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February 15, 2022

**VIA CFTC PORTAL**

Commodity Futures Trading Commission  
Attention: Chris Kirkpatrick, Secretary  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**Re: CFTC Regulation 40.6(a) Certification: Amendments to Nodal Clear Risk Policies**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“Commission” or “CFTC”) Regulation 40.6(a), Nodal Clear, LLC (“Nodal Clear” or “Clearing House”) hereby notifies the Commission that it is self-certifying amendments to the Nodal Clear Risk Policies (“Risk Policies”). The Risk Policies are attached hereto with indications as to the specific text that is being amended. Amendments to the Risk Policies are to be effective on March 2, 2022.

Nodal Clear proposes to amend its Risk Policies to provide greater clarity and detail regarding Nodal Clear’s risk practices. The amendments include enhancements to Nodal Clear’s descriptions of its methodology for back-testing, stress scenarios, investment collateralization, and reconciliation procedures. The amendments will also enhance Nodal Clear’s Letters of Credit (“LC”) testing practices to further ensure that each LC issuing bank meets Nodal’s LC performance requirements. Additional amendments to the Risk Policies were made for clarity and consistency throughout the document.

Nodal Clear management has assessed the amendments to the Risk Policies and their compliance with applicable provisions of the Commodity Exchange Act (“CEA”), including the Commission’s Regulations and DCO Core Principles. Nodal Clear has identified that the amendments may have some bearing on the following Core Principles:

Core Principle B – Financial Resources: The amendments to the Risk Policies further elaborate Nodal Clear’s policies that ensure Nodal Clear’s ability to discharge its financial, operational, or managerial responsibilities as a DCO.

Core Principle D – Risk Management: The amendments to the Risk Policies continue to ensure Nodal Clear’s ability to identify and manage the risks associated with discharging the responsibilities of a DCO.

Core Principle F – Treatment of Funds: The amendments to the Risk Policies continue to ensure that Nodal Clear holds clearing member and customer funds in a manner that minimizes risk of loss.

Pursuant to Section 5c(c)(1) of the CEA and the Commission’s Regulation 40.6(a), Nodal Clear certifies that the amendments to the Risk Policies comply with the CEA and the Commission’s Regulations thereunder. Nodal Clear is not aware of any opposing views expressed regarding the amendments to the Risk Policies. Nodal Clear certifies that this submission has been concurrently posted on the Nodal Clear website at [www.nodalclear.com](http://www.nodalclear.com).

If you have any questions or need additional information regarding this submission, please contact me at 703-962-9864 or [alvarez@nodalexchange.com](mailto:alvarez@nodalexchange.com).

Sincerely,

/s/Cody Alvarez

Cody Alvarez  
Chief Compliance Officer  
Corporate Counsel

Attachments:

Nodal Clear Risk Policies Redline (confidential treatment requested)