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BY ELECTRONIC TRANSMISSION

Submission 22-136
September 16, 2022

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

Re: Extension of Environmental Futures and Options Contract Volume Incentive Program - Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, ICE Futures U.S., Inc. (“Exchange”) submits, by written certification, notice that the Exchange is extending the term of the ICE Futures U.S. Environmental Futures and Options Contract Volume Incentive Program (“the Program”) through December 31, 2022. As explained in Exhibit A, the Exchange believes that the program, which was launched on October 21, 2015 and set to expire on September 30, 2022, will continue to help promote interest in the covered products. The terms and conditions of the Program are also attached as Exhibit A.

The Exchange certifies that the Program complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. In particular, the amendments comply with Core Principle 4 (Monitoring of Trading), Core Principle 9 (Execution of Transactions) and Core Principle 12 (Protection of Market Participants). The Program is structured so that they do not create incentives for participants to engage in market abuses such as manipulative trading or wash sales. 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 Program does not impact order execution priority or otherwise give participants any execution preference or advantage.

The Exchange further certifies that, concurrent with this filing, a notice of pending certification was posted on the Exchange's website. A copy of this submission may be accessed at (<https://www.theice.com/futures-us/regulation#rule-filings>). The extension will become effective on October 1, 2022. The Exchange is not aware of any substantive opposing views with respect to the extension.

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

Sincerely,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is written in a cursive style with a large, sweeping initial "J".

Jason V. Fusco
Assistant General Counsel
Market Regulation

Enc.
cc: Division of Market Oversight
New York Regional Office

EXHIBIT A

[PARAGRAPHS REDACTED]

ICE Futures Environmental Futures and Options Contract Volume Incentive Program

Program Purpose

The purpose of the Program is to incentivize participants to increase screen liquidity in the products listed below; this enhanced liquidity will benefit all participants in the marketplace.

Product Scope

All ICE Futures U.S. Physical and Financial Environmental futures and options contracts.

Eligible Participants

IFUS may designate up to 3 participants in the Program, who may be Exchange members or non-members. In order to be considered for selection into the Program, potential participants must have demonstrated a capability to trade a sufficient volume in program or other Exchange Environmental contracts relative to the monthly program thresholds. Notwithstanding the foregoing the Exchange may add or subtract from the aforementioned criteria as it deems necessary.

Program Term

The Program will end on [~~September 30, 2022~~] December 31, 2022, unless extended by the Exchange.

Obligations

Participants are required to provide the Exchange with information acceptable to the Exchange detailing Participants' trading activity under the program, and the Exchange may require an additional third party verification report.

Program Incentives

[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.

