



Christopher Bowen  
Managing Director and Chief Regulatory Counsel  
Legal Department

May 8, 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: Termination of Force Majeure at Corn and Soybean Shipping Stations Impacted by Flooding on the Illinois River CBOT Submission No. 13-176**

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 terminated the declaration of Force Majeure invoked pursuant to CBOT Rule 701 ("Declarations of Force Majeure"). CBOT notified the Commission of its declaration of Force Majeure on April 25, 2013, in CBOT Submission No. 13-161, and notified the Commission it was updating its declaration on April 26, 2013, in CBOT Submission No. 13-163.

The current status of the Illinois River allows for a majority of the Corn and Soybean Shipping Stations to load barges. Therefore, the Force Majeure provisions that were invoked on April 25, 2013, in accordance with CBOT Rules 701 and 703.C.G(8) no longer exist, and shipping stations will be required to load at their daily rate of loading. However, certain approved Corn and/or Soybean Shipping Stations that may be prevented from loading due to existing river conditions are responsible for providing grain at an alternative location, as detailed in CBOT Rule 703.C.G(8).

The marketplace has been informed of this CBOT action via CME Group Special Executive Report ("SER") S-6647. A copy of SER S-6647 appears in Exhibit 1.

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 termination of Force Majeure may have some bearing on the following Core Principles:

- Emergency Authority: Notification of this termination is provided to the Commission pursuant to Commission Regulation 40.6(a)(6)(ii) and CBOT Rule 701.
- Availability of General Information: CBOT published SER S-6647 earlier today to provide notice to the marketplace of the termination 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.

CBOT certifies that the termination of Force Majeure and SER S-6647 comply 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

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<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](mailto:christopher.bowen@cmegroup.com). Please reference CBOT Submission No. 13-176 in any related correspondence.

Sincerely,

/s/Christopher Bowen  
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit 1 – SER S-6647

## Exhibit 1



S-6647

May 8, 2013

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

The current status of the Illinois River allows for a majority of the Corn and Soybean Shipping Stations to load barges. Therefore, the Force Majeure provisions that were invoked on April 25, 2013, in accordance with CBOT Rules 701 and 703.C.G(8) no longer exist, and shipping stations will be required to load at their daily rate of loading.

However, due to river conditions that still exist at some approved Corn and/or Soybean Shipping Stations, which may prevent these facilities from loading, Rule 703.C.G(8) details the responsibilities of these Shipping Stations in providing grain at an alternative location. For reference, the relevant portion of Rule 703.C.G(8) that applies to those facilities that are unable to load out Corn and/or Soybeans is provided below:

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 Advisory Notice, please contact CME Group Corporate Communications at 312.930.3434 or [news@cmegroup.com](mailto:news@cmegroup.com).