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**ICE** FUTURES U.S.  
World Financial Center  
One North End Avenue  
New York, New York 10282

**BY ELECTRONIC TRANSMISSION**

Amended Submission 08-01  
January 10, 2007

Mr. David Stawick  
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: Amendments to the Definition of the term "Business Day" and the ICE Futures U.S., Inc. 2008 Holliday Schedule  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, ICE Futures U.S., Inc. ("Exchange") submits, by written certification, amendments to the definition of the term "Business Day", attached as Exhibit A, and the Exchange's 2008 Holiday Schedule.

**Business Day**

The Definitions Chapter of the Exchange Rulebook defines a Business Day with respect to an Exchange Futures or Options Contract as "any day on which a Commodity Contract with the same underlying commodity as such Exchange Futures Contract or Exchange Option is available for trading by open outcry in New York." The defined term Business Day is then used in the Rules for purposes of determining such dates as First/Last Notice Days, First/Last Business Days, and Last Trading Days. With the pending elimination of the open outcry session for futures products, this definition will no longer serve, the following amendment to the definition was adopted:

Business Day – The term "Business Day" shall mean, with respect to an Exchange Futures Contract or an Exchange Option, any day on which a Commodity Contract with the same underlying commodity as such Exchange Futures Contract or Exchange Option is available for trading on the electronic trading platform for the full regular electronic trading session for such Commodity Contract."

## 2008 Holliday Schedule

### **Agricultural Products:**

<b>Holiday</b>	<b>Date</b>	<b>Floor</b>	<b>ETS</b>
<b>New Year's Day</b>	<b>January 1</b>	<b>closed</b>	<b>closed</b>
<b>Martin Luther King Day</b>	<b>January 21</b>	<b>closed</b>	<b>closed</b>
<b>President's Day</b>	<b>February 18</b>	<b>closed</b>	<b>closed</b>
<b>Good Friday</b>	<b>March 21</b>	<b>closed</b>	<b>closed</b>
<b>Memorial Day</b>	<b>May 26</b>	<b>closed</b>	<b>closed</b>
<b>Independence Day</b>	<b>July 4</b>	<b>closed</b>	<b>closed</b>
<b>Labor Day</b>	<b>September 1</b>	<b>closed</b>	<b>closed</b>
<b>Thanksgiving Day</b>	<b>November 27</b>	<b>closed</b>	<b>closed</b>
<b>Christmas Day</b>	<b>December 25</b>	<b>closed</b>	<b>closed</b>

### **Currency and Index Products:**

<b>Holiday</b>	<b>Date</b>	<b>Currencies</b>		<b>Stock Indexes</b>	
		<b>Floor</b>	<b>ETS</b>	<b>Floor</b>	<b>ETS</b>
<b>New Year's Day</b>	<b>January 1</b>	<b>closed<sup>1</sup></b>	<b>Closed</b>	<b>closed</b>	<b>closed</b>
<b>Martin Luther King Day</b>	<b>January 21</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>President's Day</b>	<b>February 18</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Good Friday</b>	<b>March 21</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Memorial Day</b>	<b>May 26</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Independence Day</b>	<b>July 4</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Labor Day</b>	<b>September 1</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Thanksgiving Day</b>	<b>November 27</b>	<b>closed<sup>1</sup></b>	<b>Open</b>	<b>closed</b>	<b>open</b>
<b>Christmas Day</b>	<b>December 25</b>	<b>closed<sup>1</sup></b>	<b>Closed</b>	<b>closed</b>	<b>closed</b>

<sup>1</sup>Floor session ends at 1:00 pm on the business day prior to the Holiday.

The Exchange certifies that this amendments and 2008 Holliday Schedule comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The amendments and Holiday Schedule were adopted by the Exchange's Board of Directors on October 10, 2007. The Amendments to the definition of the term "Business Day" went into effect on Tuesday, January 8, 2008. 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 [jason.fusco@theice.com](mailto:jason.fusco@theice.com).

Sincerely,

Jason V. Fusco  
Assistant General Counsel  
& Market Regulation Counsel

cc: Riva Adriance  
CFTC, Division of Market Oversight  
Allen Cooper  
CFTC, New York Regional Office

(In the text of the amendments below, additions are underlined and deletions are bracketed and lined out.)

**Business Day**

The term "Business Day" shall mean, with respect to an Exchange Futures Contract or an Exchange Option, any day on which a Commodity Contract with the same underlying commodity as such Exchange Futures Contract or Exchange Option is available for trading [~~by open outcry in New York~~] on the electronic trading platform for the full regular electronic trading session for such Commodity Contract.

**EXHIBIT A**