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Supplemental Submission No. 08-63  
January 13, 2009

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: Corrections to Rules 7.42(d), 10.22(a) and new Rule 7.52 -  
Submission Pursuant to Section 5c(c)(2) of the Act and Regulation 40.6(a)**

Dear Mr. Stawick:

In Submission No. 08-63 dated November 13, 2008, ICE Futures U.S., Inc. ("Exchange") requested approval of amendments to Rules 7.42(d), 7.46(b), 7.50(b), 10.03(d) and (h), 10.11, 10.12(a)(v), 10.22(a) and (d)(i), 10.24(b), 10.26(a)(iii) and (vii), 10.28(c) and 10.37-10.40 and the adoption of new Rule 7.52, pursuant to Section 5c(c)(2) of the Commodity Exchange Act, as amended, and Commission Regulation 40.4(a). In a letter dated December 30, 2008, the Commission notified the Exchange of the approval of the submitted amendments and new rule.

When posting new Rule 7.52 to the Exchange's Rule Book, staff noticed an incorrect reference in paragraph (j) to the Cocoa, Coffee and Pulp Warehouse and License Committee which has no jurisdiction over the warehousing of cotton. The correct reference should have been to the Cotton Warehouse and Delivery Committee. The Exchange is notifying the Commission of the non-material correction of the reference and of two typographical errors found in Rules 7.42(d) and 10.22(a), as shown in the attached Exhibit A.

If you have any questions or need further information, please contact me at 212-748-4084 or [jill.fassler@theice.com](mailto:jill.fassler@theice.com).

Sincerely,

Jill S. Fassler  
Vice President  
Associate General Counsel

cc: Division of Market Oversight  
New York Regional Office

## EXHIBIT A

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

### Rule 7.42. Licenses

\* \* \*

(d) Licensed warehouses shall give such bonds or letters of credit to the Exchange as may be required by the Rules.

### Rule 7.52. Duty to Notify

All Persons granted a license by the Exchange shall immediately notify Commodity Operations in writing of the occurrence of any of the following events:

\* \* \*

(j) failure to meet the requirements prescribed in the Rules or specified by the Board or the [~~Cocoa, Coffee and Pulp Warehouse and License~~] Cotton Warehouse and Delivery Committee from time to time; and

[REMAINDER OF RULE UNCHANGED]

### Rule 10.22. Invoicing and Grade and Staple Differences

(a) In the case of cotton being tendered against the Cotton No. 2 Futures Contract, it shall be invoiced by calculating in bale units the average value on or off color grade of strict low middling white (41), leaf grade 4, staple length 1-1/16 inch (34), micronaire 3.5 to 4.7, Grams Per Tex of twenty-five (25.0) or higher and adding or deducting such average premium or discount to or from the notice price and figuring the net weight of the total quantity being invoiced (deliverable weight less weight allowance) by the price ascertained in the manner outlined.

[REMAINDER OF RULE UNCHANGED]