



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

Atlanta Calgary Chicago Houston London New York Singapore

RECEIVED  
JAN 27 2009

JAN 27 AM 8:45

OFFICE OF THE SECRETARIAT

**BY ELECTRONIC TRANSMISSION**

Submission No. 09-6  
January 27, 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: Notice of Delaying the Listing of the January 2012 Sugar No. 11 Futures Contract -  
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, a notice to the Commission that the Exchange is postponing the listing of the January 2012 Sugar No. 11 futures contract for trading.

After almost nine months of trading, the January 2010 and 2011 Sugar No. 11 futures contracts have only reached open interest of 207 and 2 lots, respectively, and on average the January futures contract does not attract a bid/offer for most of the trading day. The January 2012 futures contract is scheduled to be listed for trading on February 2, 2009. However, because of the illiquidity of January 2010 and 2011, the Exchange will postpone listing for trading the delivery month of January 2012.

The Exchange certifies that the resolution complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The resolution was adopted by the Exchange's Board of Directors on January 14, 2009 and will become effective on January 29, 2009. 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 212-748-4084 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