

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

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Submission No. 08-42  
July 11, 2008

Mr. David Stawick  
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: Amendment to Floor Trading Rule 4.19 -  
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, an amendment to Floor Trading Rule 4.19, attached as Exhibit A.

The amendment to Rule 4.19 requires a floor broker holding both buy and sell orders at the same time for different principals for the same contract to announce the quantity bid, bid price, quantity offered and offer price twice before he is eligible execute a cross trade. Currently, floor brokers are only required to make this announcement only once.

Given the substantial increase in options volume since January 2007 and the number of floor brokers currently in the options trading pits, the amendments are designed to eliminate any confusion regarding what contract month/strike price and strategy is being crossed. Requiring the floor broker to announce the bid/offer a second time, gives the market an additional chance to hear that information and participate before the orders are crossed.

The Exchange certifies that the amendment complies with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The amendment was adopted by the Exchange's Board of Directors on July 9, 2008. No substantive opposing views were expressed by members or others with respect to the amendment. The amendment will become effective on July 16, 2008.

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

Sincerely,

Jill S. Fassler  
Vice President  
Associate General Counsel

cc: Division of Market Oversight  
New York Regional Office

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

**Rule 4.19. Cross Trades**

\* \* \*

(b) A Floor Broker referred to in paragraph (a) shall:

(i) in an audible voice bid and offer [~~for~~] the full quantity involved [~~to a point~~] two (2) times at a price where such offer is higher than such bid by not more than the minimum permissible fluctuation and neither such bid nor such offer shall be accepted in whole or in part; and

(ii) in an audible voice announce the price at which such Transactions are to be executed after which he shall allocate such Principals' orders to satisfy such other bids and offers as may be open at the ring at such price in an amount equal to the lesser of:

(A) fifty percent (50%) of the quantity involved or, if there be an uneven number of lots involved, one lot less than fifty percent (50%), or

(B) the number of such other bids and/or offers open at the ring at such price; and

(iii) execute such cross trade Transaction in the presence of, and in a voice audible to, an Exchange employee who is designated to witness cross trade Transactions ("Designated Employee") and, by appropriate descriptive words or symbols, clearly identify all such cross trade Transactions on his trading card or other similar record made at the time of execution; note thereon the exact time of execution.

[REMAINDER OF RULE UNCHANGED]

**EXHIBIT A**