



Atlanta Calgary Chicago Houston London New York Singapore Winnipeg

BY ELECTRONIC TRANSMISSION

Submission No. 13-95
October 15, 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 Power Markets
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6 (a)

Dear Ms Jurgens:

Pursuant to Commission Regulation 40.6(a), ICE Futures U.S., Inc. (the “Exchange”) is notifying the Commission that on October 14, 2013 certain daily Power contracts failed to open as scheduled at 7:50PM New York Time due to a system configuration issue. All of the Power markets which had opened successfully were subsequently closed from 9:10PM to 9:30PM New York Time so systems operations staff could address the issue. The system configuration was successfully corrected while the markets were closed and trading resumed without further stoppages. Announcements advising participants were broadcast prior to the 9:10PM close and prior to the subsequent pre-open and reopen for the markets. A five minute pre-open was commenced at 9:25PM, followed by the reopen at 9:30PM, which included the affected daily contracts.

The action to temporarily close all Power 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 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 Power markets. The Exchange certifies that the actions comply 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", written in a cursive style.

Jason V. Fusco
Assistant General Counsel
Market Regulation

Enc.

cc: Division of Market Oversight
New York Regional Office