



World Financial Center  
One North End Avenue  
New York, New York 10282

**BY ELECTRONIC TRANSMISSION**

Submission No. 13-3  
January 4, 2013

Ms. Sauntia Warfield  
Office of the Secretary  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**Re: Amendments Exchange Rule 4.07  
Submission Pursuant to Commission Regulation 40.6(a)**

Dear Ms. Warfield:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. (“Exchange”) submits, by written certification, a conforming amendment to Exchange Rule 4.07, as set forth in Exhibit A.

The Exchange recently amended Exchange Rule 6.27(f) to allow block trades to be used to establish arbitrage, straddle and spread exemptions, other than cash and carry exemptions (see ICE Futures U.S. Submission 12-82, filed November 14, 2012). The Exchange is now making a similar conforming amendment to the Exchange Rule 4.07, which currently prohibits the use of block trades to establish positions upon which arbitrage, spread and straddle exemption requests may be made. The amendment to Rule 4.07 limits the prohibition to cash and carry exemptions.

The amendments will become effective on Friday, January 18, 2013. The Exchange certifies that the amendments comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. 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/notices/RegulatoryFilings.shtml>). No substantive opposing views were expressed by members or others with respect to the amendments.

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,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is written in a cursive style with a large, sweeping initial "J".

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

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

## EXHIBIT A

### Rule 4.07. Block Trading

\* \* \*

(e) Block Trades may not be used to establish positions upon which a cash and carry ~~an arbitrage, spread and straddle~~ exemption request made in accordance with Rule 6.27 is based.