

September 12, 2017

Via CFTC Portal

Assistant Secretary of the Commission for FOI, Privacy and Sunshine Acts Compliance Commodity Futures Trading Commission Three Lafayette Centre 1155 21st Street, NW Washington, DC 20581 201-418-5000 FOIAsubmissions@cftc.gov

Re: <u>FOIA Confidential Treatment Request in Connection with Rule</u> <u>Submission of ICE Clear Europe.</u>

Dear Sir or Madam:

ICE Clear Europe Limited ("<u>Submitter</u>") hereby respectfully requests that the Commodity Futures Trading Commission (the "<u>CFTC</u>") accord confidential treatment under 17 C.F.R. §145.9 to the confidential exhibit attached to its rule submission, made pursuant to CFTC Rule 40.6(a), on September 12, 2017, and all information derived therefrom (collectively, the "<u>Confidential Information</u>"). The confidential attachment is identified as such and is numbered with Bates numbers 12.09.2017-000001-CFTC to 12.09.2017-000025-CFTC.

This request for confidential treatment is made pursuant to 17 C.F.R. §145.9(d)(1) because Submitter believes that the Confidential Information is covered by one or more exemptions in the Freedom of Information Act (the "FOIA") (5 U.S.C. §552(b)) and is therefore exempt from the CFTC's public disclosure requirements pursuant to 17 C.F.R. §145.5. In particular, 5 U.S.C. §552(b)(4) and 17 C.F.R. §145.9(d)(1)(ii) exempts disclosure that would reveal the Submitter's trade secrets or confidential commercial or financial information. Submitter believes that the Confidential Information as well as proprietary information regarding business procedures and systems that should be protected from public disclosure pursuant to this exemption.

This request is not to be construed as a waiver of any other protection from disclosure or confidential treatment accorded by law, and Submitter will rely on and invoke any such confidentiality protection. Submitter requests that the CFTC advise the undersigned, pursuant to 17 C.F.R. §145.9(e)(1), in advance of any disclosure of the

Confidential Information pursuant to the FOIA, so that this request for confidential treatment may be substantiated.

If you should have any questions or comments or require further information, please do not hesitate to contact the undersigned at <u>Patrick.davis@theice.com</u> or 011 44 20 7065 7738.

Very truly yours,

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Patrick Davis Head of Legal and Company Secretary