



CFE Regulatory Circular RG19-001

Date: January 2, 2019

To: Trading Privilege Holders, Clearing Members, Futures Commission Merchants and Foreign Brokers

From: Regulatory Division

RE: Ownership and Control Reporting and Large Trader Reporting

Cboe Futures Exchange, LLC (“CFE” or the “Exchange”) is issuing this Regulatory Circular to provide guidance to Clearing Members, Futures Commission Merchants (“FCMs”) and Foreign Brokers (collectively “Reporting Firms”) regarding the procedures for submitting Ownership and Control Reports (“OCRs”) and Large Trader Reports (“LTRs”) to CFE. This Circular updates and replaces CFE Regulatory Circular [RG15-027](#) and [RG 16-018](#).

CFE Rules 412B(a)(i) and 412B(b)(i) require Trading Privilege Holders (“TPHs”) and non-TPH Reporting Firms to concurrently file Commodity Futures Trading Commission (“CFTC”) Forms 102 (including CFTC Form 102A and CFTC Form 102B) and CFTC Form 71 (including any attachments, related submission or related information) as they relate to CFE contracts with the Exchange when the TPH or non-TPH is required to report to the CFTC pursuant to CFTC regulations. CFE Rules 412B(a)(ii) and 412B(b)(ii) require TPHs and non-TPH Reporting Entities to concurrently report to the Exchange reportable positions in CFE contracts that each TPH or non-TPH is required to report to the CFTC pursuant to CFTC regulations.

Reportable Position Levels

CFTC Regulation [§17.00\(a\)](#) requires Reporting Firms to report position information for each business day with respect to all special accounts¹ carried by the Reporting Firms except for accounts carried on the books of another FCM or Clearing Member on a fully-disclosed basis. Pursuant to CFTC Regulation [§17.00\(b\)](#), if any person or entity holds or has a financial interest in or controls more than one account, all such accounts shall be considered by the Reporting Firm as a single account for the purpose of determining special account status. Please consult CFTC Regulation [§17.00\(b\)](#) for additional information regarding aggregating accounts for reporting purposes.

The contract specifications chapter of the CFE Rulebook applicable to each CFE contract specifies the reportable position levels for each CFE contract. The bullet points below provide a summary of the reportable position levels for current CFE contracts.

¹ CFTC Regulation [15.00\(r\)](#) defines special account as “any commodity futures or option account in which there is a reportable position.”

- Cboe Volatility Index futures (VX): any open position in VX futures contracts at the close of trading on any trading day equal to or in excess of 200 contracts on either side of the market. See CFE Rule 1202(n)(i).
- Cboe Bitcoin (USD) futures (XBT): any open position in XBT futures contracts at the close of trading on any trading day equal to or in excess of 5 contracts on either side of the market. See CFE Rule 1302(n)(i).
- Cboe/CBOT 10-Year U.S. Treasury Note Volatility Index futures (VXTY): any open position in VXTY futures contracts at the close of trading on any trading day equal to or in excess of 200 contracts on either side of the market. See CFE Rule 1402(n)(i).
- Cboe® iBoxx® iShares® Corporate Bond Index (“CB Index”) futures²: any open position in a CB Index futures contract at the close of trading on any trading day equal to or in excess of 200 contracts on either side of the market. See CFE Rule 1502(n)(i).³
- S&P 500 Variance futures (VA): any open position in VA futures contracts at the close of trading on any trading day equal to or in excess of 25 variance units on either side of the market. See CFE Rule 2302(n)(i).

Reportable Volume Thresholds

The contract specifications chapter of the CFE Rulebook applicable to each CFE contract specifies the reportable volume levels for each CFE contract. CFE’s reportable volume thresholds mirror the CFTC’s reportable volume thresholds. For all CFE contracts, the reportable trading volume thresholds is 50 or more contracts in a single trading day or such other reportable trading volume threshold as may be designated by the CFTC.⁴

In accordance with the CFTC no-action [Letter No. 17-45](#) , CFE’s reportable volume threshold for all CFE contracts is 250 or more contracts during a single trading day until the earlier of: (a) the later of the applicable effective date or compliance date of a CFTC action addressing such obligation or (b) September 28, 2020.

OCR Reporting to CFE

CFE permits CFTC Forms 102A, 102B, and 71 to be transmitted to CFE via XML-based OCR reporting and web-based OCR reporting.

Prior to submitting OCR forms to CFE, either via XML files or through the web-based option, Reporting Firms are required to register to do so. Access is administered via a web-based form accessible at <https://www.cboe.org/cfe-ocr/register.aspx>. If a registrant needs to report for more than one Reporting Firm, please contact the CFE OCR team at CfeOcrReg@cboe.com.

² All of the futures on a particular CB Index are treated as a separate product. See Rule 1501.

³ Additional CB Index products listed pursuant to Chapter 15 will be subject to the same reportable position levels defined in Rule 1502(n)(i).

⁴ See e.g. CFE Rule 1202(n)(ii) “Pursuant to Commission Regulation §15.04 and Commission Regulation Part 17, the reportable trading volume that triggers the requirement to report a volume threshold account to the Commission is 50 or more VX futures contracts during a single trading day or such other reportable trading volume threshold as may be designated by the Commission.”

XML-based OCR Reporting

Reporting Firms that register for XML-based OCR reporting to CFE will be contacted by the Exchange to establish connectivity to the Cboe/CFE SFTP server (if necessary). Reporting Firms without existing connectivity will need to provide the SSH public key and the source networks from which the data will be transmitted. After establishing connectivity with the Exchange, Reporting Firms will be contacted by a CFE representative with instructions for submitting XML formatted files for CFTC Forms 102A, 102B, and 71 to CFE. For additional information regarding CFTC technical specifications for XML-based OCR reporting please see the CFTC [Technical Guidance Document](#).

Production XML files are required to be submitted with the following filenames:

OCRFORM_102_FIRMID_YYYYMMDD_E_FILEID.xml[.zip]

OCRFORM_71_FIRMID_YYYYMMDD_E_FILEID.xml[.zip]

File Name Component	Mandatory	Description
FIRMID	Yes	CFTC ID for the reporting firm
YYYYMMDD	Yes	Reporting date
FILEID	Yes	Identification to provide uniqueness in the file name for the reporting date. Reporters may use either time (HHMMSS) or another unique alphanumeric string
.xml	Yes	The XML file extension
.zip	No	File extension to be used if the reporter sends the file in a zip format. The zip file must contain only one file.

Web-based OCR Reporting

Reporting Firms that register for web-based reporting to CFE will receive an email when their registration has been approved. The URL for web-based transmission of CFTC Forms 102A, 102B, and 71 is <https://www.cboe.org/cfe-ocr>. The OCR portal requires JavaScript and cookies to be enabled.

Reporting Methods

For purposes of Large Trade Reporting, CFE utilizes a reporting facility operated by The Options Clearing Corporation (“OCC”). Position information for all reportable customer accounts must be directly filed, in electronic format, with OCC so that OCC can then provide the information to CFE and the CFTC. With respect to accounts that clear in the market-maker or firm range at OCC, OCC submits position data directly to CFE and the CFTC on behalf of the Reporting Firms that clear in these ranges, unless the Reporting Firm has requested otherwise. All other Reporting Firms will be required to report account position information to OCC. The data must be submitted to OCC by 6:00 a.m. Chicago time on the morning following the trade date that establishes the position.

Reporting Firms may report directly to the CFTC. Reporting Firms that wish to report directly to the CFTC may contact an OCC member services representative and request that data submitted to the OCC not be forwarded to the CFTC to avoid duplicative reporting.

Please consult OCC's [Inbound CFTC Futures Large Trader Exchange Reporting](#) guide for additional information regarding the LTR file requirements. Failure to submit complete and accurate data in a timely manner may result in disciplinary action.

Additional Information

For questions please contact CFE Regulatory Interpretations at (312) 786-7229 or CFERegInterps@cboe.com.

For questions regarding technical requirements or access to The OCC's Trade Reporting service please contact OCC Member Services at (800) 544-6091 or memberservices@theoocc.com.