



FOIA CONFIDENTIAL TREATMENT REQUESTED

March 18, 2022

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)

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 to amend the ICE NGX Default Management Procedures (“Default Management Procedures”). ICE NGX believes the Default Management Procedures may be a “rule” as that term is defined under Commission Regulation 40.1(i). ICE NGX intends to implement this rule on April 4, 2022, or such later date as ICE NGX may designate.

ICE NGX has respectfully requested confidential treatment for the Default Management Procedures and the amendments thereto, which were submitted concurrently with this submission.

1. Overview

Overview of the Amendments

ICE NGX is making this submission to implement certain changes (the “Amendments”) to the Default Management Procedures to reflect the increase to the ICE NGX guarantee fund.

Overview of the ICE NGX Default Management Procedures

The Default Management Procedures represent ICE NGX’s current written default management plan and delineate the roles and responsibilities of ICE NGX’s board of directors (the “Board”), the Risk Committee of the Board, and management in addressing a default or potential default of a Contracting Party. The Default Management Procedures are designed to facilitate the efficient, fair and safe management of an actual or potential default by a Contracting Party under the ICE NGX Contracting Party Agreement, to protect the ICE NGX exchange and clearinghouse operations, and to minimize the impact of an actual or potential Contracting Party default on non-defaulting Contracting Parties.



The Default Management Procedures provide details relating to pre-default procedures, determination of default and authority to take action, liquidation and other default management processes, and application of default resources.

2. Details of Rule Changes

The Amendments:

- reflect the increase of the ICE NGX guarantee fund to \$215 million, which is implemented through
 - an increase in the coverage amount under ICE NGX’s default insurance policy from USD 100 million to USD 200 million, and
 - an increase in the ICE NGX letter of credit that provides liquidity for the guarantee fund, from USD 100 million to USD 200 million.

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 update ICE NGX’s policies and procedures for complying with Commission regulations.

Default Rules and Procedures (Core Principle G): The Amendments are consistent with Core Principle G - Default Rules and Procedures and the following Commission Regulations:

- § 39.16(a) and (b), as the Amendments update ICE NGX’s written default management plan and procedures designed to allow for the efficient, fair and safe management of events during which clearing members become insolvent or default on their obligations to ICE NGX; and
- § 39.16(c)(2)(ii), as the Amendments update the waterfall of financial resources that ICE NGX would apply in the event of a default.

4. Certifications

ICE NGX certifies that the 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 'Martin McGregor', written over a horizontal line.

By: Martin McGregor
Title: General Counsel and Chief Compliance Officer
Date: March 18, 2022