



January 31, 2023

VIA CFTC PORTAL

Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st St., N.W.
Washington, D.C. 20581

Re: Amendment to ICE NGX Canada Inc. Rules - Submission Pursuant to Section 5c(c)(1) of the Commodity Exchange Act and CFTC Regulation § 40.6(a): Revised Timing for Same-Day Margin Calls (CPA and RMF Amendments)

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, (“Act”) and Commodity Futures Trading Commission (“Commission”) Regulation 40.6(a), ICE NGX Canada Inc. (“ICE NGX”) is submitting this self-certification relating to changes to

- the ICE NGX Contracting Party Agreement (“CPA”) - the CPA functions as the rulebook for ICE NGX’s exchange and clearinghouse operations and is a “rule” as that term is defined under Commission Regulation 40.1(i); and
- the ICE NGX Risk Management Framework (“RMF”) - the RMF is a “rule” as that term is defined under Commission Regulation 40.1(i).

ICE NGX intends to implement the amendments to the CPA (the “CPA Amendments”) and the amendments to the RMF (the “RMF Amendments”) and, together with the CPA Amendments, the “Amendments”) on February 27, 2023.

1. Overview

ICE NGX is making this submission to revise certain timing relating to a requirement that Contracting Parties meet a margin call within the same business day, if certain conditions are met.

The Amendments reflect feedback from Contracting Parties. With the implementation of the Amendments, ICE NGX will be in a position to fully implement the same-day margin call requirement.

The text of the amended CPA provisions is attached as the Appendix to this letter. Concurrently with this submission, ICE NGX is submitting the text of the RMF Amendments, for which ICE NGX has respectfully requested confidential treatment.

ICE NGX Canada Inc.
Suite 2610, 225 – 6th Avenue SW
Calgary, AB
Canada T2P 1N2
ngx.com
ice.com



2. Details of Rule Changes

On September 6, 2022, ICE NGX submitted for self-certification amendments to the CPA and RMF to implement a requirement that a Contracting Party provide additional eligible collateral support (i.e., a margin call) be met within the same business day if both of the following conditions are met:

- the Contracting Party's Margin Requirement is at or above 100% of its Net Equity (each capitalized term as defined in the CPA), and
- ICE NGX makes the request for additional eligible collateral support at or before a prescribed time on a business day that is not a recognized bank holiday.

The September 6, 2022 submission set the prescribed time as 11:00 AM Eastern Time (9:00 AM Mountain Time). The September 6, 2022 Notice also set an implementation timeline of Q1 2023.

This present self-certification modifies the same-day margin call requirement to specify that a request for additional eligible collateral support (i.e., a margin call) be met within the same business day if both of the following conditions are met:

- the Contracting Party's Margin Requirement is at or above 100% of its Net Equity (each capitalized term as defined in the CPA), and
- ICE NGX makes the request for additional eligible collateral support at or before 9:00 AM Eastern Time (7:00 AM Mountain Time) on a business day that is not a recognized bank holiday.

ICE NGX intends to implement the Amendments along with the same-day margin call requirement on February 27, 2023.

3. Compliance with Core Principles

ICE NGX reviewed the Amendments and determined that they comply with the rules and regulations of the Commission. In this regard, ICE NGX reviewed the derivatives clearing organization ("DCO") core principles (each a "Core Principle") and determined that the Amendments are potentially relevant to the following Core Principles and applicable regulations of the Commission thereunder.

Compliance (Core Principle A): The Amendments are consistent with Core Principle A - Compliance and Commission Regulation 39.10, as the Amendments clarify and enhance ICE NGX's policies and procedures for complying with Commission regulations and internal policies.

Risk Management (Core Principle D): The Amendments are consistent with Core Principle D - Risk Management and Commission Regulation § 39.13(g)(9), as the Amendments specify the time deadline for clearing participants to provide additional collateral if certain conditions are met.



4. Certifications

ICE NGX certifies that the proposed Amendments discussed in this submission comply with the Commodity Exchange Act, including the Core Principles and the Regulations of the Commission thereunder. ICE NGX is not aware of opposing views expressed regarding the Amendments. ICE NGX further certifies that, concurrent with this filing, a copy of this submission was posted to ICE NGX's website.

Yours truly,

A handwritten signature in black ink, appearing to read 'Greg Abbott', is written above a horizontal line.

By: Greg Abbott
Title: President & COO
Date: January 31, 2023



AMENDMENTS TO THE ICE NGX CONTRACTING PARTY AGREEMENT

SCHEDULE "C" - RISK MANAGEMENT POLICY

8. Request by Exchange for Eligible Collateral Support

...

- e. Upon a request by Exchange for additional Eligible Collateral Support from a Contracting Party in accordance with subsection 8.c. of this Schedule "C" or as otherwise required by Exchange that is made
 - (i) at or before ~~11:00am~~ 9:00 a.m. Eastern Prevailing Time on a Business Day that is not a Recognized Banking Holiday for the Contracting Party, the Contracting Party agrees to provide such additional Eligible Collateral Support to Exchange within that Business Day;
 - (ii) after ~~11:00am~~ 9:00 a.m. Eastern Prevailing Time on a Business Day is a Recognized Banking Holiday for the Contracting Party, then on the first Business Day that is not a Recognized Banking Holiday following any such request.