 2008.

Incentives

- Participating market makers will receive certain clearing fee and Globex fee incentives depending on their eligibility status.

Monitoring and Termination of Status

- CME Group will monitor market making activity on an ongoing basis, and retains the right to revoke market making status if CME Group concludes from its review that a program participant is not complying with the market-making obligations of the program.

Program Time Line

- March 16, 2008 through June 15, 2008: All market makers will be ranked and sent weekly updates. These rankings will be real and final results will be applied towards allocations.
- June 1, 2008: Flow allocations will begin in both RTH and ETH programs. These allocations will be good through September 30, 2008.

II. Program Modifications

- **The program has been extended by one year, through December 31, 2009.**

Appendix 3
Deferred Federal Funds Futures Market Maker Program 2856.01R

I. Original Terms of Market Maker Program

Eligible Participants

- Market makers may be either a CBOT individual equity, trading, or e-cbot[®] member or a non-member.
- CME Group may designate, in its sole discretion, a limited number of Deferred Fed Funds market makers, which will be determined by CME Group. It is anticipated that there will be no more than twenty (20) participants in the program at any one time.

Obligations

- Each market maker must quote at least three monthly outright or calendar spread markets that include contract months 4-12 at contracted bid-ask spreads and size.
- Each market maker will be required to post continuous two sided markets in Fed Funds futures under normal market conditions for designated hours between 8:30 p.m. and 3:15 p.m. Chicago time each business day.
- For audit purposes, the market maker must identify to CME Group a proprietary account or accounts (the "Market Making Account") through which all market making activity under this agreement shall be conducted.

Program Term

- Start date is February 1, 2008.
- The program will expire on December 31, 2008.

Incentives

- Participating market makers will receive Globex fee rebates based on trading volume in deferred contracts.
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Monitoring and Termination of Status

- CME Group will monitor market making activity on an ongoing basis, and retains the right to revoke market making status if CME Group concludes from its review that a program participant is not complying with the market-making obligations of the program.

II. Program Modifications

- **The program has been extended by one year, through December 31, 2009.**
- The monthly rebate cap for non-members has been increased to \$30,000 from \$15,000.

Appendix 4
2006 CBOT Swap Futures Market Maker Program

I. Original Terms of Market Marker Program

Eligibility

- Market makers must be a CBOT individual equity, trading, or e-cbot® member.
- CME Group may designate, in its sole discretion, a limited number of Swap futures market makers, which will be determined by CME Group. There will be no more than three (3) participants in the program at any one time.

Obligations

- Each market maker will be required to post continuous two sided markets in the 5-Year, 10-Year, and 30-Year Swap futures under normal market conditions for 95% of the time between 7:20 a.m. and 2:00 p.m., Chicago time, each business day.
- For audit purposes, the market maker must identify to CME Group a proprietary account or accounts (the "Market Making Account") through which all market making activity under this agreement shall be conducted.

Program Term

- Start date is Monday, July 1, 2006.
- The program will expire on December 31, 2008.

Incentives

- Participating market makers will receive certain clearing fee and Globex fee incentives depending on their eligibility status.
- Pro rata share of Exchange fee credit pool.
- Trade allocation.

Monitoring and Termination of Status

- CME Group will monitor market making activity on an ongoing basis, and retains the right to revoke market making status if CME Group concludes from its review that a program participant is not complying with the market-making obligations of the program.

II. Program Modifications

- **Extension of the program through June 2011.**
- Modification to the scope of the program to include 7-Year Swap futures.
- Modification to the scope of the program to include Inter Commodity Spreads (ICS).
- Obligations for ICS: Quote a combination of either 3 ICS spread or outright Swap futures contracts 75% of the contracted market making hours.
- Incentives: Waiver of exchange fee for each Swap futures executed in the registered market making account(s). Exchange fee waiver for Treasury futures directly related to market making in Swap futures. Pro rata share of Exchange Fee Credit Pool defined as 25% of the total electronic exchange transactions fees less market maker rebates.
- The number of participants in the program will remain at three participants.
- Monitoring compliance with quoting parameters and calculation of monthly fee rebates would be administered by the Interest Rate Products group.

Appendix 5
Swap Futures Market Maker Program 2853.01R

I. Original Terms of Market Maker Program

Eligible Participants

- Market makers must be a CBOT individual equity, trading, or e-cbot® member.
- CME Group may designate, in its sole discretion, a limited number of Swap futures market makers, which will be determined by CME Group. It is anticipated that there will be no more than ten (10) participants in the program at any one time.
- Market maker status will be awarded on the basis of a bid sheet submitted to CME Group.

Obligations

- Each market maker will be required to post continuous two sided markets in the 5-Year, 10-Year or 30-Year Swap futures under normal market conditions for designated hours between 8:30 p.m. and 3:15 p.m., Chicago time, each business day.
- For audit purposes, the market maker must identify to CME Group a proprietary account or accounts (the "Market Making Account") through which all market making activity under this agreement shall be conducted.

Program Term

- Start date is Monday, December 3, 2007.
- **The program will expire on December 31, 2008.**

Incentives

- Participating market makers will receive certain clearing fee and Globex fee incentives depending on their eligibility status.

Monitoring and Termination of Status

- CME Group will monitor market making activity on an ongoing basis, and retains the right to revoke market making status if CME Group concludes from its review that a program participant is not complying with the market-making obligations of the program.

II. Program Modifications

- Extension of CBOT Swap futures market maker program by one year, through December 31, 2009.
- Addition of the 7-Year Swap futures and Treasury/Swaps inter-commodity spreads as eligible products for the program.
- Addition of non-members as eligible participants in the program.
- Reduction of "all in" fees from \$0.66 to \$0.22 for CBOT ECMs and from \$0.96 to \$0.44 for all non-member participants.
- Addition of Inter-Commodity Spread Program
- Obligations: Quote ICS markets in 3 of the following 75% of the contracted market making time:

NOS	10-Year U.S. Treasury Notes futures vs. 7-Year Swap futures
BOI	30-Year Swap futures vs. 30-Year U.S. Treasury Bond futures
TOS	10-Year Swap futures vs. 10-Year U.S. Treasury Note futures
FOS	5-Year Swap futures vs. 5-Year U.S. Treasury Note futures

Incentive for ICS Program: Fee waiver of the exchange fee on Treasury futures for each Swap futures executed in the registered market making account(s). This program is eligible for any membership status.