



# BY ELECTRONIC TRANSMISSION

Submission No. 19-256 August 21, 2019

Mr. Christopher J. Kirkpatrick Secretary of the Commission Office of the Secretariat Commodity Futures Trading Commission Three Lafayette Centre 1155 21<sup>st</sup> Street, NW Washington, DC 20581

Re: New Bakkt<sup>TM</sup> Bitcoin (USD) Monthly Futures Contract Market Maker Program Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission ("CFTC") Regulation 40.6(a), ICE Futures U.S., Inc. ("IFUS" or "Exchange") hereby submits by written certification, notice that the Exchange is launching the Bakkt Bitcoin (USD) Monthly Futures Contract Market Maker Program ("Program"). The Exchange believes the Program will incentivize additional liquidity and volume in the new Bakkt Bitcoin (USD) Monthly Futures Contract, which will be listed for trading on September 23, 2019. The terms and conditions of the new Program are set forth in Exhibit A.

The Exchange certifies that the new Program complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. In particular, the Program complies with Core Principle 4 (Monitoring of Trading), Core Principle 9 (Execution of Transactions) and Core Principle 12 (Protection of Market Participants). The Program does not impact order execution priority or otherwise give participants any execution preference or advantage. In addition, the Exchange's Market Regulation Department actively monitors for trading abuses using electronic exception reports and will take appropriate action against any participants engaging in market abuses.

The Exchange is not aware of any opposing views with regard to the Program, which will become effective on September 9, 2019, and further certifies that, concurrent with this filing, a

redacted copy of this submission was posted on the Exchange's website at (https://www.theice.com/futures-us/regulation#rule-filings).

If you have any questions or need further information, please contact me at 212-748-4021 or at jason.fusco@theice.com.

Sincerely,

Jason V. Fusco

Assistant General Counsel

Market Regulation

Enc.

cc: Division of Market Oversight

New York Regional Office

#### **EXHIBIT A**

# ICE FUTURES U.S. INC. BAKKT<sup>TM</sup> BITCOIN (USD) MONTHLY FUTURES CONTRACT MARKET MAKER PROGRAM

#### **Program Purpose**

The purpose of the program is to support liquid markets in the covered contract.

### **Product Scope**

Bakkt Bitcoin (USD) Monthly futures contract.

#### **Eligible Participants**

The program is open to proprietary trading participants who agree to make two-sided markets in the Bakkt Bitcoin (USD) Monthly futures contracts. Participants in the ICE Futures U.S. Inc. Monthly Futures Contract Crypto Liquidity Providers Program are not eligible to participate in this program.

#### **Program Term**

The initial term of the Program shall start on listing date for the Bakkt Bitcoin (USD) Monthly futures contract and end on March 31, 2020, unless extended by the Exchange. The Exchange reserves the right to amend or end the program and/or to terminate any participant at any time prior to that date.

#### **Obligations**

#### [PARAGRAPH REDACTED]

#### **Program Incentives**

### [PARAGRAPH REDACTED]

## **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and Participants' performance and shall retain the right to revoke Participants' status if it concludes from review that a Program Participant has failed to meet its obligations or no longer meets the eligibility requirements of this Program.