



**FOIA CONFIDENTIAL TREATMENT REQUEST**

December 12, 2024

**VIA ELECTRONIC PORTAL**

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

**Re: Update to ICC’s Operating Agreement and Governance Playbook Pursuant to Section 5c(c)(1) of the Commodity Exchange Act and Commission Regulation 40.6(a)**

Dear Assistant Secretary:

In conjunction with the self-certification submitted by ICE Clear Credit LLC (“ICC”) today, December 12, 2024, to the Secretary of the Commodity Futures Trading Commission (“Commission”), pursuant to Section 5c(c)(1) of the Commodity Exchange Act and Commission Regulation 40.6(a), ICC submits the attached confidential documents.

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Under the Freedom of Information Act (“FOIA”), 5 USC Section 552, Section 809(g) of the Dodd-Frank Wall Street Reform and Consumer Protection Act and pursuant to Commission Regulations 40.8(c) and 145.9(d), Federal Reserve Board Regulation 261.15 and any other applicable regulations under or implementing FOIA, ICC hereby respectfully requests that confidential treatment be maintained for the document which bears Bates numbers 12.12.2024-000001-CFTC1 to 12.12.2024-000082-CFTC1 (“Confidential Material”) until further notice. ICC also requests that the Commission or the Board notify the undersigned immediately after receiving any FOIA request for such documents or any other court order, subpoena or summons for the same. Finally, ICC requests that it be notified in the event the Commission or the Board intends to disclose such documents to Congress or to any other governmental agency or unit pursuant to Section 8 of the Commodity Exchange Act, as amended (“CEA”) or other applicable law. ICC does not waive its notification rights under Section 8(f) of the CEA or other applicable law with respect to any subpoena or summons for such document(s).

The basis for the request is that disclosure of these document(s) would reveal confidential commercial and financial information of ICC, the disclosure of which could have a material adverse effect on, and cause injury to, the operations and competitive position of ICC. This request



is not to be construed as a waiver of any other protection from disclosure or confidential treatment accorded by law, and ICC will rely on and invoke any such confidentiality protection.

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Please direct any questions or requests for information to the attention of the undersigned at [ericniel@ice.com](mailto:ericniel@ice.com) or 312-836-6742.

Sincerely,

A handwritten signature in black ink that reads "Eric J. Nield". The signature is written in a cursive, flowing style.

Eric J. Nield  
General Counsel