



Atlanta Calgary Chicago Houston London New York Singapore

July 22, 2010

Mr. David Stawick  
Secretary  
Commodity Futures Trading Commission  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

RE: Notification of change of ownership pursuant to Commission Rule 38.5(d)

Mr. Stawick:

On July 8, 2010, the IntercontinentalExchange, Inc. ("ICE") announced the acquisition of the Climate Exchange, plc. The Climate Exchange is organized into three core businesses: the European Climate Exchange (ECX), the Chicago Climate Futures Exchange (CCFE) and the Chicago Climate Exchange (CCX). CCFE is registered with the Commodity Futures Trading Commission ("Commission") as a Designated Contract Market and CCX operates as an exempt commercial market pursuant to Section 2(h)(3) of the Commodity Exchange Act ("Act"). As you are aware, ICE has provided the electronic trading platform for CCX and CCFE since the launch of trading on those exchanges in 2003 and 2004, respectively. In March 2009, ICE acquired The Clearing Corporation, which is the clearinghouse for CCFE. Pursuant to the UK City Code on Takeovers and Mergers, ICE filed the relevant transaction documents with the Panel on Takeovers and Mergers.<sup>1</sup>

CCFE was owned by a UK-based company, Climate Exchange, plc. ICE created a new UK subsidiary, Aether Ios, LTD as the acquirer of Climate Exchange, plc. As a result, the existing structure will be ported to ICE. ICE expects CCFE to retain its status as a Designated Contract Market, which currently meets the requirements of 5(b) and 5(d) of the Act. In the short term, ICE will not make any changes to the way CCFE complies with 5(b) and 5(d) of the Act, except that we are contemplating creating a regulatory oversight committee to meet the acceptable practices stated in Core Principle 15 of the Act. Therefore, pursuant to Part 38.5(d) of the Commission's Regulations, ICE certifies that CCFE meets all of the requirements of sections 5(b) and 5(d) of the Act and the provisions of Part 38. If you have any questions, please feel free to contact me at 770.916.7832.

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<sup>1</sup>The relevant documents can be found here:  
[https://www.theice.com/climate\\_exchange\\_transaction.jhtml](https://www.theice.com/climate_exchange_transaction.jhtml)



Sincerely,

A handwritten signature in cursive script that reads "R. Trabue Bland".

R. Trabue Bland  
IntercontinentalExchange, Inc.

cc: Riva Adriance, DMO  
Lois Gregory, DCIO