

Marco Bianchi Senior Vice President NYSE Liffe US 20 Broad Street, 10th Floor New York, NY 10005 T +1 212 656 4300

#### By Electronic Mail

June 13, 2013

Ms. Melissa Jurgens
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21<sup>st</sup> Street, N.W.
Washington, D.C. 20581

CONFIDENTIAL TREATMENT REQUESTED

Re: NYSE Liffe US Submission—2013-110 Notice Announcing Renewal of General Designated Market Maker Program for GCF Futures

Dear Ms. Jurgens:

I am a Senior Vice-President of NYSE Liffe US LLC ("NYSE Liffe US" or the "Exchange"). Pursuant to Section 5c(c) of the Commodity Exchange Act, as amended (the "Act"), and U.S. Commodity Futures Trading Commission (the "Commission") Regulations (the "Regulations") Section 40.6(a), I enclose a Cover Sheet for NYSE Liffe US Submission 2013-110 and NYSE Liffe US Notice 13/2013 which announces the renewal of the General Designated Market Maker Program for GCF Futures ("General DMM Program") effective with the July 1, 2013, trading session.

NYSE Liffe US hereby certifies that: (i) the General DMM Program complies with the Act and the regulations thereunder and (ii) a notice and copy of this submission is being concurrently posted on the Exchange's web site. Additionally, a concise explanation and analysis of the General DMM Program and its compliance with applicable provisions of the Act, including core principles and the Commission's regulations thereunder, is attached. No substantive opposing views were expressed by members or others with respect to the market maker program.

If you have any questions, please call me at (212) 656-4312.

Yours Truly,

Marco Bianchi Enclosures

# Designated Contract Market Core Principles Implicated by NYSE Liffe US Submission 2013-110

CORE PRINCIPLE	ANALYSIS
Core Principle 2:	The Exchange has carefully vetted all participants in the
Compliance with Rules	General DMM Program. All participants are subject to a
	market making agreement by which each participant agrees to
	abide by the Act and all rules, regulations, orders and
	interpretations of the CFTC and any applicable self-regulatory
	organization. In addition, the Exchange has the right to
	terminate the agreement immediately if the membership or
	trading rights of any market maker are suspended or if, in the
	opinion of the Exchange's Market Regulation Department, the
	market maker's activity violates any applicable law or rule.
<b>Y</b>	Moreover, each participant agrees to not only comply with the
	requirements of the program, but also all existing rules of the
	Exchange including Chapter 3, governing access to the
	Exchange's Trading Platform, Chapter 6 governing the
	business conduct of Exchange members and prohibiting,
	among other things, fraudulent acts, fictitious and pre-arranged
	trades, market manipulation, disruptive trading and acts
	inconsistent with just and equitable principles of trade. The
	Exchange monitors its markets on a constant basis in real-time.
	In addition, through the operation of a regulatory services
	agreement, the National Futures Association provides to the
	Exchange comprehensive trade practice and market
	surveillance services designed to detect activities that are not in
	compliance with the Act, CFTC Rules, or Exchange rules and
	policies. Additionally, the Exchange has the authority, through
	Chapter 7 of the Exchange's rulebook, and the capacity to
	investigate any possible rule violations and, where appropriate,
	bring disciplinary actions and impose sanctions for any
	violations. Finally, the Exchange has in place effective
	international information sharing arrangements and has entered
	into accords such as the Boca Declaration and the Intermarket
	Surveillance Group Agreement.
Core Principle 3:	The program does, not incentivize manipulative or other
Contracts not Readily	abusive practices. In the Exchange's experience, programs of
Subject to Manipulation	this type have not promoted abusive practices by participants.
	Further, the Exchange has policies and procedures to monitor
	the participants and trading in GCF Futures and to detect and
	prevent manipulative or abusive trading and practices.

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CORE PRINCIPLE	ANALYSIS
Core Principle 4: Prevention of Market	Trading by participants in the program, like all trading in GCF Futures, will be subject to the existing trade practice and
Disruption of Market	market surveillance policies and procedures of the Exchange.
	As stated above, the Exchange has real-time surveillance
	capabilities involving both human interaction as well as
	technological tools. Furthermore, the Exchange staff, in coordination with National Futures Association, has the
	capacity to detect and respond to manipulation and price
	distortions in its market and the ability to provide accurate and
	complete trade reconstruction.
Core Principle 5:	Participants in the program will be subject to all applicable
Position Limits or	position accountability levels.
Accountability Core Principle 9:	Market maker programs are designed to enhance the market,
Execution of Transactions	providing liquidity and requiring consistent, tighter markets
	that tend to promote more accurate price discovery.
	Furthermore, the Exchange will, as it does for all such
	programs, monitor the impact, if any, that this particular
	program has on trading on the centralized market and, in the
	event the Exchange identifies any deleterious effect to the centralized market, will take appropriate action.
Core Principle 10:	The Exchange records and maintains an audit trail with all
Trade Information	trade information regarding trading by all market participants,
v	including the participants in the program, necessary to monitor
	for customer and market abuse.
Core Principle 12.	Participants in the program remain subject to all of the
Protection of Markets and Market Participants	Exchange's rules. Chapter 6 of the Exchange's rulebook governs the business conduct of Exchange members and
Markei I uriicipums	prohibits, among other things, fraudulent acts, fictitious and
	pre-arranged trades and other activities that could disadvantage
	their customers, as well as disruptive trading and acts
	detrimental to the Exchange and inconsistent with just and
	equitable principles of trade. The Exchange monitors for and
	investigates any possible rule violations and where appropriate
	brings disciplinary actions and imposes sanctions for any violations by any participants in these programs.
Core Principle 19:	The program will not result in any restraint of trade as it puts
Antitrust Considerations	no restrictions on trading in other competing markets and
	venues.
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# **NYSE LIFFE US NOTICE No. 13/2013**

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ISSUE DATE:

June 13, 2013

**EFFECTIVE DATE:** 

July 1, 2013

# Renewal of General Designated Market Maker Program for GCF Futures

#### **Summary**

This Notice announces the renewal of the General Designated Market Maker Program ("General DMM Program") in Futures on DTCC GCF Repo Index® Products.

## 1. Introduction

- 1.1 NYSE Liffe US Notice No. 47/2012 announced the appointment of market makers ("MMs") to participate in the Exchange's General DMM Program in Futures on DTCC GCF Repo Index<sup>TM</sup> Products ("GCF Futures") commencing with the January 16, 2013 Trading Session and continuing through the June 28, 2013 Trading Session.
- 2. Renewal of Designated Market Maker Program
- 2.1 After considering the performance of the MMs participating in the current term of the General DMM Program in GCF Futures, which expires on June 30, 2013, the Exchange has determined to renew the General DMM Program in GCF Futures for a new term, commencing July 1, 2013 and continuing through December 31, 2013.
- 2.2 All DMM appointments are subject to the terms of a contractual agreement between the Exchange and each DMM. Under the terms of the agreements, each DMM represents that its market making activity will comply with all applicable provisions of the Commodity Exchange Act, the rules and regulations of the Commodity Futures Trading Commission and the Rules of the Exchange. The Exchange will monitor each DMM's performance of market making activity under the contract and may adjust benefits otherwise due under the agreement and/or terminate the agreement if it determines the DMM has failed to perform its obligations as a DMM under the agreement.

Members who have questions or seek additional information in respect of this Notice should contact:

New York Office

+1 212 656 4300

Chicago Office

+1 312 442 7730

nyseliffeus@nyx.com

#### Attachment 1

# General Designated Market Maker Program for GCF Futures

## **Eligible Participants**

Market Participants

#### Hours

- Trading Session is divided into two discrete sessions:
  - o European Session 2:00 am to 12:00 pm ET
  - o US Session: 6 am 4 pm ET

### **Program Term**

• July 1, 2013-December 31, 2013

# **Obligations**

- A market Participant that is registered as a market maker in this program must be in full compliance with Exchange rules
- Post bids and offers at contracted bid/ask spreads and sizes in GCF Futures during designated trading hours under normal market conditions to be determined by contract with individual market maker

### **Incentives**

• Reduced exchange fees in each product supported by the MM with the exception that the exchange fees for the top 5 MMs by traded volume in each product in a particular month will be waived for that particular product.

# Monitoring and Termination Status

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



Karl Cooper Chief Regulatory Officer NYSE Liffe US 20 Broad St, 10<sup>th</sup> floor New York, NY 10005 T +1 212 656 4568

# FOIA CONFIDENTIAL TREATMENT REQUEST BY NYSE LIFFE US LLC

## By Electronic Mail

June 13, 2013

Linda J. Mauldin
Paralegal Specialist
FOIA Compliance Office
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21<sup>st</sup> Street, N.W.
Washington, D.C. 20581

CONFIDENTIAL TREATMENT REQUESTED

Re: FOIA Confidential Treatment Request

Dear Ms. Mauldin:

By e-mail dated today, June 13, 2013, NYSE Liffe US LLC ("NYSE Liffe US" or the "Exchange") in connection with NYSE Liffe US Submission 2013-110, voluntarily provided the supplemental information attached.

Pursuant to Commission Rule 145.9(d), the Exchange requests confidential treatment of the information attached and this letter on the grounds that disclosure of this information would reveal confidential commercial or financial information of the Exchange. Pursuant to Commission Rule 145.9(d)(5) the Exchange requests that confidential treatment of the attached information be maintained until further notice from the Exchange. The Exchange requests that the Commission notify it immediately after receiving any request under the Freedom of Information Act ("FOIA") or any other court order, subpoena or summons for the attached information. The Exchange specifically notes that it does not waive in any manner its rights under Section 8(f) of the Commodity Exchange Act to receive a copy of any subpoena or summons for the attached information prior to the Commission's disclosure of such information pursuant to such subpoena or summons. Finally, the Exchange requests that the Commission notify it in the event that the Commission intends to disclose the attached information to Congress or any federal or state governmental agency or department.

In connection with this request for confidential treatment, and pursuant to Commission Rule 40.8, the Exchange is submitting the attached detailed written justification in support of the request for confidential treatment.

If you have any questions, please call me at (212) 656 4568.

Yours truly,

Karl Cooper Enclosure



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