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TO: Eris Exchange Market Participants

FROM: Market Regulation Department

ADVISORY: #16-M07

DATE: September 8, 2016

SUBJECT: Form 102A and 102B Submissions for Ownership and Control Reporting

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This Market Notice supersedes Market Notice #15-12 and serves to notify Participants that the Exchange is amending Rule 532 and Rule 533 (attached as Exhibit A), subject to regulatory review, to require Ownership and Control Reporting ("OCR") Form 102A and Form 102B submissions to the Exchange.

Consistent with CFTC requirements, effective September 29, 2016, Clearing Firms must submit Forms 102A or 102B (as applicable) to comply with amended Rule 532. Between September 29, 2016, and December 31, 2016, Clearing Firms may submit Form 102 in lieu of Form 102A. All Clearing Firms must update Form 102 on file with the Exchange and submit an updated Form 102A by December 31, 2016.

The Exchange's amended rules require the submission of an applicable Form 102A and/or 102B for each reportable account. A reportable account is any position at or above the reportable level in a discrete Commodity Code.

In an effort to reduce additional development costs and simplify requirements, Eris Exchange is collecting OCR information in the same format as required by the CFTC OCR rules. Eris will maintain consistency with CFTC field requirements, file specifications and formats, which can be found [here](#), including Letter No. 16-32 that temporarily exempts certain fields from submission.

### **Form 102**

There is no change to the current submission process for Form 102 and Clearing Firms may continue to submit Form 102, in lieu of Form 102A, to fulfill its obligations under amended Rule 532, via electronic mail until December 31, 2016.

### **Form 102A and Form 102B**

The following requirements apply to Clearing Firms on days required to submit a Form 102A and/or Form 102B:

- Clearing Firms submit a single file per day containing records for all accounts applicable to Eris Exchange, following CFTC format specifications (<http://www.cftc.gov/Forms/OCR>) and naming convention:
  - OCRFORM\_102\_[IDENTIFIER]\_[YYYYMMDD]\_[SOURCE]\_[TRACKING].xml.
- Clearing Firms submit Form 102A and Form 102B information to the Eris Exchange sFTP folder or through the FIA Tech OCR system.

- Clearing Firms that do not have an sFTP folder can request setup from [ErisControlCenter@erisfutures.com](mailto:ErisControlCenter@erisfutures.com).

**Form 102A and Form 102B Testing**

- Clearing Firms may continue to test the Form 102A and Form 102B submission process beginning by first contacting the Eris Control Center to coordinate testing times and credentials.
  - The Exchange supports the use of the FIA Tech OCR system for testing.
- Clearing Firms will utilize the following naming convention and submit test files via sFTP to the same folder used by each firm for daily LTR file:
  - OCRFORM\_102\_[IDENTIFIER]\_[YYYYMMDD]\_[SOURCE]\_[TRACKING]\_TEST.xml.

**Reportable Levels**

Reportable levels are identified in the Exchange Rulebook at Rule 532. Eris Exchange recognizes that in some instances there are differences between the Exchange reportable levels and the CFTC's reporting levels. For products where the Exchange reportable levels are higher than the CFTC levels, the Exchange will accept over-reporting of accounts and will not reject files on the basis that the position reported is below the Exchange's reportable level. The Exchange does not currently have products where the Exchange large trader reportable levels are lower than the CFTC levels.

For more information, please contact the Eris Control Center at [ErisControlCenter@erisfutures.com](mailto:ErisControlCenter@erisfutures.com).

You are receiving this email as you are subscribed to [Notices@erisfutures.com](mailto:Notices@erisfutures.com). If you would like to unsubscribe or if you know of someone that should be on this distribution please contact the [ErisControlCenter@erisfutures.com](mailto:ErisControlCenter@erisfutures.com).

**EXHIBIT A****(Amended Rules 532 and 533 effective September 29, 2016, subject to regulatory review)****RULE 532. Reports of Large Positions and Ownership and Control Reporting****(a) Large Trader Reporting**

- (1) Clearing Firms shall submit to the Exchange a daily report of all positions at or above the Reportable Futures Level as set forth in the Table in Rule 533 ("Large Trader Report").
- (2) Positions at or above the Reportable Futures Level in a discrete Commodity Code trigger reportable status. For a person in reportable status in a discrete Commodity Code, all positions, regardless of size, in the same discrete Commodity Code must be reported.

For the avoidance of doubt, if the discrete Commodity Code that triggers the reportable status is a Contract with a A9102 Commodity Code, then all other positions in Contracts with a A9102 Commodity Code would be required to be reported under this Rule 532(b). Any other discrete Commodity Codes (i.e., A0004, A0006, other *Annnn* Commodity Codes, *Bnnnn* Commodity Codes, *Cnnnn* Commodity Codes, or *Dnnnn* Commodity Codes) would not be required to be reported (provided that such A0004, A0006, other *Annnn* Commodity Codes, *Bnnnn*, Commodity Codes, *Cnnnn* Commodity Codes, or *Dnnnn* Commodity Codes have not independently triggered reportable status).

- (3) All Large Trader Reports shall be submitted in a form acceptable to the Market Regulation Department. The Exchange may require that more than one Large Trader Report be submitted daily. The Regulatory Oversight Committee or the Market Regulation Department may require reports from any Clearing Firm on a lesser number of positions than reflected in the Table in Rule 533.

**(b) Ownership and Control Reporting**

- (1) Clearing Firms must provide the Market Regulation Department with the required CFTC Form 102A and/or Form 102B identifying the owner, any controlling parties and any additional required information for each reportable account. A reportable account for the purposes of this Rule 532(b)(1) is an account at or above the Reportable Futures Level and/or the Volume Threshold Reportable Level as identified in the table in Rule 533.
- (2) The applicable Form 102A and/or Form 102B must be submitted to the Market Regulation Department no later than 9:00 am Eastern Time on the Business Day following the date on which the account becomes reportable. Additionally, Clearing Firms must submit a revised form reflecting any material changes to the information previously provided to the Market Regulation Department within three Business Days of such changes becoming effective. In the absence of any material changes, the Exchange may require electronic submission of a new Form 102A and/or Form 102B on an annual basis for the maintenance of accurate records.

### **RULE 533. Position Limit, Position Accountability, Reportable Level and Volume Threshold Level Table**

The reportable levels for all Contracts are set forth in the Position Limit, Position Accountability, Reportable Level and Volume Threshold Level Table below. For purposes of the Large Trader Report, Contracts shall be reported according to discrete Commodity Code. The Commodity Code shall be the Contract's Clearing Code, as defined in Rule 1101, absent the Z at the beginning of the code. The Commodity Code is an alpha-numeric code that consists of two components. The first component is the letter at the beginning of the code, which represents the tenor of the contract. The second component of the Commodity Code is the 4 numbers that follow the letter (i.e., "nnnn" in the Table below). These 4 numbers represent each unique contract, meaning a contract with a different coupon and/or a different first trade date, for any given maturity date. For example, a Contract with a Clearing Code of ZA0004 shall have a Commodity Code of A0004 and a Contract with a Clearing Code of ZA0006 shall have a Commodity Code of A0006. For purposes of the large trader report, all Contracts in the respective Commodity Code (i.e., A0004 or A0006) shall be grouped in order to determine reportable futures level and position accountability. The reportable level is the net long position or the net short position for each discrete Commodity Code. Pursuant to Rule 909, concurrent long and short positions must be reported to the Exchange for both sides as open positions (i.e., net long positions or net short positions).

#### **Position Limit, Position Accountability, Reportable Level and Volume Threshold Level Table:**

Contract Name	Commodity Code	Tenor of each discrete Commodity Code	Reportable Futures Level for each discrete Commodity Code (Large Trader Report and Form 102A)	Position Accountability for each discrete Commodity Code	Position Limit for each discrete Commodity Code	Volume Threshold Reportable Level for each discrete Commodity Code (Form 102B)
Interest Rate Swap Futures Contract	<i>Annnn</i>	Less than or equal to 2 years	3000	6000	N/A	250
Interest Rate Swap Futures Contract	<i>Bnnnn</i>	Greater than 2 years and less than or equal to 5 years	3000	6000	N/A	250
Interest Rate Swap Futures Contract	<i>Cnnnn</i>	Greater than 5 years and less than or equal to 10 years	3000	6000	N/A	250
Interest Rate Swap Futures Contract	<i>Dnnnn</i>	Greater than 10 years	3000	6000	N/A	250