

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

C.F.T.C.  
OFFICE OF THE SECRETARIAT

2010 DEC 15 PM 12 50

**BY ELECTRONIC TRANSMISSION**

Supplemental Submission No. 10-53  
December 15, 2010

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

**Re: Amendments to Rules 11.11 and 29.18 -  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Stawick:

In a letter dated December 9, 2010, ICE Futures U.S., Inc. ("Exchange") submitted, by written certification, amendments to Rules 4.28, 10.02, 10.16, 10.24, 10.26, 11.06 and 29.04, in accordance with Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6 (Submission No. 10-53). The Exchange is submitting, by written certification, this Supplemental Submission to include amendments to Rules 11.11 and 29.18, attached as Exhibit A.

The amendments to Rules 11.11 and 29.18 conform references, concerning the issuance of delivery notices and the recording of specified delivery information through the Exchange's eCOPS system for Sugar No. 11<sup>®</sup> and Sugar No. 16, to the rule amendments previously submitted. The amendments delete references to "Memo of Deliverer" to "Notice of Delivery".

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

The amendments will go into effect on February 1, 2011 for the March 2011 sugar deliveries. 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](mailto: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 amendments below, additions are underlined and deletions are bracketed and lined out.)

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**Rule 11.11. [~~Memo of Deliverer~~] Notice of Delivery**

As of 5:00 P.M. on the day a Deliverer issues any [~~Memo of Deliverer~~] Notice of Delivery to the Clearing Organization, the port designated in such [~~Memo of Deliverer~~] Notice of Delivery must be free of conditions which would prohibit the possible loading and clearance of vessels carrying sugar, and there must exist no circumstance of the type described in the first (1<sup>st</sup>) paragraph of Rule 11.10(a) which would prevent delivery in compliance with the Rules of the sugar referred to in such [~~Memo of Deliverer~~] Notice of Delivery. In the event that any such condition or circumstance shall come into existence with respect to the sugar covered by any [~~Memo of Deliverer~~] Notice of Delivery at any time after 5:00 P.M. on the day such [~~Memo of Deliverer~~] Notice of Delivery was issued to the Clearing Organization, any Receiver to whom the Clearing Organization assigns and delivers a Multiple Delivery Notice shall be obligated to accept the same, and shall not have any Claim against either the Deliverer or the Clearing Organization as a result of the existence of such condition or circumstance.

**Rule 29.18. Notice of Failure to Meet Obligations**

\* \* \*

(e) In the case where a Deliverer is determined to be in default by the Special Arbitration Committee for failure to issue a [~~Memo of Deliverer~~] Notice of Delivery or in delivering the sugar named in the contract when due then:

[REMAINDER OF RULE UNCHANGED]