


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

BY ELECTRONIC TRANSMISSION

Submission No. 13-39
May 1, 2013

Ms. Melissa Jurgens
Secretary of the Commission
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Re: Temporary Close of Certain FCOJ TAS Markets
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6 (a)

Dear Ms Jurgens:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. (the “Exchange”) is notifying the Commission that on April 30, 2013, Trade-at-Settlement (“TAS”) markets involving the May 2013 FCOJ (“K13 FCOJ”) futures contract, which are normally open until 1:30PM New York Time, were temporarily shut down at 12:00PM New York Time due to a system issue. After an announcement was broadcast to participants, the markets were reopened at 1:15PM and remained open through the normal close of trading at 1:30PM. The issue was limited to TAS markets involving the expiring K13 FCOJ contract, and there were no TAS trades involving the K13 FCOJ futures after the markets were reopened.

The system issue was caused by the coding logic used for the last TAS trading day for an expiring FCOJ contract¹. The specific cause of the problem has been identified and a correction has been developed, is in testing, and will be deployed by May 10th, well in advance of the next FCOJ contract expiration.

The action to re-open the K13 FCOJ TAS markets was taken by the Vice President of Operations of ICE in accordance with Rule 6.02(a), which provides that “[i]n the event the physical functions of the Exchange are . . . adversely affected by a ‘Physical Emergency’, such as . . . computer malfunction, screen-based trading break-down. . . the President, or in his absence any Senior Vice President or the Vice President of Market Operations of ICE. . . may take any

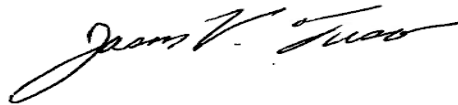
¹ TAS trading is not available for a specific delivery month of an agricultural futures contracts once it has gone into the notice period. First notice day for the K13 FCOJ contract is May 1, 2013.

action which, in the opinion of such officer is necessary or appropriate to deal with the Physical Emergency,” and “ in the event of a computer malfunction or screen-based trading system disruption, the Vice President, Operations of ICE may take any action which, in the opinion of such officer is necessary or appropriate to deal with the computer malfunction or screen-based trading system disruption...”.

No substantive opposing views were expressed by members or others with respect to the temporary closure of the FCOJ TAS markets. The Exchange certifies that the re-open of the TAS markets by the Exchange in response to system issue complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. ICE Futures US further certifies that a copy of this submission was posted on the Exchange’s website concurrent with its filing with the Commission.

If you have any questions or need further information, please contact me at 212-748-4021 or at jason.fusco@theice.com.

Sincerely,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is fluid and cursive, written in a professional style.

Jason V. Fusco
Assistant General Counsel
Market Regulation

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