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part of eex group

January 23, 2024

VIA CFTC PORTAL

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

Re: CFTC Regulation 40.6(a) Certification: Amendments to the Exchange and Clearing Transaction Fee Schedule for Nodal Exchange

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“Commission” or “CFTC”) Regulation 40.6(a), Nodal Clear, LLC (“Nodal Clear”) hereby notifies the Commission that it plans to amend its Exchange and Clearing Transaction Fee Schedule (“Fee Schedule”) for certain Nodal Exchange environmental contracts. The Fee Schedule shall become effective on February 6, 2024. Attached hereto is the Fee Schedule that will be applicable for Nodal Exchange futures and options cleared at Nodal Clear.¹

The Fee Schedule is being revised to clarify the fees associated with EFS/EFR transactions.

Nodal Clear management has assessed the Fee Schedule and its compliance with applicable provisions of the Commodity Exchange Act (“CEA”), including the Commission’s Regulations and DCO Core Principles. Nodal Clear has identified that the Fee Schedule may have some bearing on the following Core Principles:

Core Principle B - Financial Resources: The Fee Schedule will not impact Nodal Clear’s ability to discharge its financial, operational, or managerial responsibilities as a DCO.

Core Principle L - Public Information: As required by Core Principle L, Nodal Clear is publicly posting this self-certification letter on its website to ensure that market participants receive advance notice of the Fee Schedule. On the effective date of the Fee Schedule, the Fee Schedule will be posted on the Nodal Clear website.

Pursuant to Section 5c(c)(1) of the CEA and the Commission’s Regulation 40.6(a), Nodal Clear certifies that the Fee Schedule set forth in the attachment complies with the CEA and the Commission’s Regulations thereunder. Nodal Clear is not aware of any opposing views expressed regarding the Fee Schedule. Nodal Clear certifies that this submission has been concurrently posted on the Nodal Clear website at www.nodalclear.com.

If you have any questions or need additional information regarding this submission, please contact me at 703-962-9864 or alvarez@nodalexchange.com.

Sincerely,

/s/Cody Alvarez

Cody Alvarez
Chief Compliance Officer
Corporate Counsel

Attachments:
Exchange and Clearing Transaction Fee Schedule (Redline)

¹ Nodal Exchange, LLC is submitting a separate filing for exchange fees. Such fees are also reflected in the attachment.