



BY ELECTRONIC TRANSMISSION

EMERGENCY ACTION

Submission No. 17-176
September 8, 2017

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

Re: Emergency Action --Temporary Amendment of Exchange Rule 13.10(a) to Extend the Last Trading Day of the September 2017 Frozen Concentrate Orange Juice Contract - Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6

Dear Mr. Kirkpatrick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6(a), ICE Futures U.S., Inc. (“IFUS” or the “Exchange”) submits this amendment via emergency action to address the impact of Hurricane Irma on the Exchange’s September 2017 Frozen Concentrate Orange Juice (“FCOJ”) contract. All of the Exchange’s licensed tank facility operators for FCOJ are located in the State of Florida and in the direct path of the Hurricane, which is expected to make landfall over the weekend. Certain of these facilities have already closed as evacuations in the State are underway. FCOJ Rule 13.10(a) provides that the Last Trading Day in FCOJ-A Futures is the fifteenth (15th) last Business Day of the month. Therefore trading of the September contract would normally end at noon on Monday, September 11th. There was open interest in the September futures contract of 70 lots this morning and the September option has already expired; the first notice day for the futures contract was September 1st and the last notice day is September 22nd. Given these circumstances, the Board of Directors of the Exchange determined that an “Emergency” as defined in Exchange Rule 6.01(a) and Part 40 of the Commission’s regulations exists, and unanimously voted to implement with immediate effect a rule change extending the last trading day of the September FCOJ futures contract to noon on Friday, September 15th.¹ This action was taken to facilitate an orderly liquidation of the futures contract and is consistent with Core Principles 6 (Emergency Action), 3 (Contracts Not

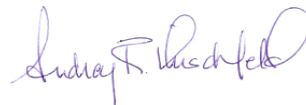
¹Exchange Rule 6.01(d) expressly provides that emergency action taken by the Board may include, among other things, “extending the time of delivery under or expiration of Commodity Contracts”, and “modifying or suspending any provision of the Rules”.

Subject to Manipulation) and 4 (Prevention of Market Disruption).² The Exchange's conflict of interest procedures were not implicated in the decision-making process as ICE policies prohibit members of the Board from trading any contract listed on the Exchange.

The Exchange certifies that the emergency action regarding the September FCOJ last trading day complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. The Exchange further certifies that concurrent with this filing, a copy of this submission was posted on the Exchange's website, which may be accessed at (<https://www.theice.com/futures-us/regulation#rule-filings>).

If you have any questions or need further information, please contact me at 212-748-4083 or at Audrey.hirschfeld@theice.com.

Sincerely,

A handwritten signature in blue ink that reads "Audrey R. Hirschfeld". The signature is written in a cursive style.

Audrey R. Hirschfeld
SVP and General Counsel

cc: Division of Market Oversight
New York Regional Office

² No changes are being made to the notice period or the last notice day for the contract at this time.