



C.F.T.C.  
OFFICE OF THE SECRETARIAT  
2009 DEC 16 PM 3 32

December 16, 2009

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

**RE: CME Rule 140 ("Agricultural Business Solicitation Permit Program")  
CME Submission No. 09-315**

Dear Mr. Stawick:

Chicago Mercantile Exchange Inc. ("CME" or "Exchange") hereby notifies the Commodity Futures Trading Commission ("Commission") that it will delete CME Rule 140 ("Agricultural Business Solicitation Permit Program") effective with the close of business on December 31, 2009. CME previously notified the Commission that the program would expire on December 31, 2009, in Submission No. 08-20 from January 28, 2008.

The deletion is set forth below, with the complete text of the rule overstruck. The Exchange certifies that the deletion of Rule 140 complies with the Commodity Exchange Act and regulations thereunder.

**136.-1939. [RESERVED]**

**140. ~~AGRICULTURAL BUSINESS SOLICITATION PERMIT PROGRAM~~**

**140.A. ~~Number of Permits~~**

~~The Exchange shall authorize and issue no more than 14 Permits for Agricultural Solicitation (PASs). PASs that have been revoked, withdrawn, or abandoned may not be reissued.~~

**140.B. ~~Eligibility and Approval~~**

~~An application for a PAS must meet all conditions for and be approved for membership on the Exchange. Upon approval for membership, the PAS holder shall be subject to the rules of the Exchange. An applicant for a PAS must be an Associated Person registered with the NFA and be an employee of a CME clearing member. The foregoing qualifications must be met at all times.~~

**140.C. ~~Term of Permits and Program Expiration Date~~**

~~PASs shall be valid for a period of three years, beginning with the date of issuance to the PAS holder, except that all PASs shall expire no later than December 31, 2009. An existing PAS which expires prior to December 31, 2009, may be renewed by the current PAS holder with the approval of Exchange staff.~~

**140.D. ~~Cost of Permits~~**

~~PASs will be offered at a price of \$250 per month with payments to be remitted quarterly. Accordingly, a PAS holder shall pay \$750 at the start of each quarter.~~

**140.E. ~~PAS Privileges~~**

~~PAS holders shall have access to the trading floor to solicit customer business only for CME agricultural products. While on the floor, PAS holders shall not solicit business for other products and shall not be compensated for processing any customer orders to trade other products. A PAS holder may continue to receive a salary from the CME clearing member that employs the PAS holder.~~

- ~~1. A PAS's customers shall be carried directly on the books of an Exchange clearing member.~~
- ~~2. A PAS holder shall be supervised by a member present on the floor.~~
- ~~3. PAS holders shall be required to make a continuing bona fide effort to solicit customer business in agricultural products.~~

~~140.F. Additional Limitations of PAS Holders~~

- ~~1. A PAS conveys no equity to the holder at expiration.~~
- ~~2. A PAS does not entitle the holder to voting privileges or attendance at members' social functions.~~
- ~~3. A PAS holder shall have no minimum net capital requirement.~~
- ~~4. A PAS holder shall not be eligible to execute orders or to trade any futures or options contracts on the Exchange for his own account.~~

~~140.G. Jurisdiction~~

~~Exchange staff shall have the greatest latitude in determining whether permit holders have complied with the rules of the program. In the event that Exchange staff determines that a PAS holder has failed to comply with the rules of this program, it shall have the authority to suspend floor privileges and to revoke the permit. In no event, however, shall a permit holder be entitled to the return of any portion of the cost of the permit.~~

~~441.103. [RESERVED]~~

If you have any questions regarding the deletion of Rule 140, please contact Robert Sniegowski, Market Regulation, at 312.341.5991 or me at 312.648.5422. Please reference CME Submission No. 09-315 in any related correspondence.

Sincerely,

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