


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

RECEIVED
C.F.T.C.

2007 DEC 14 AM 10:32

OFFICE OF THE SECRETARIAT

BY ELECTRONIC TRANSMISSION

07-76

December 14, 2007

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: Amendments to Floor Trading Rule 4.31 -
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, amendments to Floor Trading Rule 4.31, attached as Exhibit A.

Exchange Rule 4.31 provides that all Block Trades must be executed at a price which is fair and reasonable, and sets forth certain criteria upon which that determination is made. The amendment to Rule 4.31 eliminates the requirement that Block Trades be priced within the no cancellation range ("NCR") for the particular commodity.

The NCR is a price range above and below the prevailing market price of a particular commodity. Electronic trades executed within the NCR are generally not cancelled.

Current Exchange procedures require Members to report Block Trades to the Exchange within five (5) minutes after they are executed. Given this lengthy five (5) minute period, the NCR is a poor measure of whether the trade is fair and reasonable. In a volatile market, a Block Trade may be fairly priced at the time of execution, but outside the NCR at the time it is reported due to market movement over the five minute period. In addition, one of the elements examined by Exchange compliance staff when reviewing executed Block Trades is whether the execution price was set at fair value. Since the review is done after the Block Trade has cleared, placing price restrictions at the time of entry is not necessary.

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

The amendments were approved by the Exchange's Board of Directors at its meeting on December 13, 2007 and will become effective on December 17, 2007. No substantive opposing views were expressed by members or others with respect to the delisting.

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

Sincerely,

Jason V. Fusco
Assistant General Counsel
& Market Regulation Counsel

cc: Riva Adriance
Thomas Leahy
CFTC, Division of Market Oversight
Allen Cooper
CFTC, New York Regional Office

(In the text of the amendments below, additions are underlined and deletions are bracketed and lined out.)

Rule 4.31. Block Trading

(a) Members may enter into privately negotiated Transactions with respect to Commodity Contracts designated by the Exchange for such purpose (hereinafter referred to as "Block Trades"), provided that all of the following conditions are satisfied:

* * *

(iii) The price at which a Block Trade is executed must be fair and reasonable in light of (A) the size of such Block Trade, (B) the price and size of other Trades in the same contract at the relevant time; and (C) the price and size of Trades in other relevant markets, at the relevant time. [~~and (D) the circumstances of the parties to such Block Trade, but, in no event, shall the price at which a Block Trade is executed be outside of the No Cancellation Range as defined in Chapter 27 of the Rules.~~]

[REMAINDER OF RULE UNCHANGED]