



Submission No. 19-354B
November 24, 2021

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

Re: New ERCOT Panhandle 345KV Real-Time Daily Peak Fixed Price Future and Related Amendments (2 of 3)
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.2

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended (the "CEA"), and Commission Regulations 40.2, ICE Futures U.S., Inc. ("Exchange") filed Submission Nos. 19-349 through 19-366 on November 12, 2019, which provided for the listing of 18 new futures contracts on or about December 2, 2019, or such other date as the Exchange shall determine which shall be no sooner than the second business day following the business day on which the submission was received by the Commission. On November 29, 2019, the Exchange filed modifying submissions delaying the products for listing.

The Exchange hereby submits this filing to modify Submission 19-354 to announce the listing of the futures contract. The contract will be listed for trading on December 13, 2021. The terms and conditions of the products have not been amended since the Exchange's submission under 19-354. Additionally, minimum block trade quantities were established for this product in Exchange Submission No. 19-314. Further, it is the Exchange's good faith belief that the above-referenced futures contract does not meet the definition of *referenced contract* as prescribed in CFTC §150.1.¹

The new rules and rule amendments will become effective with the listing of the new futures contracts. The Exchange is not aware of any substantive opposing views to the new futures contracts. The Exchange certifies that the new contract rules and rule amendments comply 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 listing of the contracts complies with the following relevant Core Principles:

COMPLIANCE WITH RULES

The terms and conditions of the new futures contracts are set forth in new Rules 18.B.361-18.B.367, 19.A.47-19.A.49, 19.B.19-19.B.20, 19.C.122-19.C.127, amendments to Resolutions 1 and 2 of Chapter 18, and amendments to Resolutions 1 and 2 of Chapter 19, and will be enforced by the Exchange. In addition, trading of the contracts are subject to all relevant Exchange rules which are enforced by the Market Regulation Department.

¹ 17 C.F.R. § 150.1 (October 15, 2020) (providing for *referenced contract* definition).

CONTRACTS NOT READILY SUBJECT TO MANIPULATION

The new futures contracts are not readily subject to manipulation as they are based on established and liquid underlying cash markets. In addition, trading of the new contracts will be monitored by the Market Regulation Department.

POSITION LIMITS OR ACCOUNTABILITY

Positions in the new futures contracts will be subject to position limits and accountability levels set by the Exchange. As described above, such position limits are based upon existing levels set for substantially similar products or are based upon the deliverable supply in the cash market.

FINANCIAL INTEGRITY OF CONTRACTS

The new futures contracts will be cleared by ICE Clear Europe, a registered derivatives clearing organization subject to Commission regulation, and carried by registered futures commission merchants qualified to handle customer business.

The Exchange is not aware of any opposing views expressed by members or others regarding the listing of the new futures contracts and the adoption of related amendments. The Exchange further certifies that concurrent with this filing a copy of this submission was posted on the Exchange’s website, which may be accessed at: (<https://www.theice.com/futures-us/regulation#rule-filings>).

If you have any questions or need further information, please contact the undersigned at patrick.swartz@theice.com.

Sincerely,



Patrick Swartz
Director
Market Regulation

Enc.
cc: Division of Market Oversight
New York Regional Office