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New York, New York 10282

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OFFICE OF THE SECRETARIAT
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BY ELECTRONIC TRANSMISSION

Submission No. 10-31
August 3, 2010

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

**Re: New Rule 27.12A -
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, new Rule 27.12A, attached as Exhibit A.

One of the recommendations contained in the CFTC's Rule Enforcement Review was that the Exchange's compliance program include periodic reviews of electronic audit trail and recordkeeping requirements that are prescribed in the Exchange's rules. New Rule 27.12A provides that each clearing member guaranteeing a connection to the Exchange's electronic trading system is responsible for maintaining the audit trail for orders submitted through any order routing/front end system. The data requirements are similar to CME Rule 536B, so that audit trail recordkeeping requirements are, in effect, standardized for U.S. exchanges.

The Exchange certifies that the new Rule 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 August 2, 2010 and will go into effect on August 13, 2010. 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.

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 amendment below, additions are underlined.)

Rule 27.12A. Audit Trail Requirements for Electronic Orders Submitted Through Exchange Approved Order Routing Systems

(a) Each Clearing Member guaranteeing a connection to the ETS is responsible for maintaining or causing to be maintained the audit trail for all electronic orders submitted to the Exchange through any order routing/front end system.

(b) A Clearing Member that has arrangements for a third party to maintain audit trail information on its behalf shall remain responsible for compliance with this Rule.

(c) The audit trail for electronic orders must include, at a minimum, the following order data:

(i) date and times of (A) order entry; (B) order receipt and (C) all modification and cancellation messages submitted to ETS and responses to such messages. The times of order entry, order receipt, order modification and responses must reflect the highest level of precision provided by the API, but not less than one hundredth of a second and shall not be subject to modification or alteration by the Person entering the order; and

(ii) the following order details: (A) Exchange Commodity Contract; (B) expiration month; (C) buy/sell indicator; (D) futures or option indicator; (E) if option, put/call designation; (F) quantity; (G) if a reserve quantity order, the reserve quantity; (H) order type; (I) price; (K) stop price; (L) if option, strike price; (M) time-in-force; (N) Clearing Member ID; (O) account number; (P) customer type indicator; (Q) ETS log-in identification; (R) authorized trader tags (Tag numbers 116, 115 and 144); (S) client order identification; (T) Exchange order identification; and (U) order status.

(d) Orders that are eligible for post-execution allocation may be entered into ETS as long as such orders, the Person placing such orders, and the allocation of such orders comply with the requirements of Rule 6.08(c) ("Bunched Orders"). Bunched Orders may be entered using a suspense account number provided that, either

(i) the orders are being placed by an Eligible Account Manager; or

(ii) a written, pre-determined allocation scheme(s) has been provided to the Futures Commission Merchant ("FCM") carrying the account(s) prior to the time that such orders are entered into ETS; provided, however, that, if the allocation scheme(s) has not been submitted to the FCM, each specific account number must be entered into ETS at the time of order entry.

For all Bunched Orders executed on the ETS, the final specific account allocations must be submitted to the Exchange in accordance with the Rules.

(e) The electronic audit trail must be maintained for a minimum of five (5) years. Upon the request of the Exchange, each Clearing Member must have the ability to produce to the Exchange the audit trail data in a format prescribed by the Exchange.