

C.F.T.C. OFFICE OF THE SECRETARIAT 2009 SEP 4 AM 9 55

September 3, 2009

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

RE: Notification of CME Weather Product Market Maker Program CME Submission No. 09-111R

Dear Mr. Stawick:

Chicago Mercantile Exchange Inc. ("CME" or "Exchange") hereby notifies the Commodity Futures Trading Commission ("Commission") regarding a CME market maker program for weather products that was originally filed on June 17, 2009. Commission staff recently requested additional information regarding the program which is attached hereto.

CME certifies that this program complies with the Commodity Exchange Act and the regulations thereunder.

If you have any questions regarding this program, please contact Felix Carabello at (312) 634-1585 or via e-mail at <u>felix.carabello@cmegroup.com</u> or Paul Peterson at (312) 930-4587 or via e-mail at <u>paul.peterson@cmegroup.com</u> or contact me at (312) 648-5422. Please refer to CME Submission No. 09-111R in all correspondence regarding this matter.

Sincerely,

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

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Attachment 1

Weather Products Market Maker Agreement

I. Original Terms of Market Maker Program

Eligible Participants

- Market makers must be a CME Trading Firm or Member
- Up to 5 market makers will be allowed in the program

Obligations

- Post bids and offers in contract markets specified by the market maker from Monday Friday during the hours 0830 1515.
- The maximum Bid Ask spread shall not exceed 150 degree days.
- The minimum quote size shall be 25 contracts.
- All product activity shall be conducted through a proprietary account of the market maker.
- Market maker shall identify to CME a single fix ID or Globex user ID for market making activity.

Program Term

- Start date is February 25, 2006
- End date is February 25, 2010

Incentives

- Waiver of CME Globex execution fees on Weather Products traded
- Waiver of CME clearing fees on Weather Products traded
- Waiver of CME ex-pit surcharges on Weather Products traded
- Waiver of position transfer fees, CME Globex line charges and related CME Globex costs for Weather Products traded

Monitoring and Termination of Status

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

II. Program Modifications

• None