



55 East 52<sup>nd</sup> Street  
New York, NY 10055

**BY ELECTRONIC TRANSMISSION**

Submission No. 22-221  
November 15, 2022

Mr. Christopher J. Kirkpatrick  
Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

**Re: Extension of ICE Futures U.S. Brent & WTI Options Liquidity Provider Program  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC”) Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or “Exchange”) hereby submits, by written certification, notice that the Exchange is extending the term of the ICE Futures U.S. Brent & WTI Options Liquidity Provider Program (“Program”) through May 31, 2023. The Program, which was launched on February 22, 2018, with the listing of Brent & WTI options contracts, was scheduled to terminate on November 30, 2022. However, the Exchange believes that the program will continue to help tighten markets and build interest in the covered products and is, therefore, extending the Program for an additional six months, provided, however, that the Exchange in its sole discretion may cancel the Program prior to that time.

The Exchange certifies that the Program complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. In particular, the Program complies with Core Principle 4 (Monitoring of Trading), Core Principle 9 (Execution of Transactions) and Core Principle 12 (Protection of Market Participants). The Program does not impact order execution priority or otherwise give participants any execution preference or advantage. In addition, the Exchange’s Market Regulation Department actively monitors for trading abuses using electronic exception reports and will take appropriate action against any participants engaging in market abuses.

The Exchange is not aware of any opposing views with regard to the extension of the Program, which will become effective on December 1, 2022, and further certifies that, concurrent with this filing, a copy of this submission was posted on the Exchange's website at (<https://www.theice.com/futures-us/regulation#rule-filings>).

If you have any questions or need further information, please contact me at 212-748-4021 or at [jason.fusco@theice.com](mailto:jason.fusco@theice.com).

Sincerely,

A handwritten signature in black ink, appearing to read "Jason V. Fusco". The signature is fluid and cursive, with a large initial "J" and a long, sweeping underline.

Jason V. Fusco  
Assistant General Counsel  
Market Regulation

Enc.  
cc: Division of Market Oversight

## **EXHIBIT A**

### **ICE Futures U.S. Brent & WTI Options Liquidity Provider Program**

#### **Program Purpose**

The purpose of the Program is to attract and incentivize participants to trade ICE Futures U.S. Brent and WTI Average Price Options, Calendar Spread Options and Brent-WTI Spread Options contracts to increase liquidity in the products; this enhanced liquidity will benefit all participants in the marketplace.

#### **Product Scope**

All ICE Futures U.S. Brent and WTI Average Price Options, Calendar Spread Options, Brent-WTI Spread Options and European Style Options contracts traded.

#### **Eligible Participants**

[REDACTED]

#### **Program Term**

The term of the program shall end on [~~30 November 2022~~] May 31, 2023.

#### **Obligations**

Participants agree to provide the Exchange with information acceptable to the Exchange detailing Participants' trading activity under the program, and the Exchange may require an additional third party verification report.

#### **Program Incentives**

[REDACTED]

#### **Monitoring and Termination of Status**

The Exchange shall monitor trading activity and Participants' performance and shall retain the right to revoke Participants' status if it concludes from review that a Program Participant no longer meets the eligibility requirements of this Program.