



Submission No. 19-163  
May 14, 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: Consolidation of Open Interest in Certain Physical Environmental Futures and Options Products  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)1 of the Commodity Exchange Act, as amended (the “Act”) and Commodity Futures Trading Commission (“Commission”) Regulation 40.6(a), ICE Futures U.S., Inc. (“Exchange”) submits notice to the Commission that, effective as of the close of business May 31, 2019, the Exchange will consolidate open interest in the “named vintage” Physical Environmental futures and options contracts with each contract’s “continuous vintage” equivalent, as set forth in Exhibit A.

Currently, the Exchange lists a suite of named vintage and a corresponding suite of continuous vintage futures and options which, in certain contract months, call for delivery of the same renewable energy or solar renewable energy certificates. The two suites of contracts are essentially the same, all economic terms and conditions of the named vintage futures and options are identical to the economic terms and conditions of the corresponding expiration month of the continuous vintage future or option.

As an example, at contract expiration, the terms and conditions of the named vintage May 2020 Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2019 (“May20 CC9”) contract calls for delivery of Connecticut Class 1 renewable energy certificates (“RECs”) representing Class 1 renewable energy and issued by NEPOOL GIS having a vintage or energy year designation that corresponds to the specified vintage of the expiring contract. Therefore, CT Class 1 RECs with a vintage year of 2019 are deliverable under May20 CC9. Similarly, at contract expiration, the terms and conditions of the continuous vintage May 2020 Connecticut Compliance Renewable Energy Certificate Class 1 Future (“May20 CTT”) contract also calls for delivery of Connecticut Class 1 RECs representing Class 1 renewable energy and issued by NEPOOL GIS having a vintage or energy year designation that corresponds to the specified vintage of the expiring contract. As such, for the May20 contract month, the named vintage May20 CC9 and the continuous vintage May20 CTT are identical.

Due to the identical nature of the named vintage and continuous vintage futures and options products, and in order to simplify the Exchange’s product offering, it intends to consolidate futures and option interest into a single suite and will migrate open interest in the named vintage contracts to the equivalent continuous vintage contracts as of close of business May 31, 2019. To limit the number of

contracts that must to be consolidated, all named vintage contracts which have no open interest and no equivalent continuous vintage contract have been delisted in advance of this consolidation (See Submission Nos. 19-129 and 19-150).

The consolidation is planned to occur as follows: at the close of trading on Friday, May 31, ICE Futures U.S. will cease allowing trading in the named vintage contracts; migrate open interest from the named vintage futures and options contracts to the equivalent continuous vintage futures and options contracts; and, at the opening of trading on Sunday, June 2 (for trade date Monday, June 3), open the continuous vintage futures and options contracts for trading, as normal. By that time, all open interest from the named vintage futures and options contracts will have migrated to the continuous vintage futures and options contracts, in accordance with ICE Clear Europe rules, and the named vintage futures and options contracts will no longer be made available for trading. The terms and conditions specifications of the continuous vintage futures and options contracts will be unchanged as a result of the open interest consolidation.

Related to the example above, and using open interest as of close of business May 13, 2019, the open interest in May20 CC9 was 4,890 contracts and open interest in May20 CTT was 0. After the open interest consolidation, open interest in May20 CC9 will be 0 and the contract will be delisted. Open interest in the May20 CTT will therefore be 4,890 contracts. The Exchange provides the above as an example, but notes that certain contract months of both named vintage and continuous vintage futures markets contain open interest and the gross position resulting from the open interest consolidation may be subject to position netting on behalf of the position-holder by the relevant clearing firm.

The Exchange issued a Notice on April 22, 2019, advising the market of the details and proposed timeline of the migration. As a result, the Exchange has discussed the open interest migration with market participants and clearing firms.

### **Certifications**

The Exchange is not aware of any opposing views to the open interest consolidation and certifies that the open interest consolidation and delisting of the named vintage futures and options contracts complies with the requirements of the Act and the rules and regulations promulgated thereunder. The Exchange has reviewed the designated contract market core principles ("Core Principles") as set forth in the Act and has determined that the open interest consolidation and delisting complies with the following relevant Core Principles:

**COMPLIANCE WITH RULES:** The positions represented by the continuous vintage open interest will continue to be subject to all relevant Exchange rules, which are enforced by the Market Regulation Department.

**CONTRACTS NOT READILY SUBJECT TO MANIPULATION:** The continuous vintage futures and options contracts are not readily subject to manipulation as they are based on established and liquid underlying cash markets. In addition, trading of the continuous vintage contracts will continue to be monitored by the Market Regulation Department.

**POSITION LIMITS OR ACCOUNTABILITY:** Positions in all continuous vintage futures and options contracts will continue to be subject to the position limits set forth in Resolution No. 2 to Chapter 18. The position limits for the continuous vintage contracts remain unchanged as a result of the open interest consolidation. Positions held in continuous vintage options contracts will continue to be aggregated with positions held in the corresponding continuous vintage futures contract.

The Exchange further certifies that, concurrent with this filing, a copy of this submission was posted on the Exchange's website and may be accessed at (<https://www.theice.com/futures-us/regulation>).

If you have any questions or need further information, please contact me at 312-836-6745 or at [patrick.swartz@theice.com](mailto:patrick.swartz@theice.com) .

Sincerely,

A handwritten signature in black ink, appearing to read "Pat", with a long horizontal stroke extending to the right.

Patrick Swartz  
Manager  
Market Regulation

Enc.

cc: Division of Market Oversight

## Exhibit A

Migrating From (Named Vintage)			Migrating To (Continuous Vintage)	
Commodity Code	Contract Name		Commodity Code	Contract Name
Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2019	CC9	→	Connecticut Compliance Renewable Energy Certificate Class 1 Future	CTT
Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2020	CR0	→	Connecticut Compliance Renewable Energy Certificate Class 1 Future	CTT
Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2021	CR1	→	Connecticut Compliance Renewable Energy Certificate Class 1 Future	CTT
Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2022	CR2	→	Connecticut Compliance Renewable Energy Certificate Class 1 Future	CTT
Connecticut Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2023	CR3	→	Connecticut Compliance Renewable Energy Certificate Class 1 Future	CTT
Massachusetts Solar Renewable Energy Certificate Carve Out II Future - Vintage 2020	MA0	→	Massachusetts Solar Renewable Energy Certificate Carve Out II Future	MS2
Massachusetts Solar Renewable Energy Certificate Carve Out II Future - Vintage 2021	MA1	→	Massachusetts Solar Renewable Energy Certificate Carve Out II Future	MS2
Massachusetts Solar Renewable Energy Certificate Carve Out II Future - Vintage 2022	MA2	→	Massachusetts Solar Renewable Energy Certificate Carve Out II Future	MS2
Massachusetts Solar Renewable Energy Certificate Carve Out II Future - Vintage 2023	MA3	→	Massachusetts Solar Renewable Energy Certificate Carve Out II Future	MS2
Massachusetts Solar Renewable Energy Certificate Carve Out II Future - Vintage 2019	MA9	→	Massachusetts Solar Renewable Energy Certificate Carve Out II Future	MS2
Massachusetts Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2020	MB0	→	Massachusetts Compliance Renewable Energy Certificate Class 1 Future	MCL
Massachusetts Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2021	MB1	→	Massachusetts Compliance Renewable Energy Certificate Class 1 Future	MCL
Massachusetts Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2022	MB2	→	Massachusetts Compliance Renewable Energy Certificate Class 1 Future	MCL
Massachusetts Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2023	MB3	→	Massachusetts Compliance Renewable Energy Certificate Class 1 Future	MCL
Massachusetts Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2019	MB9	→	Massachusetts Compliance Renewable Energy Certificate Class 1 Future	MCL
Maryland Compliance Renewable Energy Certificate Tier 1 Vintage Future - Vintage 2020	MC0	→	Maryland Compliance Renewable Energy Credit Tier 1 Future	MDE
Maryland Compliance Renewable Energy Certificate Tier 1 Vintage Future - Vintage 2021	MC1	→	Maryland Compliance Renewable Energy Credit Tier 1 Future	MDE
Maryland Compliance Renewable Energy Certificate Tier 1 Vintage Future - Vintage 2022	MC2	→	Maryland Compliance Renewable Energy Credit Tier 1 Future	MDE
Maryland Compliance Renewable Energy Certificate Tier 1 Vintage Future - Vintage 2023	MC3	→	Maryland Compliance Renewable Energy Credit Tier 1 Future	MDE
Maryland Compliance Renewable Energy Certificate Tier 1 Vintage Future - Vintage 2019	MC9	→	Maryland Compliance Renewable Energy Credit Tier 1 Future	MDE

Maryland Solar Renewable Energy Certificate Future - Vintage 2020	MD0	→	Maryland Solar Renewable Energy Credit Future	MDX
Maryland Solar Renewable Energy Certificate Future - Vintage 2021	MD1	→	Maryland Solar Renewable Energy Credit Future	MDX
Maryland Solar Renewable Energy Certificate Future - Vintage 2022	MD2	→	Maryland Solar Renewable Energy Credit Future	MDX
Maryland Solar Renewable Energy Certificate Future - Vintage 2023	MD3	→	Maryland Solar Renewable Energy Credit Future	MDX
Maryland Solar Renewable Energy Certificate Future - Vintage 2019	MD9	→	Maryland Solar Renewable Energy Credit Future	MDX
Massachusetts Solar Renewable Energy Certificate Future - Vintage 2020	MQ0	→	Massachusetts Solar Renewable Energy Certificate Carve Out I Future	MSF
Massachusetts Solar Renewable Energy Certificate Future - Vintage 2021	MQ1	→	Massachusetts Solar Renewable Energy Certificate Carve Out I Future	MSF
Massachusetts Solar Renewable Energy Certificate Future - Vintage 2022	MQ2	→	Massachusetts Solar Renewable Energy Certificate Carve Out I Future	MSF
Massachusetts Solar Renewable Energy Certificate Future - Vintage 2023	MQ3	→	Massachusetts Solar Renewable Energy Certificate Carve Out I Future	MSF
Massachusetts Solar Renewable Energy Certificate Future - Vintage 2019	MQ9	→	Massachusetts Solar Renewable Energy Certificate Carve Out I Future	MSF
New Jersey Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2019	NCV	→	New Jersey Compliance Renewable Energy Certificate Class I Future	NJN
New Jersey Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2020	NCW	→	New Jersey Compliance Renewable Energy Certificate Class I Future	NJN
New Jersey Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2021	NCX	→	New Jersey Compliance Renewable Energy Certificate Class I Future	NJN
New Jersey Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2022	NCY	→	New Jersey Compliance Renewable Energy Certificate Class I Future	NJN
New Jersey Compliance Renewable Energy Certificate Class 1 Vintage Future - Vintage 2023	NCZ	→	New Jersey Compliance Renewable Energy Certificate Class I Future	NJN
NEPOOL Dual Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2020	NE0	→	NEPOOL Dual Qualified Compliance Renewable Energy Certificate Class I Future	NER
NEPOOL Dual Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2021	NE1	→	NEPOOL Dual Qualified Compliance Renewable Energy Certificate Class I Future	NER
NEPOOL Dual Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2022	NE2	→	NEPOOL Dual Qualified Compliance Renewable Energy Certificate Class I Future	NER
NEPOOL Dual Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2023	NE3	→	NEPOOL Dual Qualified Compliance Renewable Energy Certificate Class I Future	NER
NEPOOL Dual Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2019	NE9	→	NEPOOL Dual Qualified Compliance Renewable Energy Certificate Class I Future	NER
New Jersey Solar Renewable Energy Certificate Future - Energy Year 2021	NJ1	→	New Jersey Solar Renewable Energy Certificate Future	NPS
New Jersey Solar Renewable Energy Certificate Future - Energy Year 2022	NJ2	→	New Jersey Solar Renewable Energy Certificate Future	NPS

New Jersey Solar Renewable Energy Certificate Future - Energy Year 2023	NJ3	→	New Jersey Solar Renewable Energy Certificate Future	NPS
New Jersey Solar Renewable Energy Certificate Future - Energy Year 2018	NJJ	→	New Jersey Solar Renewable Energy Certificate Prior Year Future	NPR
New Jersey Solar Renewable Energy Certificate Future - Energy Year 2019	NJK	→	New Jersey Solar Renewable Energy Certificate Future	NPS
New Jersey Solar Renewable Energy Certificate Future - Energy Year 2020	NJL	→	New Jersey Solar Renewable Energy Certificate Future	NPS
Pennsylvania Solar Alternative Energy Certificate Future - Vintage 2020	PA0	→	Pennsylvania Solar Alternative Energy Credit Future	PAX
Pennsylvania Solar Alternative Energy Certificate Future - Vintage 2021	PA1	→	Pennsylvania Solar Alternative Energy Credit Future	PAX
Pennsylvania Solar Alternative Energy Certificate Future - Vintage 2022	PA2	→	Pennsylvania Solar Alternative Energy Credit Future	PAX
Pennsylvania Solar Alternative Energy Certificate Future - Vintage 2023	PA3	→	Pennsylvania Solar Alternative Energy Credit Future	PAX
Pennsylvania Solar Alternative Energy Certificate Future - Vintage 2019	PA9	→	Pennsylvania Solar Alternative Energy Credit Future	PAX
Pennsylvania Compliance Alternative Energy Certificate Tier 1 Vintage Future - Vintage 2020	PC0	→	Pennsylvania Compliance Alternative Energy Credit Tier I Future	PAR
Pennsylvania Compliance Alternative Energy Certificate Tier 1 Vintage Future - Vintage 2021	PC1	→	Pennsylvania Compliance Alternative Energy Credit Tier I Future	PAR
Pennsylvania Compliance Alternative Energy Certificate Tier 1 Vintage Future - Vintage 2022	PC2	→	Pennsylvania Compliance Alternative Energy Credit Tier I Future	PAR
Pennsylvania Compliance Alternative Energy Certificate Tier 1 Vintage Future - Vintage 2023	PC3	→	Pennsylvania Compliance Alternative Energy Credit Tier I Future	PAR
Pennsylvania Compliance Alternative Energy Certificate Tier 1 Vintage Future - Vintage 2019	PC9	→	Pennsylvania Compliance Alternative Energy Credit Tier I Future	PAR
PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2017	TQC	→	PJM Tri Qualified Renewable Energy Certificate Class I 2 Year Prior Future	TQ2
July 2019 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2018	TQD	→	July 2019 PJM Tri Qualified Renewable Energy Certificate Class I Prior Year Future	PPY
July 2020 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2018	TQD	→	July 2020 PJM Tri Qualified Renewable Energy Certificate Class I 2 Year Prior Future	TQ2
July 2019 - August 2019 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2019	TQE	→	July 2019 - August 2019 PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
July 2020 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2019	TQE	→	July 2020 PJM Tri Qualified Renewable Energy Certificate Class I Prior Year Future	PPY
July 2021 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2019	TQE	→	July 2021 PJM Tri Qualified Renewable Energy Certificate Class I 2 Year Prior Future	TQ2
September 2019 - July 2020 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2020	TQF	→	September 2019 - July 2020 PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
July 2021 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2020	TQF	→	July 2021 PJM Tri Qualified Renewable Energy Certificate Class I Prior Year Future	PPY

July 2022 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2020	TQF	→	July 2022 PJM Tri Qualified Renewable Energy Certificate Class I 2 Year Prior Future	TQ2
September 2020 - July 2021 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2021	TQG	→	September 2020 - July 2021 PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
July 2022 PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2021	TQG	→	July 2022 PJM Tri Qualified Renewable Energy Certificate Class I Prior Year Future	PPY
PJM Tri-Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2022	TQH	→	PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
PJM Tri-Qualified Renewable Energy Certificate Class 1 Vintage Future - Vintage 2023	TQI	→	PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
Option on PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2019	TQE	→	Option on PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
Option on PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2020	TQF	→	Option on PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR
Option on PJM Tri-Qualified Renewable Energy Certificate Class 1 Future - Vintage 2021	TQG	→	Option on PJM Tri Qualified Renewable Energy Certificate Class I Future	PPR