

February 27, 2012

Assistant Secretary of the Commission for FOIA Matters Commodity Futures Trading Commission Three Lafayette Centre 1155 21st Street, NW

Re: Freedom of Information Act ("<u>FOIA</u>") Request for Confidential Treatment

## Dear Secretary:

I am writing on behalf of ICE Trade Vault, LLC ("ICE Trade Vault") to request confidential treatment in accordance with Commission Regulation 145.9 for the documents listed on Schedule I hereto, submitted on behalf of ICE Trade Vault to Commission staff in connection with ICE Trade Vault's Application for Registration as a Swap Data Repository to Section 21 of the Commodity Exchange Act and Part 49 of the Regulations of the Commission, dated November 4, 2011 (the "Application").

Pursuant to Commission Regulation 145.9(d)(5), ICE Trade Vault requests that confidential treatment be maintained for the documents listed on Schedule I until further notice. ICE Trade Vault also requests that the Commission notify the undersigned immediately after receiving any FOIA request for such documents or any other court order, subpoena or summons for the same. Finally, ICE Trade Vault requests that it be notified in the event the Commission intends to disclose such documents to Congress or to any other governmental agency or unit pursuant to Section 8 of the Commodity Exchange Act, as amended ("CEA"). ICE Trade Vault does not waive its notification rights under Section 8(f) of the CEA with respect to any subpoena or summons for such documents.

The basis for the request is that disclosure of these documents would reveal confidential commercial information, financial information and trade secrets of ICE Trade Vault.

Sincerely,

Carolyn M. Kostelny, Esq.

Enclosure

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## **SCHEDULE I**

- 1. Letter from Bruce Tupper, Vice President, ICE Trade Vault, LLC and Carolyn M. Kostelny, Esq., Assistant Chief Compliance Officer, ICE Trade Vault, LLC to Aravind Menon, CFTC, dated February 27, 2012 (the "Letter").
- 2. Document titled "12-Month Operating Expenses ICE Trade Vault," revised as of February 13, 2012, submitted with the Letter as Confidential Exhibit M-2 to the Application.
- 3. Document titled, "Confidentiality and Indemnification Agreement," submitted with the Letter as Confidential Exhibit AA to the Application.
- 4. Document titled "Exhibit V," revised as of February 13, 2012, submitted with the Letter as Confidential Exhibit V to the Application.
- 5. Document titled "Exhibit V," revised as of February 13, 2012 and marked to show changes, submitted with the Letter.
- 6. Document titled, "Exhibit GG-2," revised as of February 27, 2012, submitted with the Letter as Confidential Exhibit GG-2 to the Application.
- 7. Document titled, "Exhibit GG-2," revised as of February 27, 2012 and marked to show changes, submitted with the Letter.
- 8. Document titled, "ICE Trade Vault, LLC Balance Sheet As Of December 31, 2011," revised as of February 13, 2012, submitted with the Letter as Confidential Exhibit M to the Application.
- 9. Document titled, "ICE Trade Vault, LLC Cash Flow Statement As Of December 31, 2011" revised as of February 13, 2012, submitted with the Letter as Confidential Exhibit M-1 to the Application.
- 10. Document titled, "IntercontinentalExchange, Inc. Directors' and Officers' Questionnaire for Year-End Reporting," dated January 12, 2012, submitted with the Letter as Confidential Exhibit F-5 to the Application.