



Christopher Bowen
Managing Director and Chief Regulatory Counsel
Legal Department

April 26, 2013

VIA E-MAIL

Ms. Melissa Jurgens
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

**RE: Regulation 40.6(a)(6) Emergency Rule Certification: Updated Status Regarding
Declaration of Force Majeure at Corn and Soybean Shipping Stations
CBOT Submission No. 13-163**

Dear Ms. Jurgens:

The Board of Trade of the City of Chicago, Inc. ("CBOT"), pursuant to Commodity Futures Trading Commission ("CFTC" or "Commission") Regulation 40.6(a)(6), hereby notifies the Commission that it has updated its declaration of Force Majeure pursuant to CBOT Rule 701 ("Declarations of Force Majeure"), previously filed with the Commission on April 25, 2013, in CBOT Submission No. 13-161.

The original declaration of Force Majeure applied to all Corn and Soybean shipping stations as a result of the majority of shipping stations being unable to perform load-out due to high waters and/or flooding on the Illinois River. Effective today, the declaration of Force Majeure will continue but now only apply to those Corn and Soybean shipping stations that cannot load-out due to high waters and/or flooding on the Illinois River.

The marketplace has been informed of this updated status declaration via CME Group Special Executive Report ("SER") S-6646RR. A copy of SER S-6646RR appears in Exhibit 1.

During the pendency of this Force Majeure declaration, and pursuant to CBOT Rule 703.C.G(8), the aforementioned Corn and Soybean shipping stations will not be considered eligible to facilitate deliveries.

CBOT has reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA") and has identified that the declaration of Force Majeure may have some bearing on the following Core Principles:

- **Emergency Authority:** The declaration of Force Majeure by CBOT is an emergency circumstance, and, as such, requires prompt notice to be provided to the Commission under both Commission Regulations and CBOT Rule 701. The declaration of Force Majeure with respect to the Corn and Soybean shipping stations was made pursuant to CBOT Rule 701 given that the majority of the shipping stations are unable to load-out pursuant to Rule 703.C.G(8).
- **Availability of General Information:** CBOT published SER S-6646R earlier today to provide notice to the marketplace of the declaration of Force Majeure. In addition to being emailed to all market participants subscribed to receive SERs via email, the SER has also been uploaded to the CME Group website.

Ms. Melissa Jurgens
April 26, 2013
Page 2

CBOT certifies that the declaration of Force Majeure and SER S-6646RR complies with the CEA and regulations thereunder. There were no substantive opposing views to this action.

CBOT certifies that this submission has been concurrently posted on CBOT's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you have any questions regarding this submission, please contact the undersigned at 212-299-2200 or via email at christopher.bowen@cmegroup.com. Please reference CBOT Submission No. 13-163 in any related correspondence.

Sincerely,

/s/Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit 1 – SER S-6646RR

Exhibit 1



S-6646RR

April 26, 2013

Updated Status on the Declaration of Force Majeure at Corn and Soybean Shipping Stations due to the Flooding on the Illinois River

This revised Special Executive Report supersedes S-6646R from April 25, 2013. The Exchange continues to monitor conditions on the Illinois River. At this time, the declaration of Force Majeure, which was issued on April 25, 2013, will continue but now only apply to Corn and Soybean shipping stations that cannot load-out due to flooding or high water on the Illinois River.

Pursuant to CBOT Rule 701 ("Declaration of Force Majeure"), the Exchange is hereby declaring a condition of Force Majeure for Corn and Soybean shipping stations as a majority of delivery facilities are unable to load due to high water and/or flooding. As a result, CBOT Rule 703.C.G(8) is in effect for those Corn and Soybean shipping stations that cannot load-out due to high water.

The text of Rule 703.C.G(8) states the following:

The shipper shall load water conveyance at the shipping station designated in the shipping certificate. If it becomes impossible to load at the designated shipping station for three (3) consecutive business days as a result of Force Majeure, the shipper will arrange for water conveyance to be loaded at another regular shipping station in conformance with the shipping certificate and will compensate the owner for any transportation loss resulting from the change in the location of the shipping station. If the aforementioned condition of impossibility prevails at a majority of regular shipping stations, then shipment may be delayed for the number of days that such impossibility prevails at a majority of regular shipping stations. If conditions covered in this rule make it impossible to load at the designated shipping station, the shipper shall notify the Registrar's Office in writing of such condition within 24 hours of when the condition of impossibility began.

Questions regarding this matter may be directed to the following individuals in the Market Regulation Department:

Terry Gehring at 312.435.3644 (Terry.Gehring@cmegroup.com)

Bill Lange at 312.341.7757 (William.Lange@cmegroup.com)

For media inquiries concerning this Special Executive Report, please contact CME Group Corporate Communications at 312.930.3434 or news@cmegroup.com.