



Regulatory Circular RG09-103

To: Members
From: Legal Division
Member and Regulatory Services Division
Date: September 23, 2009
Re: Delta-Hedge Exemption for Customers is **NOT** Currently Available

This circular reminds Members that on August 21, 2009 the Securities and Exchange Commission ("SEC") issued a contingent approval that will extend the delta-hedge exemption from equity position and exercise limits to positions of customers who hedge those positions in accordance with a pricing model maintained and operated by The Options Clearing Corporation (the "Exemption").¹ The Exemption is **not** currently available to be utilized and will not be implemented until CBOE provides a representation to the Office of Compliance Inspections and Examinations that CBOE can conduct adequate surveillance for the Exemption. CBOE will announce to Members when the Exemption is available to be utilized.

Questions regarding this circular may be addressed to Tim MacDonald at (312) 786-7706 or (macdonat@cboe.com) or Jenny Klebes at (312) 786-7466 or (klebes@cboe.com).

¹ See Securities and Exchange Act Release No. 60555 (August 21, 2009) 74 FR 43741 (August 27, 2009) (SR-CBOE-2009-039).