



September 17, 2012

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

By Email: [submissions@cftc.gov](mailto:submissions@cftc.gov)

Re: ICE Clear Europe Self-Certification Pursuant to Commission Rule 40.6

Dear Mr. Stawick:

ICE Clear Europe Limited (“ICE Clear Europe”), a registered derivatives clearing organization (“DCO”) under the Commodity Exchange Act, as amended (the “Act”), hereby submits to the Commodity Futures Trading Commission (the “Commission”), pursuant to Commission Rule 40.6 for self-certification the attached circular. The circular is expected to be effective ten business days after submission, or such later date as ICE Clear Europe may determine.

The circular addresses the planned conversion of certain open interest in OTC energy contracts to futures contracts listed on ICE Futures U.S. Inc. or ICE Futures Europe Limited, as the case may be, as ICE has previously announced. The circular potentially is relevant to the following core principles: (C) Participant and Product Eligibility and (L) Public Information, and the applicable regulations of the Commission thereunder.

ICE Clear Europe hereby certifies that the proposed circular complies with the Act and the Commission’s regulations thereunder.

ICE Clear Europe has received no opposing views in relation to the proposed circular.

ICE Clear Europe has posted a notice of pending certification and a copy of this submission on its website concurrent with the filing of this submission.

If you or your staff should have any questions or comments or require further information regarding this submission, please do not hesitate to contact the undersigned at paul.swann@theice.com or +44 20 7065 7700, Dee Blake, Director of Regulation, at dee.blake@theice.com or +44 20 7065 7752 or Patrick Davis, Head of Legal and Company Secretary, at [patrick.davis@theice.com](mailto:patrick.davis@theice.com) or +44 20 7065 7738.

Very truly yours,



Paul Swann  
President & Chief Operating Officer

## Energy Clearing: Open interest in ICE OTC Contracts - Transition to ICE Futures Europe Contracts and ICE Futures US Contracts

Further to the press releases of IntercontinentalExchange, Inc. dated 30 July and 4 September 2012, the Clearing House advises you of the details of changes to the terms of open interest in ICE OTC Contracts which will become ICE Futures Europe or ICE Futures US Contracts (the "Affected Contracts") (certain of the specifications and terms for which will be set out in an ICE Futures Europe Circular and an ICE Futures US Exchange Notice and relevant exchange rules).

Energy Clearing Members are advised that at 00:01 London local time (GMT+1) on Monday 15 October 2012 (the "Transition Time") all ICE OTC Contracts in place between Clearing Members and the Clearing House will become either ICE Futures Europe Contracts or ICE Futures US Contracts. Affected Contracts will become ICE Futures Europe Contracts of an economically identical Set and position if they are listed on ICE Futures Europe. Affected Contracts will become ICE Futures US Contracts of an economically identical Set and position if they are listed on ICE Futures US. Energy Clearing Members and other users of the Clearing House are referred to the definition of the "Contract Terms" in Rule 101.

As from the same time, all Margin and other Permitted Cover provided in respect of Affected Contracts will be deemed to be held in respect of ICE Futures Europe Contracts or ICE Futures US Contracts, accordingly, and shall be treated as recorded in the appropriate Margin sub-account of the relevant Customer Account for such Contracts. Records will be accordingly updated on or around the Transition Time.

There shall be no change in the economic terms of Affected Contracts as a result of this transition; and the Affected Contracts shall remain contracts with the Clearing House.

Subsequent to the Transition Time, as a result of the definition of "Contract Terms" in Rule 101, the Affected Contracts shall be regarded as ICE Futures Europe Contracts and subject to the ICE Futures Europe Rules or Regulations, or as ICE Futures US Contracts and subject to the ICE Futures US Rules, as appropriate.

If you have any questions on the information contained in this Circular, please contact [XXXX].

Please ensure that the appropriate members of staff within your organisation and customers are advised of the content of this Circular.

Signed:



Paul Swann

CIRCULAR  
C12/0??

XX September 2012

**Category:**

**Attachments:**

None

**Summary of content:**

Energy Clearing - S2F  
Transition

**For more information  
please contact:**

[XXX]

President & Chief Operating Officer

