



October 27, 2023

Christopher J. Kirkpatrick
Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Cboe Digital Exchange, LLC Rule Certification
Submission Number CDE-2023-05E

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (“Act”), and Regulation 40.6(a) of the regulations promulgated by the Commodity Futures Trading Commission (“CFTC” or “Commission”) under the Act, Cboe Digital Exchange, LLC (“CDE” or “Exchange”) hereby submits this rule change to unwind the amendments made by an emergency rule filing submitted by CDE on September 29, 2023 (“Emergency Rule Filing”) by delisting its physically-settled ETH and BTC futures contracts (the “Products”) and removing certain updates to the CDE rules. This rule change will become effective on November 13, 2023.

Products

On September 29, 2023, CDE submitted the Emergency Rule Filing to re-certify the Products. This filing was marked certified as of October 16, 2023. Upon emergency re-certification there was no trading and no open interest in the Products. Since then, CDE has removed and no longer intends to list the Products.

Rule Changes

As part of the Emergency Rule Filing, CDE made certain rule updates tied to trading hours and block trading hours in Rule 1101 and 1102, which govern the Products’ terms. CDE is removing the rule updates pertaining to the re-certified Products made by the Emergency Rule Filing. The specific updates to remove the changes made by the Emergency Rule Filing are reflected in Exhibit A.

Core Principle Compliance

CDE believes that this submission to unwind the changes made by the Emergency Rule Filing, including the delisting of the Products and removal of certain changes to be consistent with DCM Core Principles under Section 5 of the Act. In particular, CDE believes that unwinding the changes made by the Emergency Rule Filing is consistent with the following DCM Core Principles:

DCM Core Principle 4 (Prevention of Market Disruption) because the Products did not have any open interest before or after the certification of the Emergency Rule Filing; and

DCM Core Principle 7 (Availability of General Information) because the CDE website will reflect that the Products are no longer listed and the revised rules will make clear that the Products are no longer listed. CDE also has provided notice to participants of the discontinued Products.

Public Information

We have concurrently posted a notice and copy of this submission on the Exchange's website at <https://www.cboedigital.com/regulation/exchange-notices/> under "CFTC Submissions."

Opposing Views

We are not aware of any opposing views to this self-certification.

Certification

Cboe Digital Exchange, LLC hereby certifies to the Commodity Futures Trading Commission, pursuant to the procedures set forth in Commission regulation §40.6, that this submission complies with the Commodity Exchange Act, as amended, and the regulations promulgated thereunder.

If you have any questions regarding this submission, please contact the undersigned at the information below.

Sincerely,

/s/ Katherine Kirkpatrick

Katherine Kirkpatrick
Chief Legal Officer
kkirkpatrick@cboe.com
(312) 786-7431

EXHIBIT A

Cboe Digital Exchange Rulebook

(additions underlined – deleted text ~~strikethrough~~)

RULE 1101. Bitcoin Futures

Reserved

Bitcoin Futures

<i>Description</i>	<i>A fully funded physically settled futures contract for Bitcoin</i>
<i>Contract Symbol</i>	BTC
<i>Contract Size</i>	0.1 Coin
<i>Price Quotation</i>	USD per 1 coin
<i>Minimum Price Increment</i>	\$1.00 per Bitcoin (\$0.10 per contract)
<i>Listed Contracts</i>	Up to 5 Daily expirations, 4 Weekly expirations, nearest 2 serial months and nearest 2 quarterly months.
<i>Settlement</i>	Physical Delivery
<i>Trading Hours</i>	Regular Trading Hours as determined by the Exchange from time to time. Sunday - Friday, 17:00 - 16:00 (CT) Block Trading Hours: Sunday - Friday, 17:00 - 16:00 (CT); Saturday, 08:00-16:00 (CT)
<i>Daily Closing Time</i>	16:00 (CT)
<i>Last Trading Day/Time</i>	Daily - 10:00 (CT) of the expiry day Weekly - 10:00 (CT) Friday of the expiry Week Monthly - 10:00 (CT) Last Friday of the contract month Preceding business day if day falls on a non-business day
<i>Block Trade Minimum</i>	10 Contracts
<i>Position Limit</i>	200,000 Contracts
<i>Large Trader Reporting</i>	25 Contracts
<i>Collateral Withheld</i>	Buyer: No. of Contracts * Contract Size * Trade Price Seller: No. of Contracts * Contract Size

<i>Delivery</i>	Pursuant to the Cboe Clear Digital rulebook, purchase price of the future and the underlying deliverable commodity are deposited with the Clearinghouse (in accordance with Cboe Clear Digital Rules 403 and 315) by the buyer and seller, respectively, prior to the futures trade. Therefore, delivery is made through the Clearinghouse to the buyer's account. Further information about delivery can be found in Cboe Clear Digital Rule 410.
<i>Forks</i>	Support for forks in the underlying product will be evaluated in accordance with the Cboe Digital Fork Policy

RULE 1102. Ether Futures

Reserved

<i>Description</i>	<i>A fully funded physically settled futures contract for Ether</i>
<i>Contract Symbol</i>	ETH
<i>Contract Size</i>	1 Coin
<i>Price Quotation</i>	USD per 1 coin
<i>Minimum Price Increment</i>	\$0.10 per Ether (\$0.10 per contract)
<i>Listed Contracts</i>	Up to 5 Daily expirations, 3 Weekly expirations, nearest 2 serial months and nearest 2 quarterly months.
<i>Settlement</i>	Physical Delivery
<i>Trading Hours</i>	Sunday - Friday, 17:00 - 16:00 (CT) Block Trading Hours: Sunday - Friday, 17:00 - 16:00 (CT); Saturday, 08:00-16:00 (CT)
<i>Daily Closing Time</i>	16:00 (CT)
<i>Last Trading Day/Time</i>	Daily - 10:00 (CT) of the expiry day Weekly - 10:00 (CT) Friday [†] of the expiry Week Monthly - 10:00 (CT) Last Friday [†] of the contract month [†] - Preceding business day if day falls on a non-business day
<i>Position Limit</i>	75,000
<i>Large Trade Reporting</i>	25 Contracts
<i>Collateral Withheld</i>	Buyer: No. of Contracts * Contract Size * Trade Price Seller: No. of Contracts * Contract Size
<i>Delivery</i>	Pursuant to the Cboe Clear Digital rulebook, purchase price of the future and the underlying deliverable commodity are deposited with the Clearinghouse (in accordance with Cboe Clear Digital Rules 403 and 315) by the buyer and seller prior to the futures trade. Therefore, delivery is made through the Clearinghouse to the buyer's account. Further information about delivery can be found in Cboe Clear Digital Rule 410.
<i>Forks</i>	Any forks in the underlying blockchain for the digital asset will be evaluated in accordance with Exchange Rule 911.

* * * * *