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January 3, 2013

The Honorable Gary Gensler  
U.S. Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21st Street, N.W.  
Washington, D.C. 20581

Re: Extension of Comment Period for Chicago Mercantile Exchange Inc.'s  
Revised and Corrected Request to Adopt New Chapter 10 and New Rule  
1001 of CME's Rulebook (12-391RC)

Dear Chairman Gensler:

The Depository Trust & Clearing Corporation ("DTCC")<sup>1</sup> reiterates its request of December 20, 2012 that the Commodity Futures Trading Commission ("CFTC" or "Commission") extend the comment period to enable the public to adequately respond to the Chicago Mercantile Exchange Inc.'s ("CME") recent submission of a corrected request to adopt new Chapter 10 and Rule 1001 of CME's Rulebook ("Rule 1001").

On December 6, 2012, CME submitted an amended version of Rule 1001. The Commission posted the submission on its webpage and provided a 30-day public comment period, scheduled to expire on January 7, 2013. Recently, CME submitted a "corrected" Rule 1001 dated December 14, 2012, "to correct a typographical error per CFTC staff's request." The December 14, 2012 submission was not posted to the CFTC's Rule 1001 public comment page until December 28, 2012, at the earliest.

The December 14, 2012 submission, posted the Friday after Christmas and before New Year's Day, requires the Commission to provide more than four business days' time for the public to complete analysis and develop appropriate comments. Unlike the December 6, 2012 amended submission, the Commission did not provide notice of the corrected submission to market participants.

In reviewing the corrected submission, the change is clearly not a "typographical error." CME has removed the word "available" prior to "creation and continuation data" in the rule text. This change seems to go beyond correcting an errant comma or missing punctuation. DTCC is reviewing impact of removing "available" in several instances, as well as any other changes, and certainly could provide more insightful comments to the CFTC with a more appropriate timeframe.

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<sup>1</sup> DTCC serves virtually the entire financial industry, including broker-dealers, banks, insurance carriers, and mutual funds. DTCC's governance structure represents the entirety of the marketplace, with 344 individual shareholders. Currently, no single shareholder holds more than a 6.2% interest.

The CFTC should restart the 30-day public comment period from the December 28, 2012 publication date of the corrected Rule 1001 submission. Additional time will allow for more fulsome analysis in public comments by DTCC and other interested parties, including those market participants who have not yet been made aware of the most recent CME submission.

Sincerely yours,

A handwritten signature in cursive script that reads "Larry E. Thompson".

Larry E. Thompson  
General Counsel

cc: The Honorable Gary Gensler  
The Honorable Jill Sommers  
The Honorable Scott O'Malia  
The Honorable Bart Chilton  
The Honorable Mark Wetjen  
Dan Berkovitz  
Richard Shilts  
Ananda Radhakrishnan  
Jonathan Marcus  
Susan Nathan  
Eric Juzenas  
Nancy Markowitz