



**BY ELECTRONIC MAIL**

Submission No. 16-10  
February 2, 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: Migration of Open Interest and Delisting of Certain Non-Vintage Specific Physical Environmental Futures and Options Contracts - Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6(a)**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended ("Act"), and Commission Regulation 40.6(a), ICE Futures U.S., Inc. ("IFUS" or "Exchange") hereby self-certifies the: (i) migration of existing open interest in certain non-vintage specific physical environmental futures contracts to corresponding vintage specific physical environmental futures contracts; and (ii) immediate delisting of the non-vintage futures and options contracts subsequent to the migration, as described below.

IFUS currently lists a suite of Renewable Energy Certificate ("REC") contracts for each of three states: Massachusetts, Connecticut and New Jersey. For each state, the suite of REC contracts includes one non-vintage futures contract (*in which the contract month/year defines the vintage of the RECs that may be delivered against each contract month/year*) and a set of vintage specific futures contracts (*in which the name of the futures contract itself defines the vintage of the RECs that may be delivered against all contract months for that vintage future*). For example, the May 2016 non-vintage Connecticut REC futures contract allows delivery of RECs generated in the period from January 1 to December 1 2015 only; the May 2016 Vintage 2015 Connecticut REC Futures contract also allows delivery of RECs generated in the exact same period only - the allowed deliverable instruments for the related non-vintage and vintage futures contract months are identical.

All other terms and conditions of the related non-vintage and vintage contracts are identical. For reference, the Exchange Rules for each non-vintage specific contract are set forth in Exhibit A and the Rules for each of the vintage specific contract are set forth in Exhibit B.

In order to consolidate volume and open interest, the Exchange intends to migrate existing open interest in the non-vintage specific futures contracts to the relevant vintage specific futures contract/contract month, and subsequently delist the non-vintage futures contracts. In all cases the deliverable instruments of the vintage specific contracts to which open interest will be migrated will match exactly those of the non-vintage specific contracts in which the open interest currently sits. There will be no economic impact to the current long/shorts of these non-vintage specific contracts, and the Exchange will not charge any fees for this one-time migration of open interest. The Exchange will also delist all options on the non-vintage specific contracts, none of which currently has any open interest (see Exhibit C).

The suite of REC contracts has 91,055 lots of open interest as of the close of business on February 1, 2016. Of this, 18,945 lots (21%) is in the non-vintage specific contracts, and these contracts have deliveries out to July 2020. As of February 1, 2016, the total open interest that will be affected by this migration is Massachusetts 9,745 lots, Connecticut 1,350 lots and New Jersey 7,850 lots. A listing of each non-vintage futures contract with outstanding open interest and the specific vintage futures contract/contract month to which that open interest will be migrated is shown below in Table A (as of 2/1/16).

<b>Non-vintage contracts with current OI</b>	<b>Open Interest</b>	<b>Vintage Contracts OI will be migrated to</b>	
<b>REC-CT Futures</b>		<b>REC-CT Futures</b>	
<b>Connecticut Compliance Class I</b>	<b>1,350</b>	<b>Vintage Contract</b>	<b>Contract Strip Month/Year</b>
MAY 2016	475	2015	MAY 2016
APRIL 2017	75	2016	APRIL 2017
MAY 2017	700	2016	MAY 2017
MAY 2018	100	2017	MAY 2018
<b>REC-MA Futures</b>			
<b>Massachusetts Compliance Class I</b>	<b>9,745</b>	<b>Vintage Contract</b>	<b>Contract Strip Month/Year</b>
APRIL 2016	100	2015	APRIL 2016
MAY 2016	3,095	2015	MAY 2016
APRIL 2017	900	2016	APRIL 2017
MAY 2017	2,975	2016	MAY 2017
APRIL 2018	50	2017	APRIL 2018
MAY 2018	925	2017	MAY 2018
APRIL 2019	500	2018	APRIL 2019
MAY 2019	450	2018	MAY 2019
MAY 2020	750	2019	MAY 2020
<b>REC-NJ Futures</b>			
<b>New Jersey Compliance Class I</b>	<b>7,850</b>	<b>Vintage Contract</b>	<b>Contract Strip Month/Year I</b>
JUNE 2016	50	2016	JUNE 2016
JULY 2016	3,800	2016	JULY 2016
JULY 2017	2,350	2017	JULY 2017
JUNE 2018	100	2018	JUNE 2018
JULY 2018	1,350	2018	JULY 2018
JULY 2019	100	2019	JULY 2019
JULY 2020	100	2020	JULY 2020

The Exchange is not aware of any substantive opposing views with respect to the migration and delisting of the contracts. The Exchange has discussed the plan to migrate existing non-vintage open interest and then delist the non-vintage contracts with market participants holding 100% of current open interest in the non-vintage contracts and these participants support the proposal. The Exchange certifies that migration and delisting, which will both take place after the close of business on February 19, 2016, comply with the Commodity Exchange Act and the Commission's regulations thereunder. Specifically, the Exchange has reviewed the designated contract market Core Principles and has determined that the migration and delisting of the contracts impacts the following relevant Core Principles:

**COMPLIANCE WITH RULES (Principle 2):** The terms and conditions of the vintage specific contracts are set forth in Rules 18.D.017 through 18.D.019 and Chapter 18 of the Exchange's Rules. In addition, trading in the vintage specific contracts is subject to all relevant Exchange rules which are enforced by the Market Regulation Department.

**CONTRACTS NOT READILY SUBJECT TO MANIPULATION (Principle 3):** The Commission has already determined that the vintage specific contracts are not readily subject to manipulation. Moreover, the contracts remain subject to the same position reporting and position limits requirements.

ICE Futures US further certifies that a copy of this submission was posted on the Exchange's website concurrent with its filing with the Commission 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,



Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.

cc: Division of Market Oversight  
New York Regional Office

## EXHIBIT A

### 18.D.004 Connecticut Compliance Renewable Energy Certificates Class 1 Future

**Contract Description:** Physically delivered Connecticut Class 1 Renewable Energy Certificates (“Connecticut Class 1 REC”) where a Connecticut Class 1 REC is an electronic certificate issued by the NEPOOL GIS for qualifying generation.

**Contract Symbol:** CTR

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 Connecticut Class 1 RECs

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** Connecticut Class 1 REC s eligible for delivery are those representing Class 1 renewable energy (defined in General Statutes of Connecticut, Title 16, c. 277, §16-1(26)) eligible to meet Class I requirement of the Renewable Energy Portfolio Standard promulgated under General Statutes of Connecticut (Title 16, c. 283, §16-245a) and issued by NEPOOL GIS.

Applicable for the January through May contract expirations, Connecticut Class 1 REC s acceptable for delivery are those having been generated during the calendar year prior to the year of the expiring contract and the first three months of the calendar year of the expiring contract.

Applicable for the July through November contract expirations, Connecticut Class 1 REC s acceptable for delivery are those having been generated during the calendar year of the expiring contract.

**Registry:** NEPOOL GIS

**18.D.009 Massachusetts Compliance Renewable Energy Certificates Class 1 Future**

**Contract Description:** Physically delivered Massachusetts Class 1 Renewable Energy Certificates (“Massachusetts Class 1 REC”) where a REC is an electronic certificate issued by NEPOOL GIS for qualifying generation.

**Contract Symbol:** MCR

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 Massachusetts Class 1 RECs s

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** Massachusetts Class 1 RECs eligible for delivery are those representing Class 1 renewable energy (defined in Massachusetts General Law c.25A, 11F(c)) eligible to meet the Class I requirement of the Renewable Energy Portfolio Standard promulgated under Massachusetts General Law c.25A 11F and issued by NEPOOL GIS.

Applicable for the January through May contract expirations, Massachusetts Class 1 RECs acceptable for delivery are those having been generated during the calendar year prior to the year of the expiring contract.

Applicable for the July through November contract expirations, Massachusetts Class 1 REC s acceptable for delivery are those having been generated during the calendar year of the expiring contract.

**Registry:** NEPOOL GIS

**18.D.010 New Jersey Compliance Renewable Energy Certificates Class 1 Future**

**Contract Description:** Physically delivered New Jersey Class 1 Renewable Energy Certificates (“New Jersey Class 1 REC”) where a REC is an electronic certificate issued by the PJM Environmental Information System Generation Attribute Tracking System (“PJM GATS”) for qualifying generation.

**Contract Symbol:** NJR

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 New Jersey Class 1 RECs

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: Monthly contract sets through the current year and forward up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** New Jersey Class 1 RECs eligible for delivery are those which are eligible to meet the Class I Renewable Energy minimum requirements specified in N.J.A.C. 14:8-2-3 under the New Jersey Renewable Energy Portfolio Standard promulgated under N.J.A.C. 14:8 verified and qualified by the NJ Board of Public Utilities.

Applicable for the January through August contract expirations, New Jersey Class 1 RECs acceptable for delivery are those having been generated between June 1st of the year prior to the contract expiration and May 31st of the calendar year of the expiring contract.

Applicable for the September through December contract expirations, New Jersey Class 1 RECs acceptable for delivery are those having been generated between June 1st and December 31st of the calendar year of the expiring contract.

**Registry:** PJM GATS

## EXHIBIT B

### 18.D.017 Massachusetts Compliance Renewable Energy Certificates Class 1 Vintage Future

**Contract Description:** Physically delivered Massachusetts Class 1 Renewable Energy Certificates (“Massachusetts Class 1 REC”) where a REC is an electronic certificate issued by NEPOOL GIS for qualifying generation.

**Contract Symbol:** MB5: Vintage 2015, MB6: Vintage 2016, MB7: Vintage 2017,  
MB8: Vintage 2018, MB9: Vintage 2019

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 Massachusetts Class 1 RECs

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** Massachusetts Class 1 RECs eligible for delivery are those representing Class 1 renewable energy (defined in Massachusetts General Law c.25A, 11F(c)) eligible to meet the Class I requirement of the Renewable Energy Portfolio Standard promulgated under Massachusetts General Law c.25A 11F and issued by NEPOOL GIS having a vintage or energy year designation that corresponds to the specified vintage of the expiring contract.

**Registry:** NEPOOL GIS

## **18.D.018 New Jersey Compliance Renewable Energy Certificates Class 1 Vintage Future**

**Contract Description:** Physically delivered New Jersey Class 1 Renewable Energy Certificates (“New Jersey Class 1 REC”) where a REC is an electronic certificate issued by the PJM Environmental Information System Generation Attribute Tracking System (“PJM GATS”) for qualifying generation.

**Contract Symbol:** NCR: Vintage 2015, NCS: Vintage 2016, NCT: Vintage 2017,  
NCU: Vintage 2018, NCV: Vintage 2019, NCW: Vintage 2020

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 New Jersey Class 1 RECs

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: Monthly contract sets through the current year and forward up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** New Jersey Class 1 RECs eligible for delivery are those which are eligible to meet the Class I Renewable Energy minimum requirements specified in N.J.A.C. 14:8-2-3 under the New Jersey Renewable Energy Portfolio Standard promulgated under N.J.A.C. 14:8 verified and qualified by the NJ Board of Public Utilities having a vintage or energy year designation that corresponds to the specified vintage of the expiring contract.

**Registry:** PJM GATS



### **18.D.019 Connecticut Compliance Renewable Energy Certificates Class 1 Vintage Future**

**Contract Description:** Physically delivered Connecticut Class 1 Renewable Energy Certificates (“Connecticut Class 1 REC”) where a Connecticut Class 1 REC is an electronic certificate issued by the NEPOOL GIS for qualifying generation.

**Contract Symbol:** CC5 Vintage 2015, CC6 Vintage 2016, CC7 Vintage 2017, CC8 Vintage 2018

**Settlement Method:** Physical delivery

**Contract Size:** 100 MWh representing 100 Connecticut Class 1 RECs

**Currency:** USD

**Minimum Price Fluctuation:** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

**Listing Cycle:** 1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years.

2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last expiring contract set.

**Last Trading Day:** Three Business Days prior to the last Business Day of the delivery month

**Deliverable Instruments:** Connecticut Class 1 RECs eligible for delivery are those representing Class 1 renewable energy (defined in General Statutes of Connecticut, Title 16, c. 277, §16-1(26)) eligible to meet Class I requirement of the Renewable Energy Portfolio Standard promulgated under General Statutes of Connecticut (Title 16, c. 283, §16-245a) and issued by NEPOOL GIS having a vintage or energy year designation that corresponds to the specified vintage of the expiring contract.

**Registry:** NEPOOL GIS

## EXHIBIT C

### 18.E.054 Option on New Jersey Compliance Renewable Energy Certificate Class 1 Future

**Contract Description** An Option on the corresponding month of New Jersey Compliance Renewable Energy Certificate Class 1 Future

**Contract Symbol** NJR

**Settlement Method** Exercise into Underlying Futures Contract

**Contract Size** 1 New Jersey Compliance Renewable Energy Certificate Class 1 Contract

**Currency** USD

**Minimum Price Fluctuation** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

#### Listing Cycle

1. Standard-cycle contract listings: a. Monthly contract sets through the current year and forward for up to 10 years.
2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last annual December contract set.

**Strike Price Intervals** A minimum of ten Strike Prices in increments of \$0.25 above and below the at-the-money Strike Price. Strike Price boundaries are adjusted according to futures price movements. User-defined Strike Prices are allowed in \$0.25 increments.

**Last Trading Day** At 4:00pm EPT on the 15th calendar day of the delivery month. Where the 15th calendar day is not a Business Day, the Last Trading Day shall be the first Business Day following the 15th calendar day of the delivery month.

**Option Style** European

**Exercise Method** Automatic

**Exercise Procedure** Clearing Members shall provide exercise and abandon instructions to the Clearing Organization in accordance with the Clearing Organization rules

**Exercise Time** 5:30 pm EPT on the Last Trading Day

**MIC Code** IFUS

**Clearing Venue** ICEU

## **18.E.055 Option on Connecticut Compliance Renewable Energy Certificate Class 1 Future**

**Contract Description** An Option on the corresponding month of Connecticut Compliance Renewable Energy Certificate Class 1 Future.

**Contract Symbol** CTR

**Settlement Method** Exercise into Underlying Futures Contract

**Contract Size** 1 Connecticut Compliance Renewable Energy Certificate Class 1 Contract

**Currency** USD

**Minimum Price Fluctuation** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

### **Listing Cycle**

1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years. .
2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last annual December contract set.

**Strike Price Intervals** A minimum of ten Strike Prices in increments of \$1.00 above and below the at-the-money Strike Price. Strike Price boundaries are adjusted according to futures price movements. User-defined Strike Prices are allowed in \$1.00 increments.

**Last Trading Day** At 4:00pm EPT on the 15th calendar day of the delivery month. Where the 15th calendar day is not a Business Day, the Last Trading Day shall be the first Business Day following the 15th calendar day of the delivery month.

**Option Style** European

**Exercise Method** Automatic

**Exercise Procedure** Clearing Members shall provide exercise and abandon instructions to the Clearing Organization in accordance with the Clearing Organization rules

**Exercise Time** 5:30 pm EPT on the Last Trading Day

**MIC Code** IFUS

**Clearing Venue** ICEU

## 18.E.056 Option on Massachusetts Compliance Renewable Energy Certificate Class 1 Future

**Contract Description** An Option on the corresponding month of Massachusetts Compliance Renewable Energy Certificate Class 1 Futures.

**Contract Symbol** MCR

**Settlement Method** Exercise into Underlying Futures Contract

**Contract Size** 1 Massachusetts Compliance Renewable Energy Certificate Class 1 Contract

**Currency** USD

**Minimum Price Fluctuation** The price quotation convention shall be One cent (\$0.01) per MWh; minimum price fluctuation may vary by trade type. Please see Table in Resolution 1 to this Chapter 18.

### Listing Cycle

1. Standard-cycle contract listings: January, February, April, May, July, August, October and November contracts for the current year and forward for up to 10 consecutive years. .
2. The Exchange may list any other calendar month contract set off the standard-cycle listing schedule through the last annual December contract set.

**Strike Price Intervals** A minimum of ten Strike Prices in increments of \$1.00 above and below the at-the-money Strike Price. Strike Price boundaries are adjusted according to futures price movements. User-defined Strike Prices are allowed in \$1.00 increments.

**Last Trading Day** At 4:00pm EPT on the 15th calendar day of the delivery month. Where the 15th calendar day is not a Business Day, the Last Trading Day shall be the first Business Day following the 15th calendar day of the delivery month.

**Option Style** European

**Exercise Method** Automatic

**Exercise Procedure** Clearing Members shall provide exercise and abandon instructions to the Clearing Organization in accordance with the Clearing Organization rules

**Exercise Time** 5:30 pm EPT on the Last Trading Day

**MIC Code** IFUS

**Clearing Venue** ICEU