

EOX Exchange LLC
5151 San Felipe
Houston, TX 77056

Via E-mail

June 3, 2013

Assistant Secretary of the Commission for FOI,
Privacy and Sunshine Acts Compliance
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581
FOIAsubmissions@cftc.gov

Re: FOIA Request for Confidential Treatment

To Whom It May Concern:

On this date, EOX Exchange LLC ("EOX") provided the material described in Appendix A to this letter (the "Confidential Submission") to the Secretary of the Commission and staff of the Division of Market Oversight.

In accordance with the provisions of Commission Regulations 38.3(a)(3), 145.5 and 145.9, we hereby request confidential treatment of the Confidential Submission. Confidential treatment is requested, *inter alia*, on the grounds that the Confidential Submission contains data and information that would disclose business transactions and trade secrets that may not be disclosed to third parties, as provided in Section 8(a) of the Commodity Exchange Act and Commission Regulation 145.5(c)(1). We further request confidential treatment on the grounds that the Confidential Submission is exempt from disclosure under paragraph (b)(4) of the Freedom of Information Act ("FOIA") and Commission Regulations 145.5(d) and 145.9(d)(1)(ii) because it contains commercial and financial information that is confidential and would be of material assistance to competitors of EOX.

In accordance with the provisions of paragraph (d)(5) of Regulation 145.9, EOX Exchange LLC requests that the Confidential Submission be afforded confidential treatment in perpetuity.

We understand that if the Commission receives a FOIA request for the Confidential Submission, we will be notified of such request in accordance with the Commission's regulations and be asked to submit, within ten business days, a detailed written justification for confidential treatment of the Confidential Submission. See Commission Regulation § 149.5(e)(1); see also Executive Order 12600, 52 Fed. Reg. 23781 (June 23, 1987) (detailing pre-disclosure notification procedures under FOIA). In such event, we request that Commission staff telephone or email the undersigned rather than rely upon United States mail for such notice.

If the Commission or its staff transmits any portion of the Confidential Submission to another federal agency, we request that you forward a copy of this letter to any such agency with the Confidential Submission and further request that you advise any such agency that EOX has requested that this material be accorded confidential treatment.

The requests set forth in the preceding paragraphs also apply to any memoranda, notes, transcripts or other writings of any sort whatsoever that are made by, or at the request of, any employee of the Commission (or any other federal agency) and which (1) incorporate, include or relate to any aspect of the Confidential Submission; or (2) refer to any conference, meeting, or telephone conversation between EOX, its current or former employees, representatives, agents, auditors or counsel on the one hand and employees of the Commission (or any other government agency) on the other, relating to the Confidential Submission.

Please acknowledge your receipt of this confidential treatment request by date stamping the enclosed extra copy of this letter and returning it to the undersigned in the enclosed self-addressed postage-prepaid envelope. Any questions regarding this request for Confidential Treatment, as well as any notices pursuant to Commission Regulation § 145.9(e), should be directed to the attention of the undersigned at the addresses and telephone number provided herein.

EOX Exchange LLC does not waive its notification rights under Section 8(f) of the CEA with respect to any subpoena or summons with respect to the Confidential Materials in whole or in part.

Please contact me by phone or email if you have any questions or receive any requests for copies of the enclosed.

Sincerely,



John Jeffers
EOX Exchange LLC
5151 San Felipe, Suite 2200
Houston, TX 77056
Phone (713) 358-5442
Fax 713-785-2019
Email: jeffers.j@otcgh.com

Enclosure: Appendix A

cc:

Melissa Jurgens, Secretary, CFTC
Division of Market Oversight
Kevin Foley, Katten Muchin Rosenman LLP