



C.F.T.C.  
OFFICE OF THE SECRETARIAT  
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August 26, 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 708  
      Net Worth Requirements for Soybean Meal and Oat Regular  
      Warehouses  
      CBOT Submission No. 09-175**

Dear Mr. Stawick:

The Board of Trade of the City of Chicago, Inc. ("CBOT" or "Exchange") hereby notifies the Commodity Futures Trading Commission that it has identified incomplete financial requirements for regular firms in Soybean Meal and Oat futures. CBOT Rule 708 sets financial requirements for firms regular for delivery in CBOT agricultural markets. Contracts with shipping certificates as their delivery instrument have a net worth requirement of \$5,000,000. However, Soybean Meal and Oats, both shipping certificate contracts, have not been included with this net worth requirement in Rule 708. This is an oversight, and the Exchange's Market Regulation Department has always required firms regular for delivery in Soybean Meal and Oats to maintain \$5 Million in net worth; however, the rule needs to be updated for consistency. Also, the rule has been written more generically so that all shipping certificate markets are covered by default.

This Rule change does not affect any current or potential regular facilities and will not change the number or make-up of regular facilities.

The corrections are attached with additions **bold and underscored** and deletions [~~bracketed with strikethrough~~].

CBOT certifies that these changes comply with the Commodity Exchange Act and regulations thereunder. The amendments will be made effective immediately.

If you require any additional information, please contact David Lehman at 312-930-1875 or via e-mail at [David.Lehman@cmegroup.com](mailto:David.Lehman@cmegroup.com); Fred Seamon at 312-634-1587 or via e-mail at [Fred.Seamon@cmegroup.com](mailto:Fred.Seamon@cmegroup.com); or contact me at 312-648-5422. Please reference our CBOT Submission No. 09-175 in any related correspondence.

Sincerely,

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

#### 708. MINIMUM FINANCIAL REQUIREMENTS FOR AGRICULTURAL REGULARITY

The minimum financial requirements for firms which are regular to deliver agricultural and ethanol products are:

1. Working Capital - (current assets excluding current receivables from affiliates/parent company less current liabilities) must be greater than or equal to \$2,000,000 or \$1,000,000 for firms regular for delivery in Rough Rice and Denatured Fuel Ethanol futures. All current assets must be readily marketable. Firms which do not have \$2,000,000 (\$1,000,000 for rice and ethanol) in Working Capital must deposit with the Exchange treasury securities or other collateral deemed acceptable to the Exchange, in such sum and subject to such conditions as the Exchange may require. Any such sums shall be reduced by SEC haircuts, as specified in SEC Rule 15c3-1(c)(2)(vi), (vii), and (viii). If the warehouseman/shipper deposits treasury securities, it must execute a security agreement on a form prescribed by the Exchange. The Exchange may grant an exemption from the working capital requirements described above, in its sole discretion.
2. Net Worth - (Total assets less total liabilities) divided by the firm's allowable capacity (measured in contracts) must be greater than \$5,000. The net worth of a firm regular to deliver **in contracts that use shipping certificates as its delivery instrument** [~~corn, wheat, soybeans, or ethanol~~] must be greater than or equal to \$5,000,000. The operator of a facility issuing [~~corn, wheat, soybeans, or ethanol~~] shipping certificates may only issue new shipping certificates when the total value of all registered shipping certificates and the new shipping certificates, at the time of issuance of the new shipping certificates, does not exceed 50% of net worth;

(No Changes to Remainder of Rule)