


ICE FUTURES U.S.
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Submission No. 11-64
September 13, 2011

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: Delayed Open of Electronic Trading in Certain ICE Futures U.S. Markets-
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. (the "Exchange" or "ICE Futures U.S.") submits, by written certification, notification to the Commission that the open of electronic trading for the Sugar No. 16 futures market was delayed on September 12, 2011; and that the opens of electronic trading for the Russell Complex and U.S. Dollar Index[®] ("USD[®]X") futures and options markets and the Currency futures markets were delayed on September 12th for trade date September 13, 2011 due to a system maintenance error.

The open of electronic trading in the Sugar No. 16 futures market, which normally occurs at 9:00AM, was delayed on Monday, September 12, 2011 due to a missed manual step in the end of week maintenance routine performed by IntercontinentalExchange on Friday, September 9, 2011. This resulted in slow processing for a portion of the electronic trading system and ultimately caused the opening for the Sugar No. 16 futures market to fail. To resolve the issue, some non-ICE Futures U.S. markets were temporarily closed so a process could be restarted. Once the system was restarted and processing normally, the decision was made to open the Sugar No. 16 market. At 9:31AM, the Exchange issued a notification that the pre-open would occur at 9:40AM and that the open would commence at 9:45AM.

As a result of additional maintenance that was performed to completely resolve the system issue which caused the delayed open of the Sugar No. 16 futures market, the opens for the Russell Complex and USD[®]X futures and options markets and the Currency futures markets, which normally occur at 8:00PM, were delayed on the evening of September 12th for trade date

September 13, 2011. Part of the maintenance process required the failover to an alternate server. While this process went smoothly, certain nightly tasks ran longer than expected causing the delayed opens. The pre-open for the Russell Complex and USDX markets occurred at 8:05PM with the open for each taking place at 8:07PM; and the pre-open for the Currency futures markets occurred at 8:09PM with the open at 8:11PM. Notices were promptly sent to the market and an update was posted on the market status page when the delay was identified.

The actions described above were taken 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 . . . a computer malfunction . . . the President, or in his absence any Senior Vice President . . . may take any action which, in the opinion of such officer is necessary or appropriate to deal with the Physical Emergency, including, but not limited to, . . . delaying the opening of trading in any one (1) or more Commodity Contracts,”

The Exchange certifies that the delayed opening of electronic trading for Sugar No. 16 market on September 12th and the Russell Complex, USDX and Currency markets on September 12th for trade date September 13th comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

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

Sincerely,

Jason V. Fusco
Assistant General Counsel
Market Regulation

cc: Division of Market Oversight
New York Regional Office