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OFFICE OF THE SECRETARIAT
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May 6, 2009

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

**RE: CBOT Rule 808 (CME ClearPort: Procedures for Trade
Submission)
CBOT Submission No. 09-60**

Dear Mr. Stawick:

The Board of Trade of the City of Chicago, Inc. ("CBOT") hereby notifies the Commodity Futures Trading Commission that it has approved new CBOT Rule 808 ("CME ClearPort: Procedures for Trade Submission"). The new CBOT rule will govern the use of CME ClearPort to submit for clearing EFPs and block trades in CBOT contracts. The text of the rule changes is attached.

CBOT certifies that these rule changes comply with the Commodity Exchange Act and regulations thereunder.

If you have any questions regarding this matter, please contact me at 312-648-5422.

Sincerely,

/s/ Stephen M. Szarmack
Director and Associate General Counsel

FOR CBOT RULEBOOK [NEW RULE]

808. CME CLEARPORT: PROCEDURES FOR TRADE SUBMISSION

(A) Scope of Rule. This rule governs transactions not competitively executed on the Exchange ("Transactions") that are submitted via CME ClearPort for clearing in connection with a contract that is listed on the Exchange for clearing only or listed for trading and clearing on the Exchange. In submitting such Transactions to CME ClearPort or in allowing such Transactions to be submitted to CME ClearPort, the two parties to the Transaction shall be deemed to have mutually agreed to initiate a process to substitute their transaction for a standardized futures contract listed for trading and clearing on the Exchange. For purposes of this rule, the two principals in such Transactions shall be referenced as the "Parties to the Transaction."

(B) Transactions: Compliance with Regulatory Exemptions and Exclusions. Each of the Parties to the Transaction shall be responsible for ensuring that the Transaction complies with CFTC regulatory requirements as applicable for such transaction, including as appropriate compliance with the terms of a statutory exemption or exclusion under the Commodity Exchange Act from other CFTC regulation relied upon by the Parties to the Transaction.

(C) Submission of Transactions. The process of submission of a Transaction shall not be deemed to have been completed unless and until the Parties to the Transaction have successfully concluded the submission of the Transaction to the Exchange as an exchange of futures for physicals ("EFP"), an exchange of futures for risk ("EFR") or a Block Trade as applicable, pursuant to the respective provisions of Exchange rules 538 and 526 and the provisions of this rule.

(D) Trade Submission Procedures. All Transactions submitted to the Clearing House pursuant to this rule must be submitted in accordance with the procedures established by the Clearing House for this purpose, as amended from time to time. The Parties to the Transaction and any Party authorized under Section (E) of this Rule with brokering capability ("Broker" or "Brokers") authorized to submit executed transactions on their behalf to the Clearing House and authorized for related activities shall be exclusively responsible, both individually and jointly, for accurately confirming the details of the Transaction to the Clearing House. Once submitted, all such transactions, subject to the rules for trade adjustments set forth in Section (G) of this Rule, shall be deemed final. Neither the Clearing House nor a Clearing Member carrying the account of either party will have any responsibility in the confirmation of trade terms for the Transactions.

(E) Registration of Eligible Participants, Eligible Accounts and Authorized Brokers. Each Clearing Member must register with the Clearing House in the manner required for any customer authorized by the Clearing Member to submit transactions to the Clearing House pursuant to this rule, and must also register with the Clearing House the applicable account numbers for each such customer. For each such account, the Clearing Member carrying that account also must submit to the Clearing House in the manner provided the name of any Broker(s) who has registered with the Clearing House for services provided by the Clearing House, and who is authorized by the customer to act on its behalf in the submission of executed transactions to the Clearing House and related activity.

For any such Brokers authorized by the customer and submitted to the Clearing House by the Clearing Member, such submission by the Clearing Member will not constitute an endorsement or ratification of the customer's authorization of the Broker. Moreover, submission of Brokers authorized by the customer will not mean that the Clearing Member is in privity with, has a

relationship with and/or is otherwise standing behind any of the customer's authorized Brokers, and the Clearing Member will have no responsibility for any such Brokers selected by the customer and no duty or obligation to supervise the activities of any such Brokers.

(F) Establishment of Authorized Commodities and Total Risk Value. For each account number that has been registered with the Clearing House pursuant to Section (E) of this rule, a Clearing Member also must input into the Exchange's Risk Allocation Value "E-RAV" system authorization indicating the specific commodities for which a Transaction may be submitted to the Clearing House pursuant to this rule and the risk value(s) assigned by the Clearing Member for Transactions for that account.

(G) Trade Deletion Procedures for Transactions Submitted via CME ClearPort. Following submission of the trade details by Broker or Parties to the Transaction (or by Clearing House staff as mutually agreed by the Parties to the Transaction), an e-mail will be transmitted to the Parties to the Transaction notifying them that they have been listed as counterparties in a Transaction that has been submitted to the Clearing House. Following such submission, a buyer or seller may not unilaterally reject the trade terms previously submitted to the Clearing House. However, in order to correct an error resulting from the good faith actions of the Broker or Clearing House staff, as applicable, and upon mutual consent of the Parties to the Transaction, Broker or Clearing House staff, as applicable, may void the transaction provided, however, that this void response is received by the Clearing House within sixty (60) minutes of the time of the initial submission of the Transaction to the Clearing House.

(H) Entry of Transactions. For a Transaction submitted to the Clearing House pursuant to this rule, such transaction first will be routed to the Exchange's E-RAV Credit Check system. The time of entry of a Transaction into CME's E-RAV system will be recorded by the system and will be used by the Clearing House as the time that an E-RAV Credit Check was conducted pursuant to Section (I) below.

(I) Use of E-RAV Credit Check System. The Clearing House will conduct an E-RAV Credit Check for each Transaction. The E-RAV Credit Check will confirm whether the Clearing Member carrying that account has authorized that account for Transactions submitted pursuant to this rule in the commodity involved in the Transaction, and confirm whether the entry of the Transaction into clearing would fall within the risk value(s) established by the Clearing Member.

At all times until both sides (Buy and Sell) of the Transaction have successfully cleared the E-RAV Credit Check, a Transaction submitted to the Clearing House pursuant to this rule shall remain as an uncleared Transaction.

In the event that either side of the Transaction is rejected as a result of the ERAV Credit Check test, the Parties to the Transaction and their respective Clearing Members would be informed accordingly. Thereafter, any determination as to further action with respect to the Transaction would be resolved by the Parties to the Transaction.

(J) Trade Submission Deadlines. Transactions that are submitted, confirmed and accepted for clearing, as further provided by Section (K) of this rule, prior to 4:15 p.m. Chicago time on a Clearing House business day will be included by the Clearing House for clearing for that business day. The Clearing House reserves the right to modify these business hours without notice at any time. The facilitation desk will generally be available to assist users 24 hours a day on all Clearing House business days.

(K) Clearance by Both Sides of the Transactions of Credit Check. Upon clearance by both sides

of the Transaction of the E-RAV Credit Check, the transaction shall be deemed to have been accepted for clearing and will be routed automatically to the Clearing House's clearing system.

Notwithstanding the above, a Clearing Member also shall be responsible for accepting and clearing a position for a Transaction entered into the Clearing House's clearing system for clearing following any non-operation of the E-RAV Credit Check functionality for the applicable account carried by the Clearing Member.