#### SUBMISSION COVER SHEET **IMPORTANT:** Check box if Confidential Treatment is requested Registered Entity Identifier Code (optional): <u>15-316 (3 of 4)</u> Organization: New York Mercantile Exchange, Inc. ("NYMEX") $|\times|_{\mathbf{DCM}}$ SDR SEF DCO Filing as a: Please note - only ONE choice allowed. Filing Date (mm/dd/yy): 07/24/15 Filing Description: Amendments to Rule 589 ("Special Price Fluctuation Limits") and Related Table Please note only ONE choice allowed per Submission. **Organization Rules and Rule Amendments** Certification § 40.6(a) Approval § 40.5(a) Notification § 40.6(d) Advance Notice of SIDCO Rule Change § 40.10(a) SIDCO Emergency Rule Change § 40.10(h) **Rule Numbers:** 589 **New Product** Please note only ONE product per Submission. Certification § 40.2(a) **Certification Security Futures** § 41.23(a) Certification Swap Class § 40.2(d) Approval § 40.3(a) **Approval Security Futures** § 41.23(b) Novel Derivative Product Notification § 40.12(a) Swap Submission § 39.5 Official Product Name: **Product Terms and Conditions (product related Rules and Rule Amendments)** Certification § 40.6(a) Certification Made Available to Trade Determination § 40.6(a) **Certification Security Futures** § 41.24(a) Delisting (No Open Interest) § 40.6(a) Approval § 40.5(a) Approval Made Available to Trade Determination § 40.5(a) **Approval Security Futures** § 41.24(c) Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a) "Non-Material Agricultural Rule Change" § 40.4(b)(5) Notification § 40.6(d) Official Name(s) of Product(s) Affected: **Rule Numbers:**



July 24, 2015

#### **VIA ELECTRONIC PORTAL**

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

RE: CFTC Regulation 40.6(a) Certification. Amendments to CME/CBOT/NYMEX/COMEX Rule 589 ("Special Price Fluctuation Limits") and Related Table.

NYMEX Submission No. 15-316 (3 of 4)

Dear Mr. Kirkpatrick:

Chicago Mercantile Exchange Inc. ("CME"), The Board of Trade of the City of Chicago, Inc. ("CBOT"), New York Mercantile Exchange, Inc. ("NYMEX") and Commodity Exchange, Inc. ("COMEX") (collectively, the "Exchanges") hereby notify the Commodity Futures Trading Commission ("CFTC" or "Commission") that they are self-certifying amendments to Rule 589 ("Special Price Fluctuation Limits") to add additional detail to the rule text that codifies the manner in which the special price fluctuation limits are applied to those products subject to the provisions of Rule 589, effective on Monday, August 10, 2015.

The substantive revisions codify the following:

- There are no special price fluctuation limits in any CME Foreign Exchange, CBOT Interest Rate, NYMEX and COMEX Metals and NYMEX Energy products for the five minutes preceding:
  - o The end of the primary futures contract's settlement price determination period or
  - o The close of Globex trading for a given trade date;
- There are no special price fluctuation limits in any CBOT Interest Rate and NYMEX/COMEX
  Metals products in the expiring contract month of the primary futures contract from first position
  day through the last delivery day; and
- There are no special price fluctuation limits in any CME FX or NYMEX Energy products in the expiring contract month of the primary futures contract on the contract month's expiration day.

Additionally, to avoid confusion, the Exchanges have eliminated capitalization of terms in the Rule that are not defined in the Definitions Section of the respective Exchange Rulebooks.

The amendments to each Exchange's Rule 589 appear in Exhibit A, with additions underscored and deletions overstruck.

Also effective on Monday, August 10, 2015, the Exchanges are self-certifying amendments to the Special Price Fluctuation Limits Table ("Table") located in Chapter 5 which appears in backline format in Exhibit B, attached under separate cover. A summary of the amendments to the Table are as follows:

- Addition of three (3) CME equity contracts that were inadvertently omitted;
- Amendments to the U.S. Dollar/Chilean Peso (USD/CLP) Futures circuit breaker levels to reflect the recent change to the contract's CME Globex non-reviewable range;
- Corrections of the Regular Trading Hours parameters for the U.S. Treasury Futures contracts;
- Correction of the Rulebook Chapter number for the E-mini S&P 400 Options contract.

The Exchanges reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA" or "Act") and identified that the amendments to Rule 589 may have some bearing on the following Core Principles:

Compliance with Rules: Changes to daily price limits and circuit breakers constitute a change to a term and condition pursuant to Part 40 of the Regulations under the CEA. While the Exchanges are not amending the price limits or circuit breakers of any products subject to the provisions of Rule 589, they are adding additionally clarifying detail to the text of the Rule that codifies the manner in which the special price fluctuation limits are applied. As such, the amendments remain in compliance with this Core Principle

<u>Prevention of Market Disruption</u>: Rule 589 is expressly intended to prevent unwarranted price movements in products subject to the Rule. The amendments simply codify the existing manner in which the limits are applied, and remain in compliance with the Core Principle.

<u>Availability of General Information</u>: As required by this Core Principle, the Exchanges will publicly issue an SER Report prior to the amendments to Rule 589 becoming effective, and the SER will also be available on the CME Group website.

<u>Protection of Market Participants</u>: Rule 589 is expressly intended to promote fair and equitable trading by ensuring that there are limits on the permissible price movements on any given trading day in the products subject to the Rule. As such, the amendments are in compliance with this Core Principle.

The Exchanges certify the amendments to Rule 589 comply with the Act and regulations thereunder. There were no substantive opposing views to this proposal.

The Exchanges certify that this submission has been concurrently posted on the Exchanges' 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, please e-mail <a href="mailto:CMEGSubmissionInquiry@cmegroup.com">CMEGSubmissionInquiry@cmegroup.com</a> or contact the undersigned at 212-299-2200.

Sincerely,

/s/Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachments: Exhibit A – Revisions to CME/CBOT/NYMEX/COMEX Rule 589 (blackline format)

Exhibit B – Amendments to Special Price Fluctuation Limits Table ("Table") located in Chapter 5 of the Exchanges' Rulebooks (blackline format) (attached under separate cover)

#### Exhibit A

# CME/CBOT/NYMEX/COMEX Chapter 5 Trading Qualifications and Practices

(additions are underscored, deletions are overstruck)

#### **CME**

#### 589. SPECIAL PRICE FLUCTUATION LIMITS

The special price fluctuation limits applicable to those contracts with special price fluctuation limits are set forth in the Special Price Fluctuation Limits Table ("Table") in the Interpretations Section at the end of Chapter 5.

Notwithstanding any other provisions of this rule, the GCC may, in its absolute and sole discretion, take any action it determines necessary to protect market integrity. For avoidance of doubt, this authority includes, but is not limited to, modifying or eliminating price fluctuation limits at any time and/or determining whether to halt or not to halt trading. The GCC will promptly issue an alert with respect to actions taken pursuant to this provision.

#### 589.A. Initial Price Fluctuation Limits for All Contract Months.

At the commencement of each trading day, there shall be initial price fluctuation limits in effect for each futures contract month of the Pprimary futures Contract (as identified in the Table) above or below the previous day's settlement price for such contract month set at the first special price fluctuation limit level as provided in the Table.

#### 589.B. Triggering Events and Temporary Trading Halts

1.(i) \_\_\_\_-First Triggering Event and Temporary Trading Halt-

If the lead contract month (as identified by the Exchange) of the primary frutures contract is bid or offered via Globex at the upper or lower price fluctuation limit at the first special price fluctuation limit level, as applicable, it will be considered a triggering event that will begin a two (2) minute monitoring period in the lead contract month. If, at the end of the two (2) minute monitoring period, the lead contract month of the primary frutures contract is not bid or offered at the applicable special price fluctuation limit, the special price fluctuation limits shall be expanded an additional increment above and below the previous day's settlement price for all contract months of the primary frutures contract and all contract months of associated products of the primary futures contract as provided in the Table. If, however, at the end of the two (2) minute monitoring period, the lead contract month of the primary frutures contract is bid or offered at the applicable special price fluctuation limit, a two (2) minute trading helat will commence in all contract months of the primary frutures contract and well as in all contract months of associated products of the primary frutures contract and well as in all contract months of associated product that is an option related to the primary frutures contract or in an option contract related to any other associated product of the primary frutures contract or in an option contract related to any other associated product of the primary frutures contract or that may be available for trading on Globex or on the trading floor shall be subject to a coordinated tremporary trading helalt.

#### 2.(ii) Expansion of Limits Following Temporary Trading Halt-

Following the end of a temporary tem

(iii) In eEach instance in which a tariggering eEvent occurs, a two (2) minute monitoring period will commence as provided in Section 589-B.1(i). of this Rule. In each instance, the special price fluctuation limits for each contract month of the Primary Futures Contract shall be expanded by an additional increment as provided in the Table above and below the previous day's settlement price for all contract months of the primary futures contract and all contract months of associated products of the primary futures contract as provided in the Tablesuch contract month. Following the fourth triggering event on a trading day, there shall will be no further special price fluctuation limits.

#### 3.(iv) Foreign Exchange Contracts

An expiring contract month will not serve as A Primary Futures Contract shall not be the lead contract month for purposes of this Rule. Primary Futures Contract Additionally on the contract's last trading day. T there shall be no special price fluctuation limits on the expiration day of an expiring last trading day of an expiring Foreign Exchange primary futures contract month that serves as a primary futures contract for the purposes of Rule 589.

Additionally, there shall be no temporary trading halts or expansion of special price fluctuation limits during the last five (5) minutes of trading on the last trading day of an expiring Foreign Exchange futures contract that serves as a Primary Futures Contract for the purposes of Rule 589.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minutes preceding the end of the primary futures contract's settlement price determination period. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the conclusion of the five (5) minute period, at which time a monitoring period, temporary trading halt or special price fluctuation limit expansion, as applicable, will occur.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minute period preceding the close of trading. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the close of trading.

#### 589.C. Price Fluctuation Limits on Trading Floor (Floor Trading)

(i) The special price fluctuation limits cited in Section 589.A. of this Rrule shall be applicable to all products in the Table that are traded via open outcry on the trading floor. All markets on the trading floor shall be limited to trading at these special fluctuation price levels (locked limit); however, Trades occurring via open outcry on the trading floor such trading shall not constitute a triggering Event for purposes of a tremporary trading healt.

(ii) In all instances in which when a temporary temporar

(iii)-Whenever Globex markets are re-opened with expanded price limits pursuant to the provisions of Section 589.B. of this Rrule, the affected markets on the trading floor shall simultaneously re-open with the expanded price limits in place.

#### **CBOT**

#### 589. SPECIAL PRICE FLUCTUATION LIMITS

The special price fluctuation limits applicable to those contracts with special price fluctuation limits are set forth in the Special Price Fluctuation Limits Table ("Table") in the Interpretations Section at the end of Chapter 5.

Notwithstanding any other provisions of this rule, the GCC may, in its absolute and sole discretion, take any action it determines necessary to protect market integrity. For avoidance of doubt, this authority includes, but is not limited to, modifying or eliminating price fluctuation limits at any time and/or determining whether to halt or not to halt trading. The GCC will promptly issue an alert with respect to actions taken pursuant to this provision.

#### 589.A. Initial Price Fluctuation Limits for All Contract Months-

At the commencement of each trading day, there shall be initial price fluctuation limits in effect for each futures contract month of the primary frutures contract (as identified in the Table) above or below the previous day's settlement price for such contract month set at the first special price fluctuation limit level as provided in the Table.

#### 589.B. Triggering Events and Temporary Trading Halts

1.-(i)\_\_\_\_First Triggering Event and Temporary Trading Halt-

If the lead contract month (as identified by the Exchange) of the Pprimary Ffutures Contract is bid or offered via Globex at the upper or lower price fluctuation limit at the first special price fluctuation limit level, as applicable, it will be considered a Ttriggering Eevent that will begin a two (2) minute monitoring period in the lead contract month. If, at the end of the two (2) minute monitoring period, the lead contract month of the Pprimary Ffutures Contract is not bid or offered at the applicable special price fluctuation limit, the special price fluctuation limits shall be expanded an additional increment above and below the previous day's settlement price for all contract months of the Pprimary Ffutures Contract and all contract months of associated products of the primary futures contract as provided in the Table. If, however, at the end of the two (2) minute monitoring period, the lead contract month of the Pprimary Ffutures Contract is bid or offered at the applicable special price fluctuation limit, a two (2) minute Ttemporary Ttrading Hhalt will commence in all contract months of the Pprimary Ffutures Contract and as well as in all contract months of Aassociated Pproducts of the Pprimary Ffutures Contract as provided in the Table. In addition, trading in any Aassociated Pproduct that is an option related to the Pprimary Ffutures Contract or in an option contract related to any other Aassociated Pproduct of the Pprimary Ffutures Contract of this rule that may be available for trading on Globex or on the trading floor shall be subject to a coordinated Ttemporary Ttrading Hhalt.

2.(ii) Expansion of Limits Following Temporary Trading Halt-

Following the end of a ‡temporary ‡trading ‡halt, the affected markets shall re-open simultaneously in all contract months of the Pprimary £futures Ccontract andas well as in all contract months of Aassociated Pproducts of the Pprimary £futures Ccontract of this rule. When trading resumes, the special price fluctuation limits of the Primary £futures Contract shall be expanded an additional increment above and below the previous day's settlement price for all contract months of the Pprimary £futures Ccontract and all contract months of associated products of the primary £futures contract as provided in the Table.

(iii) In Eeach instance in which a Ttriggering Eevent occurs, a two (2) minute monitoring period will commence as provided in Section 589.B.1(i). of this Rule. In each instance, the special price fluctuation limits for each contract month of the Primary Futures Contract shall be expanded by an additional increment as provided in the Table above and below the previous day's settlement price for all contract months of the primary futures contract and all contract months of associated products of the primary futures contract as provided in the Tablesuch contract month. Following the fourth triggering event on a trading day, there shallwill be no further special price fluctuation limits.

#### (iv)3. Interest Rate Contracts

An expiring contract month will not serve as Primary Futures Contract shall not be the lead contract month for purposes of this Rule. Additionally, an expiring contract month of a primary futures contract shall have Primary Futures Contract on the contract's last trading day. There shall be no special price fluctuation limits from the contract's during the period between the first position day through its and the last delivery day of an expiring Treasury futures contract that serves as a primary futures contract for the purposes of Rule 589. Additionally, there shall be no temporary trading halts or expansion of special price fluctuation limits during the last five (5) minutes of trading during the period between the first position day and the last delivery day of an expiring Treasury futures contract that serves as a primary futures contract for the purposes of Rule 589.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minutes preceding the end of the primary futures contract's settlement price determination period. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the conclusion of the five (5) minute period, at which time a monitoring period, temporary trading halt or special price fluctuation limit expansion, as applicable, will occur.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minute period preceding the close of trading. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the close of trading.

#### 589.C. Price Fluctuation Limits on Trading Floor (Floor Trading)

(i) The special price fluctuation limits cited in Section 589.A. of this Rfule shall be applicable to all products in the Table that are traded via open outcry on the trading floor. All markets on the trading floor shall be limited to trading at these special fluctuation price levels (locked limit); however, Trades occurring via open outcry on the trading floor such trading shall not constitute a Ttriggering Eevent for purposes of a Ttemporary Ttrading Hhalt.

(ii) In all instances in which when a Temporary Trading Hhalt in the lead contract month of the Perimary Feutures Contract occurs on Globex, floor trading in all contract months in any option related to the Perimary Feutures Contract or in an option contract related to any Aassociated Perimary Feutures Contract of the Perimary Feutures Contract of this rule shall be subject to a coordinated Temporary Trading Hhalt.

(iii) Whenever Globex markets are re-opened with expanded price limits pursuant to the provisions of Section 589.B. of this rRule, the affected markets on the trading floor shall simultaneously re-open with the expanded price limits in place.

#### NYMEX/COMEX

#### 589. SPECIAL PRICE FLUCTUATION LIMITS

The special price fluctuation limits applicable to those contracts with special price fluctuation limits are set forth in the Special Price Fluctuation Limits Table ("Table") in the Interpretations Section at the end of Chapter 5.

Notwithstanding any other provisions of this rule, the GCC may, in its absolute and sole discretion, take any action it determines necessary to protect market integrity. For avoidance of doubt, this authority includes, but is not limited to, modifying or eliminating price fluctuation limits at any time and/or determining whether to halt or not to halt trading. The GCC will promptly issue an alert with respect to actions taken pursuant to this provision.

#### 589.A. Initial Price Fluctuation Limits for All Contract Months.

At the commencement of each trading day, there shall be initial price fluctuation limits in effect for each futures contract month of the perimary futures contract (as identified in the Table) above or below the previous day's settlement price for such contract month set at the first special price fluctuation limit level as provided in the Table.

#### 589.B. Triggering Events and Temporary Trading Halts

1.(i) First Triggering Event and Temporary Trading Halt-

If the lead contract month (as identified by the Exchange) of the primary frutures contract is bid or offered via Globex at the upper or lower price fluctuation limit at the first special price fluctuation limit level, as applicable, it will be considered a triggering event that will begin a two (2) minute monitoring period in the lead contract month. If, at the end of the two (2) minute monitoring period, the lead contract month of the primary frutures contract is not bid or offered at the applicable special price fluctuation limit, the special price fluctuation limits shall be expanded an additional increment above and below the previous day's settlement price for all contract months of the primary frutures contract and all contract months of associated products of the primary futures contract as provided in the

Table. If, however, at the end of the two (2) minute monitoring period, the lead contract month of the perimary feutures contract is bid or offered at the applicable special price fluctuation limit, a two (2) minute temporary terading healt will commence in all contract months of the perimary feutures contract and well as in all contract months of associated perioducts of the perimary feutures contract as provided in the Table. In addition, trading in any associated perioduct that is an option related to the perimary feutures contract or in an option contract related to any other associated perioduct of the perimary feutures contract of this rule that may be available for trading on Globex or on the trading floor shall be subject to a coordinated temporary tending healt.

(ii)2. \_\_\_Expansion of Limits Following Temporary Trading Halt-

Following the end of a temporary tem

(iii)—In exact in which a triggering exerct occurs, a two (2) minute monitoring period will commence as provided in Section 589.B.1(i). of this Rule. In each instance, the special price fluctuation limits for each contract month of the Primary Futures Contract shall be expanded by an additional increment as provided in the Table above and below the previous day's settlement price for all contract months of the primary futures contract and all contract months of associated products of the primary futures contract as provided in the Tablesuch contract month. Following the fourth triggering event on a trading day, there shallwill be no further special price fluctuation limits.

#### (iv)3. For Metals Contracts:

An expiring contract month will not serve as Primary Futures Contract shall not be the lead contract month for purposes of this Rule. Additionally, an expiring contract month of a primary futures contract shall have no special price fluctuation limits from the contract's first position day through its last delivery day.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minutes preceding the end of the primary futures contract's settlement price determination period. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the conclusion of the five (5) minute period, at which time a monitoring period, temporary trading halt or special price fluctuation limit expansion, as applicable, will occur.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minute period preceding the close of trading. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the close of trading.

\_Primary Futures Contract on the contract's last trading day. There shall be no special price fluctuation limits during the period between the first intent day and the last delivery day of an expiring Metals futures contract that serves as a primary futures contract for the purposes of Rule 589. Additionally, there shall be no temporary trading halts or expansion of special price fluctuation limits during the last five (5) minutes of trading during the period between the first intent day and the last delivery day of an expiring Metals futures contract that serves as a primary futures contract for the purposes of Rule 589.

#### (v)4. For Energy Contracts:

An expiring contract month will not serve as the lead contract month for purposes of this Rule. Additionally, t\( \pm \) here shall be no special price fluctuation limits on the expiration day offer an expiring \( \frac{\text{Energy pPrimary fFutures}}{\text{Energy pPrimary fFutures}} \) contract month.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minutes preceding the end of the primary futures contract's settlement price determination period. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the conclusion of the five (5) minute period, at which time the applicable monitoring period, temporary trading halt or special price fluctuation limit expansion will occur.

On each trading day, there shall be no temporary trading halts or expansion of special price fluctuation limits in the primary futures contract or in any associated products of the primary futures contract during the five (5) minute period preceding the close of trading. If a triggering event occurs during this five (5) minute period, trading will continue with the current price limit in effect until the close of trading.

#### **589.**C. Price Fluctuation Limits on Trading Floor (Floor Trading)

(i)—The special price fluctuation limits cited in Section 589.A. of this Rrule shall be applicable to all products in the Table that are traded via open outcry on the trading floor. All markets on the trading floor shall be limited to trading at these special fluctuation price levels (locked limit); however, Trades occurring via open outcry on the trading floor such trading shall not constitute a Ttriggering Event for purposes of a tTemporary tTrading hHalt.

(ii) In all instances in which when a temporary temporar

<u>c</u>Contract or in an option contract related to any <u>a</u>Associated <u>p</u>Product of the <u>p</u>Primary <u>f</u>Futures <u>c</u>Contract<del>\_of this rule</del> shall be subject to a coordinated <u>t</u>Temporary <u>t</u>Trading <u>h</u>Halt.

(iii) Whenever Globex markets are re-opened with expanded price limits pursuant to the provisions of Section 589.B. of this Rrule, the affected markets on the trading floor shall simultaneously re-open with the expanded price limits in place.

### Exhibit B

## Amendments to Special Price Fluctuation Limits Table ("Table") located in Chapter 5 of the Exchanges' Rulebooks

(attached under separate cover)