

November 13, 2006

Ms. Eileen A. Donovan  
Acting Secretary  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

Reference File #2740.01  
Rule Certification

Dear Ms. Donovan:

Pursuant to Commission Regulation 40.6(a), the Chicago Board of Trade (CBOT<sup>®</sup>) hereby submits the following, a portion of which is subject to the enclosed FOIA Confidential Treatment Request:

- **Establishment of an Open Auction Primary Market Maker (PMM) Program for CBOT 100 oz. Gold and 5,000 oz. Silver options. (A summary of the program's salient features is attached.)**

There were no opposing views in connection with this program.

The CBOT intends to implement this program one day after the Commission's receipt of this filing.

The CBOT certifies that this program complies with the Commodity Exchange Act and the rules thereunder.

Sincerely,

Paul J. Draths  
Vice President and Secretary

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**CBOT® Gold & Silver Options  
Open Auction Primary Market Maker (PMM) Program**

**PMM Obligations**

Participants in the PMM program will provide two-sided markets in CBOT 100 oz. Gold and 5,000 oz. Silver Options in the CBOT's open auction market, on a continuous basis during regular open auction market hours (7:10 a.m. to 1:30 p.m., Chicago time) for such options, unless prevented from doing so as a result of extraordinary circumstances beyond the PMM's reasonable control or due to position limits.

PMM participants agree that they will provide markets for CBOT Gold and Silver Options at agreed upon minimum size and maximum bid/offer spread levels for specified options series.

**PMM Incentives**

Waiver of transaction fees: CBOT open auction transaction fees (excluding clearing fees) will be rebated for PMM proprietary transaction in CBOT Gold and Silver Options during the market hours of their assignment. The fee waiver period will coincide with each PMM's period of participation in this program.

Preferencing/Entitlements: PMMs will be entitled to a percentage of each open auction transaction that is over a predetermined size in CBOT Gold and Silver Options, in a percentage to be determined, where PMMs have matched the bid or offer prior to trade completion, during the hours of their assignment. Total preferencing among all PMMs will be limited to 40%. Preferencing will be allocated among PMMs based upon the number of participants, their respective market making commitments, capitalization and market performance. CBOT reserves the right to evaluate participant performance periodically, and to modify size requirements and reallocate entitlement percentages among PMMs based upon these evaluations.

**Term**

PMM Agreements will have an initial term ending December 31, 2007, and may be extended by mutual agreement.

**Termination**

PMM Agreements may be terminated for uncorrected material breach, upon specified advance notice, or by mutual consent.