

 **ICE** FUTURES U.S.
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C.F.T.C.
OFFICE OF THE SECRETARIAT

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BY ELECTRONIC TRANSMISSION

Submission No. 10-18
April 23, 2010

Mr. David A. Stawick
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: **Amendment to Rule 27.05 -
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, an amendment to Rule 27.05, attached as Exhibit A.

Rule 27.09 defines a Registered Operator as an individual who has direct access to the ICE electronic trading platform either as an employee of a clearing member or a user with direct access or a customer who order routes through a clearing member. Currently, Rule 27.05(a)(ii) limits a floor clerk to be a Registered Operator for only one floor broker at a time. However, when a group of floor brokers are solely trading for their proprietary accounts and associated with each other by virtue of working for the same employer or association, it is more economically feasible to have one floor clerk be the Registered Operator for all of the floor brokers in the group. Since the clerk will only be seeing orders for the floor brokers' proprietary accounts, it seems reasonable to allow the clerk to be a Registered Operator for the group.

The amendment to Rule 27.05(a)(ii) allows a floor clerk to be a Registered Operator for more than one floor broker as long as:

- all of the floor brokers only trade for their proprietary accounts and not execute trades for any other person or entity;
- all of the floor brokers are associated with each other; and

- the clerk has and utilizes a separate log-in identification for each of the floor brokers and such log-in identification contains the floor broker's eBadge for whom the clerk is entering the trade.

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

The amendment was adopted by the Exchange's Board of Directors at its meeting on April 23, 2010 and will go into effect on April 27, 2010. No substantive opposing views were expressed by members or others with respect to the amendment.

If you have any questions or need further information, please contact me at 212-748-4084 or at 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.)

27.05. ETS Access From the Trading Floor

(a) A Floor Member may have Direct Access from the Trading Floor, provided that the Clearing Member Guarantor of such Floor Member executes a Clearing Member Guaranty with respect to electronic trading by such Floor Member. A Floor Member shall execute such documents, register personnel and furnish such other information as the Exchange may require in connection therewith.

* * *

(ii) A Clerk may be a Registered Operator for only one (1) Floor Broker at any time. Notwithstanding the previous sentence, a Clerk may be a Registered Operator for more than one (1) Floor Broker as long as (A) all of the Floor Brokers only trade for their proprietary accounts and do not execute trades for any other Person, (B) all of the Floor Brokers are associated with each other and (C) the Clerk has and utilizes a separate log-in identification for each Floor Broker and such log-in identification contains the Floor Broker's eBadge for whom the Clerk is entering the Trade.

[REMAINDER OF RULE UNCHANGED]