

September 19, 2019

Via E-mail

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: FOIA Confidential Treatment Request

Dear Sir or Madam:

ICE Clear Europe Limited (“Submitter”) hereby respectfully requests that the Commodity Futures Trading Commission (the “CFTC”) accord confidential treatment under 17 C.F.R. §145.9 to the ‘ICEU CDS Back-testing policy’ document submitted today which bears the bates numbers 19.09.2019-000001-CFTC and 19.09.2019-000017-CFTC and all information derived therefrom (collectively, the “Confidential Information”).

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 contains confidential commercial and financial information as well as proprietary information regarding business procedures and systems that should be protected from public disclosure pursuant to this exemption. Confidential treatment is requested for a period of five years.

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 Giulia.honorati@theice.com or +44 (0)20 7429 7127.

Sincerely,



Giulia Honorati  
Compliance & Regulatory Manager  
ICE Clear Europe