



Via Portal Submission

May 9, 2023
MGEX Submission No. 23-22

Mr. Christopher Kirkpatrick
Secretary of the Commission
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street NW
Washington, DC 20581

RE: Rule Certification Submission Pursuant to Regulation 40.6(a); Amendments to MGEX Bylaws and Rules

Dear Mr. Kirkpatrick:

Pursuant to Commodity Exchange Act (“CEAct”) Section 5c and Commodity Futures Trading Commission (“CFTC” or “Commission”) Regulation 40.6(a), the Minneapolis Grain Exchange, LLC (“MGEX” or “Exchange”) hereby certifies that the amendments to MGEX Rules 2011.02., 83.18., and Resolution 2101.00.C., as set forth in Exhibit A, comply with the CEAct and the Commission regulations promulgated thereunder (the “Proposed Amendments”). MGEX further certifies that the submission and pending changes to the MGEX Bylaws and Rules have been posted on the Exchange website at the following link: <http://www.mgex.com/regulation.html>.

Overview of Proposed Amendments

The Proposed Amendments to the above-referenced Rules account for the forthcoming SPIKES Minis (“SPM”) Futures Contract, making certain Rules that are applicable to the SPIKES Futures Contract also applicable to the SPM Futures Contract.

DCM Core Principles

MGEX has reviewed the Core Principles for designated contract markets (“DCM Core Principles”) and identified that the Proposed Amendments may impact the following DCM Core Principles:

- *DCM Core Principle 2 – Compliance with Rules:* The Proposed Amendments make certain Rules that are applicable to the SPIKES Futures Contract also applicable to the forthcoming SPM Futures Contract.
- *DCM Core Principle 5 – Position Limitations or Accountability:* The Proposed Amendments maintain the reduced threat of manipulation in the SPK Futures market by applying appropriate position accountability levels to SPK and SPM Futures positions in the aggregate.
- *DCM Core Principle 7 – Availability of General Information:* The Proposed Amendments have been disseminated on the MGEX website, and will be available in the MGEX Rulebook, which is accessible online.

Pursuant to MGEX Bylaw 3.1., the Board unanimously approved the Proposed Amendments at its meeting held on May 8, 2023. There were no substantive opposing views expressed by the Board, nor is the Exchange aware of any substantive opposing views with respect to this filing. The Proposed Amendments are to be effective when incorporated into the MGEX Rulebook and posted on its website, which will be at least 10 business days following the date of this submission.

If there are any questions regarding this submission, please contact me at (612) 321-7141 or cstuhlmann@mgex.com. Thank you for your attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read 'C.M. Stuhlmann', with a stylized flourish at the end.

Carmen M. Stuhlmann
Associate Counsel

Enclosure

MINNEAPOLIS GRAIN EXCHANGE, LLC

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EXHIBIT A

The following MGEX Rules are to be amended. Additions are underlined while deletions are ~~marked through~~.

2011.02. LAST DAY FOR EXCHANGE FOR PHYSICAL AND RISK TRANSACTIONS.

The last day that a National Corn Index, National Soybean Index or Wheat Index futures contract may be exchanged for, or in connection with, a physical ("EFP") or risk ("EFR") transaction shall be the last business day of the contract month.

The last day that a SPK~~IKES~~ or SPM futures contract may be exchanged for, or in connection with, an EFR transaction shall be the last trading day of that contract.

The last day that a Spring Wheat futures contract may be exchanged for, or in connection with, an EFP or EFR transaction shall be the sixth (6th) business day following the last trading day of the contract month.

After the last trading day of the Spring Wheat futures contract, EFP and EFR transactions are permitted only for the purpose of liquidating futures positions. Such transactions shall not be permitted to initiate or establish new futures positions.

83.18. POSITION ACCOUNTABILITY.

The position accountability levels for SPK Futures Contracts are as follows:

- A. Ownership or control at any time of more than ~~50,000~~ the number of contracts net long or net short in all SPK and SPM Futures ~~Contracts~~ combined that in the aggregate would exceed the equivalent of 50,000 SPK Futures Contracts;
- B. Ownership or control of more than ~~30,000~~ the number of contracts net long or net short in the expiring SPK and SPM Futures ~~combined Contract,~~ that in the aggregate would exceed the equivalent of 30,000 SPK Futures Contracts, effective commencing at the start of Hours of Trading for the Friday prior to the final settlement date of the expiring SPK Futures; or
- ~~C.~~ Ownership or control of more than ~~10,000~~ the number of contracts net long or net short in the expiring SPK and SPM Futures ~~Contract,~~ combined that in the aggregate would exceed the equivalent of 10,000 SPK Futures Contracts, effective commencing at the start of the Hours of Trading for the Business Day immediately preceding the final settlement date of the expiring SPK Futures.

For purposes of this Rule, one SPM Futures Contract shall be deemed to be equivalent to one tenth (.10) of one SPK Futures Contract.

For the purpose of this Rule, each new trading day commences with the start of trading at 5:00 p.m. Central Time.

RESOLUTION 2101.00.C.

The Exchange has adopted the following schedule of reporting deadlines (all times listed shall conform to Central Time):

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7:30 a.m.	Position reports
9:00 a.m.	Settlement and margin payment
11:00 a.m.	Trading directive for same day collateral pledges* Trading directive for same day collateral pledge release*
11:15 a.m.	Weekly account position updates Daily Delivery/Exercise account updates
11:30 a.m.	Intraday variation payment
4:10 p.m.	Unmatched trade adjustments
4:15 p.m.	Last submission of trades Give-up execution
4:20 p.m.	Give-up acceptance
4:30 p.m.	Auto-Exercise Cancellation Notices Options position reports on expiration day SPK <u>and SPM</u> Futures position reports on expiration day TAX Futures position reports on expiration day
4:45 p.m.	Long position lists for delivery (HRSW Futures) Delivery Notices Exercise Notices
5:10 p.m.	SPK <u>and SPM</u> Futures delivery accounts updates TAX Futures delivery accounts updates
7:30 p.m.	Customer gross margin files

***Submitting a Trading directive to the Exchange does not guarantee same day transfers of a security. MGEX is not responsible for delays caused by the inaccuracy or untimely submission of information by a Clearing Member required to facilitate the transfer of securities to or from MGEX's safekeeping accounts.**

Trading activity after five o'clock (5:00) p.m. to four o'clock (4:00) p.m. the following day will be cleared with said following day's trading activity.

Trades must be entered in "TEMS" within forty-five (45) minutes of the conclusion of each half (½) hour trading bracket. Notwithstanding the aforementioned, all trades must be submitted no later than four fifteen o'clock (4:15) p.m.

Any unresolved unmatched trades may be suspended pending possible resolution the following business day as an "as of" trade. "As of" trades can be carried no longer than one business day.

All give up trades properly entered in accordance with [Rule 2102.00](#). by the executing Clearing Member by four fifteen o'clock (4:15) p.m. must be accepted by the carrying Clearing Member by four twenty o'clock (4:20) p.m.

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Pursuant to [Rules 2.3.5.](#) and [1227.00.](#), any deadline or submission listed herein that is missed, late, inaccurate or incomplete, may result in a fine or the matter being referred to the Disciplinary Committee as determined by the Exchange.

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