

August 23, 2007

Securities and Exchange Commission
100 F Street, N.E.
Washington, DC 20549-1090

Attn: Nancy M. Morris, Secretary

Re: File Number: SR-CBOE-2007-91

Ladies and Gentlemen:

On behalf of CME Group Inc. ("CME") and its wholly-owned subsidiary, Board of Trade of the City of Chicago, Inc. ("CBOT"), we hereby request that the Securities and Exchange Commission ("SEC" or "Commission") promptly abrogate SR-CBOE-2007-91, filed by the Chicago Board Options Exchange, Incorporated ("CBOE") and published for comment by the SEC on August 3, 2007. The filing purports to be a rule imposing or changing a due, fee or other charge under Section 19(b)(3)(A) of the Securities Exchange Act of 1934 ("Exchange Act") and was made effective upon filing.

The filing seeks to impose a monthly access fee for persons granted temporary CBOE status under the interpretation of CBOE Rule 3.19 that is the subject of SR-CBOE-2007-77 (the "Interpretation").¹ As we previously have explained, however, the Interpretation is an unnecessary rule that, among other things, is substantive in nature and was not properly filed under section 19(b)(3) of the Exchange Act, violates the Exchange Act and Delaware state law.² Because the Interpretation is legally illegitimate for the many reasons discussed in our prior comment letters, which reasons are incorporated into and made a part of this comment letter, it follows that the rule filing that is the subject of SR-2007-91 and seeks to impose access fees based entirely on an illegitimate rule change (the Interpretation) *ipso facto* must be legally insufficient under the Exchange Act, and in turn must be abrogated. CBOT therefore respectfully requests that the SEC exercise its authority under Section 19(b)(3)(C) of the Exchange Act to abrogate the rule change filed under SR-2007-91 and require its resubmission as a proposed rule change, as required thereunder.

¹ SR-CBOE-2007-91 also makes minor conforming changes to the Interpretation.

² See comments letters filed by the CBOT with respect to SR-CBOE-2007-77, dated July 27 and August 9, 2007.

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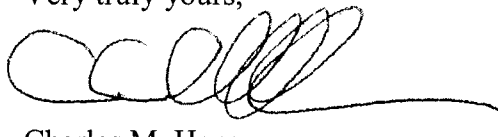
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Thank you for your consideration of the foregoing. If you have any questions, please contact the undersigned at (202) 263-3219, Kathryn McGrath at (202) 263-3374, or Jerrold Salzman at (312) 407-0718.

Very truly yours,

A handwritten signature in black ink, consisting of several loops and a long horizontal stroke extending to the right.

Charles M. Horn

cc: The Honorable Christopher Cox, Chairman
The Honorable Paul S. Atkins, Commissioner
The Honorable Roel C. Campos, Commissioner
The Honorable Kathleen L. Casey, Commissioner
The Honorable Annette L. Nazareth, Commissioner

Brian G. Cartwright, Esq., SEC General Counsel
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