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**BY ELECTRONIC TRANSMISSION**

Submission No. 19-345  
June 25, 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: Amendments to Power Futures Flat Fee Liquidity Provider 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, amendments extending the term of the Power Futures Flat Fee Liquidity Provider Program (“Program”), which was launched in July 2019 and set to expire on December 31, 2019. The Exchange believes that the program has helped increase liquidity and volume in the covered power contracts and is extending the term through December 31, 2020. All other terms and condition of the Program, which are set forth in Exhibit A, remain unchanged.

The Exchange certifies that the amended 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 November 21, 2020 and further certifies that, concurrent with this filing, a

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](mailto: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 initial "J" and a long horizontal stroke at the end.

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.  
cc: Division of Market Oversight

## **EXHIBIT A**

### **Exhibit A**

#### **ICE Futures U.S. Power Futures Flat Fee Liquidity Provider Program**

##### **Program Purpose**

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

##### **Product Scope**

Certain ICE Futures U.S. Power Futures Contracts

##### **Eligible Participants**

**[Paragraph Redacted]**

##### **Program Term**

The Program shall end on December 31, 20~~[49]~~20, 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**

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**

**[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.