Overview

Persons with merchandising operations in fertilizer commodities who desire to be Regular for delivery in MIAX Futures ("MIAX Futures" or "Exchange") fertilizer futures may apply via this Fertilizer Regularity Application (the "Application"). The information contained herein is subject to and is superseded by official MIAX Futures Rules, which can be found at www.miaxglobal.com.

Applicants are required to provide all supplemental documentation, answer every question, and provide the requested additional information in each field where applicable. Applicants may answer not applicable ("N/A") where appropriate. Applicants must update any information provided via this Application if and when it becomes inaccurate or incomplete after the date of submission, prior to, or following approval of the Application.

A completed Application, which includes, at a minimum, a completed and fully-executed version of this document and any supplemental materials requested herein or by MIAX Futures staff, should be sent via email to the Market Regulation Department at MIAXFuturesMarketReg@miaxglobal.com. The Exchange may notify the market that an Application has been received and/or approved. Persons whose merchandising operations are approved for regularity in MIAX Futures fertilizer products shall be known as "Regular Facilities". Regular Facilities and any revocations or withdrawals of regularity are a matter of public record. During its review of this Application or thereafter, the Exchange may request Applicants to submit documentation in addition to what is required on the Application. Please direct any questions to the Market Regulation Department at MIAXFuturesMarketReg@miaxglobal.com.

Application Checklist

• Most recent audited financial statement.
• Most recent mid-year interim (unaudited) financial statement, if applicable.
• Shipping Certificate Collateral:
  • Financial Collateral:
    • Secure letter of credit issued by an approved bank naming MIAX Futures Exchange, LLC as its beneficiary (most common); or
    • Cash deposits or U.S. treasury securities as deemed acceptable by the Exchange.

Product(s):

Check the appropriate box(es) and note the capital requirements for each product:

Selection	Product	Working Capital	Net Worth
	New Orleans Urea Futures ("Urea Futures")	$2,000,000	$5,000,000
	New Orleans Mono-Ammonium Phosphate ("MAP Futures")	$2,000,000	$5,000,000
	New Orleans Di-Ammonium Phosphate ("DAP Futures")	$2,000,000	$5,000,000
	New Orleans Potassium Chloride ("MOP Futures")	$2,000,000	$5,000,000

Applicant Details:

Name and Address:
Provide full legal entity name and address(es) of the Person[1] controlling the merchandising operation and applying for said operation to be regular for delivery in the MIAX Futures product(s) indicated above. This legal entity will be the Regular Facility Operator subject to Exchange rules.

Legal Entity Name:

Website:

Principal Office Mailing Address:

City: State: Zip: Country:

Address for Service of Documents (if different from Mailing Address):

City: State: Zip: Country:

Name of Individual Making Application:

Title: Telephone: Email:

Will the name on the futures trading account(s) associated with delivery transactions be different than the legal entity name above?

Yes No

If Yes, please provide a brief description of the nature of the relationship between the Applicant and the Account Controller of the futures trading account that will be used for delivery transactions on behalf of the Applicant (e.g., affiliate, parent, wholly-owned subsidiary, etc.):

Account Controller:

Mailing Address:

Website Address:

Nature of Relationship:

[1] Under Exchange rules, "Persons" are any of the following: Individuals, associations, partnerships, corporations, and trusts, as defined in CFTC Regulation 1.3, as amended, including limited liability companies, sole proprietorships, or other legal entities.

Regular Facility Information

Name of Facility Applying for Regularity (e.g., XYZ Merchandising Operation. If the fertilizer merchandising operation does not have a name distinct from the Applicant, the Regular Facility will be listed as [Applicant Name] [Main Office Location]:

Physical Location of Regular Facility/Merchandising Operation:

Street: City:

State: Zip: Country:

Location Type: Waterfront Fertilizer Facility Office

Territory: New Orleans

Total Storage Capacity at Facility (if applicable): tons

Does Applicant agree to not charge in excess of Exchange maximums for storage, loadout, and insurance for fertilizer delivered against a futures contract traded at MIAX Futures Exchange?

Yes No

Indicate the MIAX Futures Clearing Member(s) you have relationships with and your Clearing Account Number(s).

Clearing Member	Account Number(s) for Delivery Transactions	Name on Account (if different than Applicant)

Please provide the Applicant's Public Accountant information, or the contact person within the Applicant's company responsible for producing financial statements required under Exchange Rules:

Company Name:

Address:

Contact Name:

Phone Number:

Email Address:

All Regular Facilities approved for delivery of fertilizer in satisfaction of the Exchange Futures Contracts must be able to comply with the system of registration of shipping certificates as established by the Exchange. In order for a Regular Facility to register shipping certificates, the facility must file collateral with the Exchange with sufficient sureties in such sum and subject to such conditions as the Exchange may require.

Please indicate how the Applicant intends to collateralize shipping certificates below. Check all that apply

Financial Collateral:

i. Secure Letter of Credit: ☐ Yes ☐ No

Bank Name:

Bank Address:

Bank Contact Name:

Bank Contact Phone Number:

Bank Contact Email Address:

ii. U.S. Treasury Securities: ☐ Yes ☐ No

iii. Cash: ☐ Yes ☐ No

All Regular Facilities approved for delivery of fertilizer in satisfaction of the Exchange Futures Contracts must demonstrate the ability to procure fertilizer according to the following minimum metrics (please select N/A if product is not being applied for):

1. **Urea: Minimum 30,000 short tons (over the last 12 months)**

Please attest you can meet the above procurement standard: ☐ Yes ☐ No ☐ N/A

Please specify actual short tons procured in last 12 months:

If NO, please specify what maximum procurement is being applied for:

2. **MAP: Minimum 5,000 short tons (over the last 12 months)**

Please attest you can meet the above procurement standard: ☐ Yes ☐ No ☐ N/A

Please specify actual short tons procured in last 12 months:

If NO, please specify what maximum procurement is being applied for:

3. **DAP: Minimum 10,000 short tons (over the last 12 months)**

Please attest you can meet the above procurement standard: ☐ Yes ☐ No ☐ N/A

Please specify actual short tons procured in last 12 months:

If NO, please specify what maximum procurement is being applied for:

4. **MOP: Minimum 10,000 short tons (over the last 12 months)**

Please attest you can meet the above procurement standard: ☐ Yes ☐ No ☐ N/A

Please specify actual short tons procured in last 12 months:

If NO, please specify what maximum procurement is being applied for:

Disciplinary Information

Please answer the following questions as applicable for the last ten (10) years. For any "yes" answer to the questions below, the Applicant must provide a detailed explanation of the event or conduct. The explanation must be in writing and sent to the Market Regulation Department at the email address indicated on the first page of this Application. The explanation must include the matter name, when and where the event occurred, parties involved, circumstances, case number, court jurisdiction, allegations/charges, classification of the charges, plea and sentencing information, and the final disposition. If the Applicant is unable to obtain the documents for any criminal matter, the Applicant must provide a letter from the court verifying the documents' unavailability. Organizations should answer the inquiries presented below on behalf of the entity and any of its principals. Sole Proprietors should answer the inquiries presented below on behalf of themselves and any firms or organizations of which they were a principal when any such activity occurred.

1. Has your entity or its principals ever been denied membership by any commodities exchange?

   ☐ Yes ☐ No

2. Has any commodities exchange, securities exchange, clearing organization, or other self-regulatory body ever fined, in an amount exceeding $100,000, or suspended, conditioned, or revoked privileges of your entity or its principals?

   ☐ Yes ☐ No

3. Has your entity or its principals ever been convicted, pleaded guilty, entered a plea of "no contest" or entered into a voluntary settlement for any felony or misdemeanor involving, arising from, or related to, the purchase or sale of any commodity, futures contract, swap, option, security, securities futures product, or other financial instrument, or involving or arising from fraud or moral turpitude?

   ☐ Yes ☐ No

4. Is your entity or any of its principals party to any current investigation or have any charges been brought by any governmental or regulatory authority or exchange/clearing organization for violation of its laws or rules?

   ☐ Yes ☐ No

5. Does your entity or its principals currently have any judgments, liens, attachments, or other encumbrances filed against it?

   ☐ Yes ☐ No

6. Are any orders or agreements currently in effect against your entity or its principals?

   ☐ Yes ☐ No

7. Is your entity or any of its principals party to any action, or is there a charge pending, the resolution of which could result in a "Yes" answer to the above questions?

   ☐ Yes ☐ No

Applicant Contact Information

Business - Trading/Manager Contact

Name: | Title:
Email: | Phone:

Backup Business – Trading/Manager Contact

Name: | Title:
Email: | Phone:

Facility Daily Contact

Name: | Title:
Email: | Phone:

Backup – Facility Daily Contact

Name: | Title:
Email: | Phone:

General Regulatory/Compliance Contact

Name: | Title:
Email: | Phone:

Financial Reporting Contact

Name: | Title:
Email: | Phone:

Regular Facility Agreement

Applicant Firm:

(a) Applicant acknowledges that it meets all requirements to become a Regular Facility.

(b) Operators of Regular Facilities shall disclose , upon request, such information on commodities, including but not limited to: quantity and quality of the commodity in store; commodity in transit, purchased, sold, owned, held for others, consigned, assigned, transferred, delivered, or loaded out; information on shipping certificates issued, outstanding, cancelled without delivery and cancelled with delivery. Furthermore, information on the class, grade and condition shall be provided if requested. The information to be provided shall be in the manner, method and format determined by the Exchange and at such times determined by the Exchange. Such information may be requested on a daily, weekly or periodic basis.

(c) Operators shall keep all books, records, papers and memoranda relating to the storage and warehousing of commodities in said facilities for a period of five (5) years.

(d) Applicant agrees to provide the Exchange, upon request, annual audited financial statements and an interim, mid-fiscal year unaudited financial statement, daily information regarding the commodity, and daily information regarding shipping certificates registered, cancelled, and outstanding for each facility in a manner proscribed by the Exchange.

(e) Applicant hereby agrees that it will be subject to the jurisdiction of the Exchange and will comply with and be bound by CFTC Regulations, Exchange Bylaws, Rules, policies, procedures, or other similar documentation, and all amendments thereto.

(f) Applicant acknowledges and agrees that all current and future trading activity of the Applicant will conform to the requirements for such trading activity established by the Exchange and the CFTC.

(g) As a condition of being a Regular Facility, the Applicant agrees to notify the Exchange of any substantive change(s) to itself or its association with an affiliated firm, including but not limited to, statutory disqualification, censure, a cease and desist order, refusal of registration, expulsion, or other disciplinary action, suspension, investigation, arbitration, or litigation related to material allegation(s) of violation(s) of securities or commodities law or regulation, bankruptcy, or contempt proceeding, injunction, or civil judgment or conviction(s), change in control status, or any other pertinent circumstance.

(h) As a condition of being a Regular Facility, Applicant agrees to ensure that their request to become a Regular Facility and the activities conducted with the Exchange are lawfully done in accordance with the laws of the jurisdiction in which they are located. Should such a request be made unlawfully, the Exchange shall have the right to terminate such Regular Facility status.

(i) The undersigned represents that all of the information contained in this Application and all supplemental materials submitted to the Exchange are true, complete, and accurate, and may be verified by investigation.

(j) The Applicant agrees to promptly update its application materials if any of the information provided is or becomes inaccurate or incomplete after the date of submission of its application to the Exchange and prior to its approval.

Entity Name:

Signature:

Name:

Title:

Date: