



September 21, 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): CP Information Update (CPA 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).

ICE NGX intends to implement the amendments on October 24, 2022.

1. Overview

ICE NGX is making this submission to facilitate enhancements to its program for updating Contracting Party information.

The text of the amended CPA provisions is attached as the Appendix to this letter.

2. Details of Rule Changes

ICE NGX is enhancing its program for updating information relating to its Contracting Parties.

The Amendments will facilitate the implementation of the enhanced program for updating Contracting Party information, by requiring each Contracting Party to provide certain information upon request by ICE NGX. Contracting Party information that will be requested includes information in respects legal status, affiliations, operations and contact names and information for relevant roles at the Contracting Party.

The amendments also add a failure to provide information upon request to the list of violations for which ICE NGX may impose a summary sanction. A corresponding change is also being made to the Summary Sanctions Schedule. In conjunction with the Amendments, and as a courtesy to Commission staff, we are providing the text of the amended Summary Sanctions Schedule. The

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amended Summary Sanctions Schedule will be published on the ICE NGX website concurrently with the implementation of the Amendments.

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.

Participant and Product Eligibility (Core Principle C): The Amendments are consistent with Core Principle C - Participant and Product Eligibility and Commission Regulation § 39.12(a)(4), as the Amendments enhance ICE NGX’s monitoring of participants.

Rule Enforcement (Core Principle H): The Amendment are consistent with Core Principle H - Rule Enforcement and Commission Regulation § 39.17(a)(2), as the Amendments specify ICE NGX’s authority to impose summary sanctions for a failure to provide information to ICE NGX upon request.

Public Information (Core Principle L): The Amendments facilitate ICE NGX’s compliance with Core Principle L and Commission Regulation 39.21(a), as the Amendments implement the requirements in a clear manner in ICE NGX’s comprehensive rulebook (i.e., CPA) and procedures (i.e., Summary Sanctions Schedule), both of which will be publicly disclosed on the ICE NGX website upon implementation of the Amendments.

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 positioned above a horizontal line.

By: Greg Abbott
Title: President & COO
Date: September 21, 2022

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APPENDIX

AMENDMENTS TO THE ICE NGX CONTRACTING PARTY AGREEMENT

TERMS AND CONDITIONS

[Note: Insertions are underscored; deletions are struck through.]

ARTICLE 3 - GENERAL

3.11 Required Information and Required Notices to Exchange

a. Required Information -

...

(iii) Periodic Contracting Party Information Update - On request of Exchange, the Contracting Party will provide Exchange with current information in respect of the Contracting Party's legal status, affiliations, operations and contact names and information, all in the form and timing required by Exchange.

[Note: Subsequent subsections of section 3.11 will be re-numbered to reflect the insertion shown above.]

ARTICLE 6 - REGULATORY AND COMPLIANCE

6.5 Summary Sanctions

...

b. Summary Sanction - The Chief Compliance Officer may impose a summary sanction on a Contracting Party, in accordance with Exchange's stated Summary Sanctions schedule and in an amount not to exceed \$5,000 per violations, for

- (i) failing to make timely, accurate and full payment of an Invoice to Exchange in accordance with this Agreement;
- (ii) failing to make timely provision of Eligible Collateral Support in accordance with Schedule "C" - Risk Management of this Agreement;
- (iii) failing to make timely and accurate submissions to the Exchange of information, notices or financial statements as required under any provision of this Agreement;
- (iv) failing to maintain a current written risk management policy that address the risks the Contracting Party may pose to Exchange, as required under this Agreement; and



- (v) failing to make timely payment to Exchange of any fee, penalty or other charge in accordance with this Agreement.

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