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May 19, 2017

**VIA Portal**

Commodity Futures Trading Commission  
Attention: Chris Kirkpatrick, Secretary  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**Re: CFTC Regulation 40.6(a) Rule Certification: Exchange and Clearing Transaction Fee Schedule for Nodal Exchange Options**

Dear Mr. Kirkpatrick:

Nodal Exchange, LLC (“Nodal Exchange” or “Exchange”) is hereby providing notice to the Commodity Futures Trading Commission (“CFTC” or “Commission”) that it is self-certifying amendments to the Nodal Exchange Participant Agreement (“Participant Agreement”) and the Nodal Exchange Rulebook (“Rules”) pursuant to CFTC Regulation 40.6(a). This filing is effective immediately and the Exchange intends to implement the amended Participant Agreement and amended Rules in 10 business days on June 5, 2017.

The confidentiality disclosure provisions in the Participant Agreement and the Rules are being amended to (1) permit the Exchange to disclose to its affiliates, which includes its parent EEX, and (2) remove inconsistencies between these two documents. Section 6.2 of the Participant Agreement is amended to refer to the Rules with regards to disclosures by the Exchange. Rule 9.4 is amended to permit disclosures by the Exchange to its Affiliates. Additional amendments to Rules 9.4 provide clarity as to the disclosures permitted by the Exchange.

Exchange management has assessed the amendments to the Participant Agreement and the Rules, and their compliance with applicable provisions of the Commodity Exchange Act (“Act”), including the Commissions Regulations and the Core Principles. Nodal Exchange has identified that the amendments may affect the following Core Principles as follows:

**Core Principle 7 – Availability of General Information:** The amendments to the Participant Agreement and the Rules provide clarity to Exchange Participants regarding the circumstances whereby the Exchange may disclose information held in confidence. The amendments to the Participant Agreement and the Rules are available to market authorities, Participants and the public on the Exchange website.

Pursuant to Section 5c(c) of the Act and the Commission’s Regulation 40.6, the Exchange certifies that the amended Participant Agreement and the Rules comply with the Act and the Commission’s Regulations thereunder. There have not been any opposing views expressed regarding the amendments.

Nodal Exchange certifies that this submission has been concurrently posted on the Nodal Exchange website at [www.nodalexchange.com](http://www.nodalexchange.com).

If you have any question or need additional information regarding this submission, please contact me at 703-962-9835 or [herrera@nodalexchange.com](mailto:herrera@nodalexchange.com).

Sincerely,

/s/ Anita Herrera

General Counsel and Chief Regulatory Officer

Attachments:

Redline Section 6.2 of the Nodal Exchange Participant Agreement  
Redline of Nodal Exchange Rule 9.4