

October 25, 2013

#### **VIA E-MAIL**

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

#### RE: Extension of CBOT and CME Member HRW Incentive Program KCBT Submission No. 13-508

Dear Ms. Jurgens:

The Board of Trade of Kansas City, Missouri, Inc. ("KCBT") hereby notifies the Commodity Futures Trading Commission ("Commission") that it plans to extend the CBOT and CME Member HRW Incentive Program ("Program") in connection with the transition of KCBT products to the Board of Trade of the City of Chicago, Inc. ("CBOT"). The extension of the Program is proposed through February 28, 2014 or the date on which the KCBT contracts and open interest are migrated to CBOT in accordance with a Commission Order permitting the same. The Program is set to expire on November 30, 2013. The extension will become effective on December 1, 2013.

Exhibit 1 sets forth the terms of the Program. Modifications appear below with additions <u>underscored</u> and deletions <del>overstruck</del>.

Exchange business staff responsible for the Program and the Exchange legal department collectively reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodities Exchange Act ("CEA"). During the review, Exchange staff identified the following Core Principles as potentially being impacted; Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants and Compliance with Rules.

The extension of the Program will not impact the Exchange's ability to perform its trade practice and market surveillance obligations under the CEA. The Program does not impact the Exchange's order execution. Market participants that meet the criteria described in Exhibit 1 shall be entitled to participate. The Exchange rules include prohibitions against fraudulent, non-competitive, unfair or abusive practices. The Program is subject to these rules.

The Exchange certifies that the extension of the Program complies with the CEA and the regulations thereunder. There were no substantive opposing views to the extension of this Program.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <a href="http://www.cmegroup.com/market-regulation/rule-filings.html">http://www.cmegroup.com/market-regulation/rule-filings.html</a>.

If you require any additional information regarding this submission, please contact Tim Elliott at 312-466-7478 or via e-mail at <u>Tim.Elliott@cmegroup.com</u>, or contact me at 212-299-2200. Please reference our KCBT Submission No. 13-508 in any related correspondence.

Sincerely,

/s/ Christopher Bowen Managing Director and Chief Regulatory Counsel

Attachment: Exhibit 1

# EXHIBIT 1 CME AND CBOT MEMBER HRW INCENTIVE PROGRAM

# Program Purpose

The purpose of this Program is to incentivize trading in the products listed below. A more liquid contract benefits the entire marketplace.

## Product Scope

KCBT hard red winter wheat futures and option contracts ("Products").

# Eligible Participants

There is no limit to the amount of participants in the Program. Participants must one of the following:

- A CBOT (i) Individual Member, Individual Delegate, Equity Member<sup>1</sup> Individual Non-Equity Member (other member/delegate executing); Rule 106.H. Corporate Trading Firm; Rule 106.H. Trading FCMs; Rule 106.I. Affiliate Trading Member Firm; 106.J Member or Electronic Corporate Member.
- 2. A CME (i) Individual Equity Member, Individual Delegate, Rule 106.J Equity Member Firm, Rule 106.I Member, or 106.S Member.

## Program Term

Start date is December 3, 2012. End date is November 30, 2013 February 28, 2014 or the date on which the KCBT products are formally transitioned to CBOT, whichever comes first.

### <u>Hours</u>

The incentives will apply to all trades made in the Products by all participants regardless of the execution time.

### **Program Incentives:**

Participants in the Program shall be entitled to trade the Products at the following rates:

CBOT Account Owner	Execution Type	Platform	Exchange Fee
	Member Trading	Open Auction	\$0.00
	Own Account	Electronic	\$0.14
Individual Delegates	Delegate Trading Own Account	Open Auction	\$0.00
		Electronic	\$0.29
Equity Members <sup>1</sup>	Member or	Open Auction	\$0.00

<sup>&</sup>lt;sup>1</sup> Includes Clearing Closely Held Corporate Members & Sole Proprietors, Rule 106.J. Equity Closely Held Corporate Member

	Delegate	Electronic	\$0.14
Equity Members <sup>1</sup>	Non Member	Electronic	\$0.45
(Exception) Rule 106.S.	Member,	Open Auction	\$0.00
Family of Funds Equity Member Firms	Delegate or Non Member	Electronic	\$0.45
Individual Non-Equity Members (other	N/A	Open Auction	\$0.00
member/delegate executing); Rule 106.H. Corporate Trading Firms; Rule 106.H. Trading FCMs; & Rule 106.I. Affiliate Trading Member Firms	N/A	Electronic	\$0.75
Individual Delegates (Other Member or Delegate executing the trade) & Rule 106.I. Affiliate Trading Member Firms if leased	N/A	Open Auction	\$0.00
	N/A	Electronic	\$0.90
Rule 106.S. Family of Funds Equity Member Firms	N/A	Open Auction	\$0.00
	N/A	Electronic	\$0.75
Electronic Corporate Members	N/A	Electronic	\$0.90

CME Account Owners	Execution Type	Platform	Exchange Fee
Individual Equity Members	Member Trading Own Account	Open Auction	\$0.00
	Member Trading Own Account	Electronic	\$0.14
	Not Trading For Own Account	Open Auction	\$0.00
	Not Trading For Own Account	Electronic	\$0.75
Individual Delegates (Rule 106.D Lessees / Rule 106.F Employees)	Delegate Trading Own Account	Open Auction	\$0.00
	Delegate Trading Own Account	Electronic	\$0.29
	Not Trading For Own Account	Open Auction	\$0.00
	Not Trading For Own Account	Electronic	\$0.90
Clearing Member Firms/Rule	Member or Delegate	Open Auction	\$0.00
106.J Equity Member Firms/Rule 106.I Members/106.S Family of Hedge Funds	Member or Delegate	Electronic	\$0.14
	Non-Member	Electronic	\$0.45

Other Fees (Applicable to all Participants)	Rate
Non-Pit Clearing Fee <sup>2</sup>	\$0.06
Pit Clearing Fee <sup>3</sup>	\$0.00
Ex-Pit Surcharges (EFR)	\$0.50
Exchange Fees for Non Trades (Exercise, Assignment, Delivery, Future from Exercise and Future from Assignment)	\$0.05 (CME and CBOT Members) \$0.20 (Delegates)
Exchange Fees for Expired Options	\$0.05
Brokerage Fee (with or without Discretion) Monitoring and Termination of Status	\$0.00

The Exchange shall monitor trading activity and shall retain the right to revoke Program participant status if it concludes from review that a Program participant no longer meets the eligibility requirements of the Program.

<sup>&</sup>lt;sup>2</sup> Clearing Fee includes Electronic Give Ups, Electronic Trades, Electronic Spreads, Exercise, Assignment and Delivery transaction types <sup>3</sup> Clearing Fee waiver includes Pit Trades, Pit Spreads, Pit Give Ups