



# **BY ELECTRONIC TRANSMISSION**

Submission No. 16-157 November 30, 2016

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 N.A. Credit Futures Contracts 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 amending the terms of the N.A. Credit Futures Contracts Liquidity Provider Program ("Program") to extend the term through December 31, 2017. The Program, which was launched on April 27, 2015, with the listing of the Exchange's N.A. Credit Futures Contract, was scheduled to terminate on December 31, 2016. However, the Exchange believes that the program will help tighten markets and build interest in the covered products. Therefore, the Exchange is extending the Program through December 31, 2017, provided, however, that the Exchange in its sole discretion may cancel the Program prior to that time.

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 respect to the extension, which will become effective on January 1, 2017 and further certifies that, concurrent with this filing, a redacted copy of this submission (consistent with the petition for Confidential Treatment filed contemporaneously with the Commission) was posted on the Exchange's website at (<a href="https://www.theice.com/futures-us/regulation#rule-filings">https://www.theice.com/futures-us/regulation#rule-filings</a>).

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.

Division of Market Oversight New York Regional Office cc:

#### **EXHIBIT A**

### ICE Futures U.S. Inc. N. A. Credit Futures Liquidity Provider Program

## **Program Purpose**

The purpose of the Program is to incentivize participants to increase central limit order book volume in the covered products; this increased liquidity will benefit all participants in the marketplace.

## **Product Scope**

Eris CDX IG Credit Futures and Eris CDX HY Credit Futures contracts.

### **Eligible Participants**

ICE Futures U.S., Inc. may designate up to twenty participants in the Program, who must agree to complete all necessary connectivity and testing work to be permissioned to enter orders and execute trades in the Program products at the start of trading of the products. Participants must have a demonstrated ability to trade significant volume in futures and/or OTC products in the credit space. Notwithstanding the foregoing the Exchange may add or subtract from the aforementioned criteria as it deems necessary. Participants in the Exchange's Credit Futures Market Maker Program are not eligible to participate in this Program.

## **Program Term**

The term of the Program shall end on December 31, 201[6]7, unless extended by the Exchange. The Exchange reserves the right to amend the terms of, or end, the Program and/or to terminate any participant at any time prior to that date in accordance with the terms of the Credit Futures Contract Liquidity Provider Program Agreement.

### **Obligations**

Participants are required to provide the Exchange with information acceptable to the Exchange detailing Participants' trading activity under the Program (as detailed in Schedule A). The Exchange may require additional third party verification report(s).

# **Program Incentives**

#### [REDACTED]

#### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and Participants' performance and retains the right to revoke Participant's status if it concludes from such review that a Program Participant has failed to meet its obligations hereunder or no longer meets the eligibility requirements of this Program.

**SCHEDULE A** 

[REDACTED]