



## U.S. COMMODITY FUTURES TRADING COMMISSION

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Division of  
Market Oversight

May 26, 2015

Mr. Jason V. Fusco  
Assistant General Counsel  
ICE Futures U.S.  
55 East 52<sup>nd</sup> Street  
New York, NY 10055

Re: Notification of Stay: ICE Futures U.S. Inc. Submission No. 15-101, dated May 11, 2015

Dear Mr. Fusco,

This is to inform you that the Division of Market Oversight has determined to stay ICE Futures U.S. Inc. Submission No. 15-101, dated May 11, 2015, pursuant to Section 5c(c)(2) of the Commodity Exchange Act and §§ 40.6(c)(1) and 40.7(a)(3) of the Commission's regulations thereunder. This determination is based upon the fact that the submission contains an inadequate explanation of the subject rule amendment and is potentially inconsistent with the Act. In this regard, the filing lacks sufficient analysis of peak vs. off-peak power, dynamic constraints to the use of name plate rating (NPR), effects of ancillary services on supply, double counting for total transfer capability (TTC), historical delivered power vs. load demanded, and seasonality effects on the markets.

The certification review period for this submission is hereby stayed for an additional 90 days until close of business on Wednesday, August 24, 2015. Please note that, under § 40.6(c)(3) of the Commission's regulations, ICE Futures U.S. Inc. Submission No. 15-101 will become effective, pursuant to certification, at the expiration of the 90-day review period unless the Commission either: (1) withdraws the stay prior to that time, or (2) notifies ICE Futures U.S. Inc. during the 90-day time period that the Commission objects to the proposed certification on the grounds that the proposed rule amendment is inconsistent with the Act or the Commission's regulations.

Consistent with the requirement of § 40.6(c)(2) of the Commission's regulations, the Commission will provide a 30-day public comment period for ICE Futures U.S. Inc. Submission No. 15-101 during the submission's 90-day review period. The Commission will publish a notice of the 30-day public comment period on the Commission's website.

If you have questions regarding this notification, please feel free to contact Greg Kuserk at [gkuserk@cftc.gov](mailto:gkuserk@cftc.gov) or by telephone at (202) 418-5286.

Sincerely,

Vincent McGonagle  
Director, Division of Market Oversight