

Goodman, Israel J.

From: Anja Greenwood <anja.greenwood@eex.com>
Sent: Wednesday, October 30, 2019 8:18 PM
To: Goodman, Israel J.
Cc: Andresen, Duane C.; Wolfgang von Rintelen; Lave, Jonathan
Subject: [EXTERNAL] AW: Confidentiality of EEX FBOT Application Documents

Dear Mr. Goodman,

I refer to your email below regarding the confidentiality of the EEX FBOT application documents and the outstanding vote on EEX's application for FBOT registration.

Pursuant to Regulation 145.9 of the CFTC, European Energy Exchange AG ("EEX") requests that the CFTC afford confidential treatment under the Freedom of Information Act to certain communications and documents (the "Documents") submitted by EEX to the CFTC with regards to the EEX's application to become a registered foreign board of trade which have been submitted to the CFTC in the course of the application process (the "FBOT Application").

EEX requests confidential treatment for certain Exhibits of its FBOT application and materials related to this application. Please find a list of the specific Documents for which EEX requests confidential treatment at the end of this email. Confidential treatment is requested on the grounds that disclosure of the Documents would reveal trade secrets or confidential commercial and financial information concerning EEX.

The submitter of this request is EEX. The address of the submitter is Augustusplatz 9, 04109 Leipzig, Germany. Attention: Anja Greenwood, Expert Legal, European Energy Exchange AG, phone: +49 341 2156 252, email: anja.greenwood@eex.com.

Confidential treatment of the documents is sought until such time as the submitter notifies the CFTC that the Material is no longer deemed confidential.

Documents for which confidentiality is requested:

- FBOT Exhibit A-2
- FBOT Exhibit A-7
- FBOT Exhibit C only Attachment
- FBOT Exhibit D
- FBOT Exhibit G including the Attachment
- FBOT Supplement S-1 Exhibit A-2
- FBOT Supplement S-1 Exhibit A-4
- FBOT Supplement S-1 Exhibit A-6

Please do not hesitate to contact us in case of questions.

Best regards,
Anja Greenwood

--

Dr. Anja Greenwood LL.M.

Expert Legal (Rechtsanwältin)

P: +49 341 2156 - 252 | F: +49 341 2156 - 109
anja.greenwood@eex.com

European Energy Exchange AG

Augustusplatz 9 | 04109 Leipzig | Germany
www.eex.com



Executive Board : Peter Reitz (CEO), Steffen Köhler, Dr. Egbert Laege, Dr. Dr. Tobias Paulun, Jens Rick, Iris Weidinger
Chairman of the Supervisory Board: Dr. Thomas Book
Commercial Register Number: Leipzig HRB 18409

Please read our [Privacy Policy](#)

Follow us on [Twitter](#) / [LinkedIn](#) / [XING](#)

Von: Goodman, Israel J. [mailto:IGoodman@CFTC.gov]

Gesendet: Dienstag, 29. Oktober 2019 14:12

An: Anja Greenwood <anja.greenwood@eex.com>

Cc: Andresen, Duane C. <dandresen@CFTC.gov>; Wolfgang von Rintelen <Wolfgang.Rintelen@eex.com>; Lave, Jonathan <JLave@CFTC.gov>

Betreff: RE: Confidentiality of EEX FBOT Application Documents

Wichtigkeit: Hoch

Dear Dr. Greenwood,

I am writing to follow up on the matter below. I have been informed that the Commission is planning to vote on EEX's application for FBOT registration soon. In connection with that vote, we will need to post all of EEX's FBOT application documents on our public website, unless you submit a request for confidentiality by COB tomorrow, October 30. If we do not receive a response to this email, we will have to assume EEX is no longer interested in requesting confidentiality with respect to any of the application documents.

Sincerely,

Israel J. Goodman

Special Counsel

Division of Market Oversight

U.S. Commodity Futures Trading Commission

1155 21st Street, NW | Washington DC 20581 | Tel: 202.418.6715 | Fax: 202.418.5528 | igoodman@cftc.gov

From: Goodman, Israel J.

Sent: Thursday, October 17, 2019 11:23 AM

To: 'Anja Greenwood'

Cc: Andresen, Duane C.; Wolfgang von Rintelen

Subject: RE: Confidentiality of EEX FBOT Application Documents

Dear Dr. Greenwood,

I am following up on the exchange below regarding the confidentiality of EEX's application materials. I wanted to bring to your attention that it is highly likely that EEX application materials will be posted to our public website in the near term. While you previously expressed an interest in submitting a request for confidentiality, I don't believe we ever received one. If you still have an interest in submitting such a request, please provide a written request as soon as possible.

Many thanks,

Israel J. Goodman
Special Counsel
Division of Market Oversight
U.S. Commodity Futures Trading Commission
1155 21st Street, NW | Washington DC 20581 | Tel: 202.418.6715 | Fax: 202.418.5528 | igoodman@cftc.gov

From: Anja Greenwood [<mailto:anja.greenwood@eex.com>]
Sent: Wednesday, January 25, 2017 5:51 AM
To: Goodman, Israel J.
Cc: Andresen, Duane C.; Stamoulis, Alexandros; Wolfgang von Rintelen
Subject: AW: Confidentiality of EEX FBOT Application Documents

Dear Mr. Goodman,

Referring to your inquiry below I would like to inform you that EEX wished to submit a request for confidentiality treatment with respect to a number of documents and/or information provided by EEX in connection with its application for registration as an FBOT. We will prepare such request and send it to you in due course. Could you please advise on the timeframe for the respective request.

Best regards,
Anja Greenwood

--

Dr. Anja Greenwood LL.M.

Rechtsanwältin / Lawyer
Legal & Compliance
Senior Expert Legal Affairs

P: +49 341 2156 - 252 | F: +49 341 2156 - 109
anja.greenwood@eex.com

European Energy Exchange AG
Augustusplatz 9 | 04109 Leipzig | Germany
www.eex.com



Executive Board : Peter Reitz (CEO), Jean-François Conil-Lacoste, Steffen Köhler, Dr. Egbert Laege, Dr. Dr. Tobias Paulun, Dr. Thomas Siegl, Iris Weidinger
Chairman of the Supervisory Board: Dr. Jürgen Kroneberg
Commercial Register Number: Leipzig HRB 18409

Follow us on [Twitter](#) / [LinkedIn](#) / [XING](#)



Von: Goodman, Israel J. [<mailto:IGoodman@CFTC.gov>]

Gesendet: Monday, 23. January 2017 22:34

An: Anja Greenwood

Cc: Andresen, Duane C.; Stamoulis, Alexandros

Betreff: Confidentiality of EEX FBOT Application Documents

Dear Dr. Greenwood,

Please let me know by January 25, 2017 if EEX wishes to submit a request for confidential treatment with respect to any of the documents or information provided by EEX in connection with its application for registration as an FBOT. See Regulation 48.5(c), which provides as follows:

“An applicant for registration must identify with particularity any information in the application that will be subject to a request for confidential treatment and must provide support for any request for confidential treatment pursuant to the procedures set forth in Regulation 145.9.”

We do not have a record of any such request made by EEX to date. If EEX does not file a request for confidential treatment, staff will be posting all of the documents submitted by EEX on the Commission’s website, where they will be viewable by the public. See <https://sirt.cftc.gov/sirt/sirt.aspx?Topic=ForeignBoardsOfTrade>

If EEX wishes to request confidentiality with respect to any documents, to the extent practicable please provide a redacted copy of the document(s) in question that can be made available on our website.

Please don’t hesitate to contact me if you have any questions.

Thank you,

Israel J. Goodman

Special Counsel

Division of Market Oversight

U.S. Commodity Futures Trading Commission

1155 21st Street, NW | Washington DC 20581 | Tel: 202.418.6715 | Fax: 202.418.5528 | igoodman@cftc.gov