



Via Electronic Mail

December 18, 2012

Mr. David Stawick  
Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street NW  
Washington, DC 20581

SUBJECT: Rule Certification

Dear Mr. Stawick:

Pursuant to Commodity Exchange Act ("CEAct") Section 5c and Commodity Futures Trading Commission ("CFTC" or "Commission") Regulation 40.6(a), the Minneapolis Grain Exchange, Inc. ("MGEX" or "Exchange") hereby certifies that amendment of the respective attached Regulations and Resolutions of the MGEX Rules and Regulations complies with the CEAct and the Commission regulations thereunder. MGEX further certifies that the submission and pending changes to the MGEX Rules and Regulations have been posted on the Exchange website at the following link: <http://www.mgex.com/regulation.html>.

The explanation and purpose for the amendment of Regulation 2009.00. is to clarify recordkeeping requirements. The explanation and purpose for the amendment of Regulation 2020.00. is to clarify the name of Exchange fees for consistency throughout the MGEX Rules and Regulations. The explanation and purpose for the amendment of Resolution 2020.00. is to remove certain restrictions on the fee amounts.

Pursuant to the authority of MGEX Rule 210.01., the Board of Directors unanimously approved the amendments of Regulation 2009.00.; Regulation 2020.00.; and Resolution 2020.00. There were no substantive opposing views expressed by the Board of Directors. These amendments to the MGEX Rules and Regulations are to be effective as soon as practicable after the 10<sup>th</sup> business day following the date of this filing. If there are any questions regarding this submission, please contact me at (612) 321-7128. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'Eric J. Delain'.

Eric J. Delain  
Corporate Counsel

Enclosure

cc: Thomas J. Bloom

The following MGEX Rules and Regulations are to be amended. Additions are underlined while deletions are marked through.

**2009.00. RECORDS OF TRANSACTIONS.**

Any ~~person, firm, partnership, trust, or other legal entity~~ large trader, as defined by the CFTC, initiating or executing transactions on the Exchange must keep full, complete and systematic records of their activity, including, but not limited to, records of their activity in the underlying commodity and related derivatives markets. Such records must be retained for a minimum of five (5) years and must be made available at the request of the Exchange.

**2020.00. EXCHANGE SERVICE FEE.**

Pursuant to the provisions of Rule 231.00., the Board of Directors ~~of the Corporation~~ has adopted this Regulation:

- A. ~~The Exchange shall set~~ Exchange service fees shall be fixed from time to time ~~and shall have such fees of force and effect~~ by the Board (see Res. 2020.00.) The Board of Directors ~~of the Corporation~~ may elect to waive ~~or modify~~ fees on a Contract for a period they deem appropriate.
- B. Payment of the Exchange service-fee will be due on receipt of invoice at the end of each month for the transactions (whether purchases, sales or deliveries) executed on the Exchange during that month. Payment is to be submitted to the Treasurer of the Corporation.

**RESOLUTION 2020.00.**

The Minneapolis Grain Exchange Board of Directors has adopted the following schedule of Exchange service fees to be paid to the Corporation for each contract of Minneapolis Grain Exchange Futures bought, sold, exchanged for physical or risk, transferred, delivered, accepted for delivery or cash settled, or for each contract of Minneapolis Grain Exchange Options bought, sold, transferred, exercised or assigned.

First 15,000 Contracts per month

Member rate ———— \$0.80

Delegate rate ———— \$1.20

Non-Member rate ———— \$1.60

Next 15,000 Contracts per month

Member rate ———— \$0.60

Delegate rate ———— \$1.00

Non-Member rate ———— \$1.40

Each Additional Contract per month

Member rate ———— \$0.45

Delegate rate ———— \$0.85

Non-Member rate ———— \$1.25

~~Exchange service fees will be charged per account.~~

~~For purposes of computing fees, a "member" is the individual listed as the record holder of a membership and trades Exchange contracts for their own account. Further, member rates apply to a firm or corporation which is a record owner of a membership. Member rates do not apply to employees, associated persons, affiliate companies, subsidiary corporations or parent corporations of a member firm or corporation unless they also are a record owner of a membership.~~

~~A "delegate" is the individual listed as the record holder of a leased membership and trades Exchange contracts for their own account.~~

~~Approved by the Board April 19, 2011, effective May 1, 2011.~~