



55 East 52nd Street
39th Floor
New York, New York 10055

BY ELECTRONIC TRANSMISSION

Submission No. 21-12
November 22, 2021

Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Listing of Commodity Swaps and Related Rule Amendments- Submission Pursuant to Section 5c(c)(1) of the Act and Regulations 40.2(a) and 40.6(a)

Dear Ms. Jurgens:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the “CEA”) and the Commodity Futures Trading Commission (the “Commission”) Regulations 40.2(a) and 40.6(a), ICE Swap Trade, LLC (“IST” or “SEF”) submits by written certification the terms and conditions for a new cash-settled contract (the “Energy Contract”). The Energy Contract will be listed as a permitted contract for trading on November 24, 2021 (based on an acknowledged filing date of November 22, 2021). The Energy Contract is a monthly cash-settled swap.

The contract terms and conditions are set forth in Chapter 13 of the ICE Swap Trade Rulebook (“Rules”) and in related amendments to existing Rules, as specified in **Exhibit A**. The underlying cash market analysis for the new Energy Contract is contained in **Exhibit B**. A copy of the revised Rulebook marked to show changes against the Rulebook submitted to the Commission with an effective date of November 22, 2021, is attached as **Exhibit C**, and a clean copy of the revised Rulebook is attached as **Exhibit D**. The SEF is listing the Energy Contracts as noted in the table below:

Rule	Code	Contract Name
13118	FNV	Marine Fuel 0.5% FOB Rotterdam Barges vs Fuel Oil 3.5% FOB Rotterdam Barges Swap Balmo

Certifications

IST certifies that the rules and amendments related to the listing of the Energy Contracts comply with the requirements of the CEA and the rules and regulations promulgated by the Commission thereunder. IST has reviewed the Core Principles and has determined that the listing of the Energy Contracts impacts the following relevant Core Principles:

COMPLIANCE WITH RULES (Principle 2): The terms and conditions of the Energy Contracts are

set forth in Chapter 13 of the Rules, which will be enforced by IST. Trading of the Energy Contracts is subject to all relevant IST rules which are enforced by the Market Regulation Department.

SWAPS NOT READILY SUSCEPTIBLE TO MANIPULATION (Principle 3): In accordance with the guidelines set forth in Appendix C to Part 38 of the CEA, the Energy Contract should not be readily subject to manipulation as it is based on a liquid cash market and widely accepted benchmark as demonstrated in the analysis included in **Exhibit C**. The contract size, listing cycle, quotation basis, final settlement and minimum price fluctuation for the Energy Contracts are common amongst related contracts listed by other SEFs and DCMs. In addition, the Energy Contracts will be subject to market surveillance by IST Market Regulation staff to detect attempted manipulation.

Platts, the administrator of the referenced indices, has established comprehensive rules governing assessment prices and price reporting structures that is publicly available, transparent, and widely accepted and understood by market participants. The prices included in all of Platts' indices are subjected to a rigorous series of quality control processes. Platts publishes benchmark price assessments for liquefied natural gas markets and its price reporting is well known in the industry as fair and accurate. The liquefied natural gas indexes Platts publishes are based on original reporting that is collected by Platts from actual buyers and sellers. Platts also employs a comprehensive compliance review of submissions and its methodologies to ensure the published prices accurately reflect physical deals. Platts' rules, index descriptions and pricing methodology for liquefied natural gas is publicly available on its website¹.

MONITOR OF TRADING AND TRADE PROCESSING (Principle 4): All contracts listed for trading by IST are subject to prohibitions against abusive trading practices as set forth in Chapter 5 of the IST Rulebook. The Market Regulation staff actively monitors all IST markets to detect abusive practices.

ABILITY TO OBTAIN INFORMATION (Principle 5): IST has rules and procedures in place that allow for the collection of non-routine data from Participants and Customers. In addition, IST has agreements in place with other regulatory, data repository and reporting services.

TIMELY PUBLICATION OF TRADING INFORMATION (Principle 9): IST will publish on its website and distribute through quote vendors contract trading volume, open interest levels, and daily price information in accordance with Part 16. IST will also adhere to the reporting requirements as detailed in Part 43 and 45² of the Commission's Rules. Prior to the commencement of trading, the terms and conditions for the Energy Contracts will be available on IST's website. In addition, IST will publish on a daily basis the settlement prices, volume, open interest and the opening and closing ranges for actively traded contracts.

RECORDKEEPING AND REPORTING (Principle 10): IST has rules and procedures in place to require Participants and Customers to maintain records of their trading and provide for the recording and storage of the requisite trade information sufficient for the Market Regulation Department to detect and prosecute customer and market abuses.

DISCIPLINARY PROCEDURES (Principle 13): Pursuant to Chapters 8 of the IST Rulebook, the Market Regulation Department has the authority to sanction, suspend or expel members and market participants that violate SEF rules.

¹ <https://www.spglobal.com/platts/plattscontent/assets/files/en/our-methodology/methodology-specifications/lngmethodology.pdf>

² 17 CFR Part 43 Real-Time Public Reporting of Swap Transaction Data and 17 CFR Part 45 Swap Data Recordkeeping and Reporting Requirements.



DISPUTE RESOLUTION (Principle 14): Participants may arbitrate claims arising from trading of IST's contracts in accordance with Chapter 9 of the IST Rulebook. Such arbitration is mandatory for claims by customers against SEF Participants and for claims by SEF Participants against each other. Non-Participants with claims arising from trading of IST's contracts may also opt for SEF arbitration.

IST not aware of any substantive opposing views expressed with respect to the rules and the amendments. IST further certifies that concurrent with this filing, a copy of this submission was posted on its website, which may be accessed at: (<https://www.theice.com/swap-trade/regulation>).

If you have any questions or need further information, please contact the undersigned at (913) 323-8500 or Robert.Laorno@theice.com.

Sincerely,

A handwritten signature in black ink, appearing to read "R. Laorno", with a stylized flourish at the end.

Robert J. Laorno
Chief Compliance Officer

cc: Division of Market Oversight

Exhibit A

Rule 13118. ~~Reserved~~ Marine Fuel 0.5% FOB Rotterdam Barges vs Fuel Oil 3.5% FOB Rotterdam Barges Swap Balmo

Contract Description: A balance of the month cash settled future based on the difference between the Platts daily assessment price for 0.5% FOB Rotterdam Barges Marine Fuel Oil and the Platts daily assessment price for 3.5% FOB Rotterdam Barges Fuel Oil.

Contract Symbol: FNV

Contract Size: 1,000 metric tonnes

Unit of Trading: Any multiple of 1,000 metric tonnes

Currency: US Dollars and cents

Trading Price Quotation: One cent (\$0.001) per metric tonne

Last Trading Day: Last Trading Day of the contract month

Final Settlement Price: In respect of final settlement, the Floating Price will be a price in USD and cents per metric tonne based on the average of the "\$/mt" quotations appearing in the "Platts European Marketscan" under the heading "Marine Fuel" for "0.5% FOB Rotterdam barge" and the average of "Mid" quotations appearing in the "Platts European Marketscan" under the heading "Northwest Europe barges" subheading "FOB Rotterdam" for "Fuel oil 3.5%" for each business day (as specified below) in the determination period.

Contract Series: Up to 60 consecutive monthly contracts, or as otherwise determined by the Exchange.

Final Payment Dates: Five (5) New York Business Days after each settlement date via wire transfer of Federal funds

Business Days: Publication days for Platts European Marketscan

Other Terms: To be confirmed directly between the parties in their full form of contract. The terms reflected in such contracts shall be controlling.

EXHIBIT B

I. Marine Fuel 0.5% FOB Rotterdam Barges vs Fuel Oil 3.5% FOB Rotterdam Barges Swap Balmo

The underlying physical market that underpins this derivatives contract is the Platts assessments of Marine Fuel 0.5% FOB Rotterdam Barges and 3.5% FOB Rotterdam Barges. The barge assessment reflects both Marine fuels with a maximum sulfur limit of 0.5% and Fuel Oil with a maximum sulfur limit of 3.5%. The assessments reflect parcels of 2,000mt to 5,000mt barges loading FOB basis Rotterdam. Loading 3-15 (Monday to Tuesday) or 5-15 (Wednesday through Friday) days forward, and the value is normalized to reflect the mean value of these loading ranges.

II. Underlying Cash Market for FOB Rotterdam Barge

The Platts Market on Close Assessment process (MOC) is the tool used by Platts to determine and assess the physical market. The Methodology and Specifications Guide for crude oil assessments is contained here: <https://www.spglobal.com/platts/plattscontent/assets/files/en/our-methodology/methodology-specifications/Ingmethodology.pdf>

Cash Market Analysis for FOB Rotterdam Barge

The Bilateral Marine Fuel derivatives contract launched in May 2019 and for a time there was no corresponding Balmo contract which was needed to launch a difference contract. However, the market has been evolving with a recent environmental regulation shifting market trends. This shift in market trends has contributed to an increase in the 0.5% barge contract volume and inversely decrease in volume for the 3.5% Rotterdam contract. The cleared contract will replace the existing bilateral Balmo contract with a new ICE cleared equivalent.

In the first seven months of 2021, the 3.5% FOB contract individually averaged over 280 trades a month while the 0.5% Marine Fuel contract averaged over 95 trades per month. Currently, the bilateral version of this contract has 105 contracts of open interest in the month of November 2021. The market maintains 11 active participants in the derivative market for this contract.