



March 11, 2013

**Via Electronic Service**

Ms. Melissa Jurgens  
Secretary of the Commission  
Commodity Futures Trading Commission  
Three Lafayette Center  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

Re: Letter Supporting the Commercial Energy Working Group's Request for No-Action Relief Extending the Compliance Date for Reporting of Trade Options

Dear Secretary Jurgens:

The American Gas Association ("AGA") supports the Request for No-Action Relief Extending the Compliance Date for Reporting Trade Options submitted by the Commercial Working Group ("Working Group") on March 1, 2013. Specifically, AGA agrees that the Commission should permit end users to report all trade options annually on an aggregated basis on Form TO, such that all trade options entered into in calendar year 2013 would be reported beginning on March 13, 2014. In addition, AGA agrees in the alternative that the Commission should extend the compliance date for reporting trade options under Part 45 of the Commission's regulations to April 10, 2014 – one year following the reporting compliance date applicable to end user counterparties for reporting non-trade option swaps.

As noted in the Working Group's letter and in AGA's Request for Interpretative Guidance and No-Action Relief,<sup>1</sup> there are several compliance challenges associated with classifying and reporting end users' physical transactions as trade options. For example, these letters note that under the currently bifurcated reporting program for trade options, some end user-to-end user trade options would be reported to a Swap Data Repository under the Part 45 rules, while others will be reported in the aggregate on Form TO in April 2014. AGA's and the Working Group's no-action requests also detail the regulatory uncertainty and disagreements presently occurring among market participants as to the definition of a trade option, as well as on the scope of reporting for certain physical transactions that should occur as of April 10, 2013.

For these reasons, AGA strongly supports the Working Group's request for no-action relief, and alternatively supports an implementation deadline extension through April 10, 2014 so that end users have sufficient time to implement IT systems, effectuate personnel changes, establish interfaces with Swap Data Depositories, clarify reporting obligations with counterparties, and obtain interpretative guidance that is required to come into compliance with the Commission's regulations.

AGA respectfully requests that the Commission act expeditiously to grant the relief requested by the Working Group. Please contact the undersigned should you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Arushi Sharma".

Arushi Sharma  
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<sup>1</sup> AGA's Request for Interpretative Guidance on the Treatment of Certain Natural Gas Supply Contracts with Volumetric Optionality is available on the AGA [website](#) (filed on February 22, 2013). AGA's letter requests that in the alternative to interpretative guidance, the Division of Market Oversight should issue no-action relief from swap reporting requirements for all market participants until such time as the Commission responds to comments filed in the Product Definition and Trade Option proceedings in October 2012 and June 2012, respectively.