


ICE FUTURES U.S.
World Financial Center
One North End Avenue
New York, New York 10282

C.F.T.C.
OFFICE OF THE SECRETARIAT
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BY ELECTRONIC TRANSMISSION

Submission No. 10-22
May 21, 2010

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

**Re: Amendments to Rules 7.02(c), 9.14(a)(i)(2) and 9.18(b)(i) -
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Mr. Stawick:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, ICE Futures U.S., Inc. ("Exchange") submits, by written certification, amendments to Rules 7.02(c), 9.14(a)(i)(2) and 9.18(b)(i), attached as Exhibit A.

Rule 7.02(c)

The amendment to Rule 7.02(c) eliminates the prohibition which prevents independent licensed samplers from also being licensed Cocoa graders. By eliminating the prohibition and allowing independent licensed samplers to be licensed Cocoa graders, the pool of applicants will be expanded at a time when the Exchange faces a shortage of new licensed graders. In addition, allowing such independent licensed samplers to also be licensed graders will not have any negative impact on the sampling or grading process. The Exchange's eCOPS system will prevent a licensed grader from grading a sample that the licensed grader pulled as part of his duties as a licensed sampler.

Rule 9.14(a)(i)(2)

The amendment to Rule 9.14(a)(i)(2) provides that the sampling charge, for which the first Deliverer is entitled to recoup one half of the cost, shall include the cost of handling and transporting the samples. Prior to the amendment, the Rule did not address handling and transportation costs. Commercial practice has developed over the past several years to include

these charges as part of the sampling charge. Therefore, the amendment conforms the Rule to current commercial practice.

Rule 9.18(b)(i)

The amendment to Rule 9.18(b)(i) adds CCN (Ecuador) to the list of Growths and Descriptions of Cocoa included in Group B under the schedule of premiums for the contract. Origins included in Group B receive a delivery premium of \$80 per metric ton. Given the quality and commercially relevant volumes of CCN (Ecuador) moving in the commercial market, the Exchange has determined that it was appropriate to add CCN (Ecuador) to the list of Group B origins.

The Exchange certifies that the amendments comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder. No substantive opposing views were expressed by members or others with respect to the amendments.

The amendments were adopted by the Exchange's Board of Directors at its meeting on May 20, 2010. The amendments Rules 7.02(c) and 9.14(a)(i)(2) will go into effect on May 25, 2010. The amendment to Rule 9.18(b)(i) will go into effect immediately with respect to the July 2010 futures contract since CCN (Ecuador) beans are already being delivered under the Arriba (Ecuador) description, which is also included in Group B; even though the two sets of beans have different characteristics they have a similar commercial value and therefore should receive the same delivery premium and allowing delivery of the CCN (Ecuador) beans as a named Growth and Description would more accurately track commercial practice.

If you have any questions or need further information, please contact me at 212-748-4084 or jill.fassler@theice.com.

Sincerely,

Jill S. Fassler
Vice President
Associate General Counsel

cc: Division of Market Oversight
New York Regional Office

EXHIBIT A

(In the text of the amendments below, additions are underlined and deletions are bracketed and lined out.)

Rule 7.02. Individual Licensees

* * *

(c) An applicant for a license as a cocoa grader must have a minimum of three (3) years of experience in the cocoa industry. Any independent licensed sampler shall ~~not~~ be eligible as a licensed cocoa grader.

Rule 9.14. Sampling Cocoa

(a) All Cocoa to be delivered in Exchange-Segregated Lots which must be graded pursuant to the Rules shall be sampled in accordance with the provision of this Rule:

(i) Each lot of cocoa to be sampled shall be sampled by one (1) duly licensed master sampler within two (2) Business Days following receipt of the eCOPS Sampling Order (or three (3) Business Days in the case of Hampton Roads, the Port of Albany or the Port of Baltimore) or within such longer period as allowed by the Exchange for good cause shown.

* * *

(2) The total charge for such sampling, including handling and transportation, shall be payable by the Person, who submitted the Sampling Order, to the master sampler. In the case of the first (1st) Exchange delivery under a Certificate of Grade or the first (1st) Exchange delivery under a recertification of grade, the Deliverer shall include one half of the total charge for sampling in the Exchange Invoice and paid by the Receiver on the Date of Delivery as required by Rule 9.11.

[REMAINDER OF RULE UNCHANGED]

Rule 9.18. Grading Cocoa for Exchange Delivery

(a) All Cocoa to be delivered in Exchange-Segregated Lots must be certified as deliverable with respect to Growth, Description, Condition, Count and Grade in accordance with the provisions of this Rule.

(b) The Growth, Description, Condition, Count and Grade of Cocoa which may be delivered on an Exchange Futures Contract are as follows:

(i) *Growth and Description*

The following Growths and Descriptions of Cocoa, as such Growths and Descriptions may from time to time be known in the trade, may be delivered at the premiums or at par as indicated below:

* * *

Group B—Addition of \$80—per metric ton

Arriba (Ecuador)	Honduras	Panama
Bahai (Brazil)	Ivory Coast	Salvador
Cameroon	Jamaica	Samoa
<u>CCN (Ecuador)</u>	Indonesia-Java	Sanchez (Dominican Republic)
Sri Lanka	Liberia—Main Crop	San Thome
Chiapas (Mexico)	Masie Nguema	Surinam
Costa Rica	(Fernando Poo)	Tabasco (Mexico)
Ghana—Mid-Crop	New Guinea	Trinidad
Grenada	New Hebrides	Venezuela
Guatemala	Nicaragua	Victoria (Brazil)
Hispaniolas (Dominican Republic)	Nigeria—Light Crop	Zaire

[REMAINDER OF RULE UNCHANGED]