



Special Executive Report

DATE: January 26, 2021
SER#: 8710
SUBJECT: Amendments to the Disclaimer Rule of Two (2) German Power Futures Contracts

Effective Tuesday, February 9, 2021 for trade date Wednesday, February 10, 2021, and pending all relevant CFTC regulatory review periods, New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") will amend the disclaimer rule of the two (2) German power futures contracts set out in the table below (the "Contracts"):

Contract Title	Commodity Code	NYMEX Rulebook Chapter
German Power Baseload Calendar Month Futures	DEB	1070
German Power Peakload Calendar Month Futures	DEP	1071

Specifically, the Exchange will amend Rule 107xxxx. ("Disclaimer") as well as relocate the rule of the Contracts to NYMEX Chapter iv. ("Disclaimers") (collectively, the "Rule Amendments"). The Rule Amendments, which are provided in Appendix A below in blackline format, shall not impact the economic value of the Contracts.

Please refer additional questions on this subject to:

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APPENDIX A
NYMEX Rulebook
(additions underscoring; deletions ~~struck through~~)

Chapter iv.
DISCLAIMERS

EPEX SPOT SE

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Chapter 1070

German Power Baseload Calendar Month Futures

1070104. DISCLAIMER

See EPEX SPOT SE disclaimer in [NYMEX/COMEX Chapter iv. \("DISCLAIMERS"\)](#) incorporated herein by reference.

~~New York Mercantile, Inc. ("NYMEX") uses publicly available spot market prices in connection with the trading and/or clearing of the German Power Baseload Futures (the "Product"). The Exchange and its Affiliates make no warranties, express or implied, as to the results to be obtained by any person or entity from use of the price assessment, trading and/or clearing based on the price assessment, or any data included therein in connection with the trading and/or clearing of the Product, or, for any other use. The Exchange and its Affiliates make no warranties, express or implied, and hereby disclaim all warranties of merchantability or fitness for a particular purpose or use with respect to the price assessment or any data included therein. Without limiting any of the foregoing, in no event shall the Exchange or its Affiliates have any liability for any lost profits or indirect, punitive, special or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

[End of Chapter]

Chapter 1071

German Power Peakload Calendar Month Futures

1071104. DISCLAIMER

See EPEX SPOT SE disclaimer in [NYMEX/COMEX Chapter iv. \("DISCLAIMERS"\)](#) incorporated herein by reference.

~~New York Mercantile, Inc. ("NYMEX") uses publicly available spot market prices in connection with the trading and/or clearing of the German Power Peakload Futures (the "Product"). The Exchange and its Affiliates make no warranties, express or implied, as to the results to be obtained by any person or entity from use of the price assessment, trading and/or clearing based on the price assessment, or any data included therein in connection with the trading and/or clearing of the Product, or, for any other use. The Exchange and its Affiliates make no warranties, express or implied, and hereby disclaim all warranties of merchantability or fitness for a particular purpose or use with respect to the price assessment or any data included therein. Without limiting any of the foregoing, in no event shall the Exchange or its Affiliates have any liability for any lost profits or indirect, punitive, special or consequential damages (including lost profits), even if notified of the possibility of such damages.~~

[End of Chapter]