



## **BY ELECTRONIC TRANSMISSION**

Submission No. 18-489 November 13, 2018

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: Extension of U.S. Fuel Oil 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, notice that the Exchange is extending the term of the U.S. Fuel Oil Liquidity Provider Program ("Program") through December 31, 2019. The Program, which was launched on February 22, 2018 with the listing of global fuel oil futures contracts, was scheduled to terminate on December 31, 2018. However, the Exchange believes that the program will continue to help tighten markets and build interest in the covered products and is, therefore, extending the Program through December 31, 2019, provided, however, that the Exchange in its sole discretion may cancel the Program prior to that time.

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 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 extension, which will become effective on December 1, 2018, 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.

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. Northeast 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 ISO-NE and NYISO Futures

### **Eligible Participants**

[REDACTED]

### **Program Term**

The Program shall end on December 31, 201[8]9, 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**

#### [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.