



October 12, 2012

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

By Email: [submissions@cftc.gov](mailto:submissions@cftc.gov)

Re: Withdrawal of ICE Clear Europe Submission Pursuant to Commission Rules 39.15(b) and 40.5 for Commingling of Futures Customer Funds in Cleared Swap Account

Dear Mr. Stawick:

ICE Clear Europe Limited (“ICE Clear Europe”) is a registered derivatives clearing organization under the Commodity Exchange Act, as amended (the “Act”). On August 31, 2012, pursuant to Commission Rules 39.15(b) and 40.5, ICE Clear Europe submitted amendments to its rules and clearing procedures that would have permitted ICE Clear Europe and its clearing members that are registered futures commission merchants (i) to hold in a cleared swap account subject to Section 4d(f) of the Act customer property used to margin, secure or guarantee certain energy futures contracts and (ii) to provide for portfolio margining of energy futures with cleared swaps and certain other energy contracts that constitute foreign futures and foreign options (the “Submitted Amendments”).

ICE Clear Europe is hereby withdrawing the Submitted Amendments.

If you or your staff should have any questions or comments or require further information regarding this submission, please do not hesitate to contact the undersigned at [paul.swann@theice.com](mailto:paul.swann@theice.com) or +44 20 7065 7700, Dee Blake, Director of Regulation, at [dee.blake@theice.com](mailto:dee.blake@theice.com) or +44 20 7065 7752 or Patrick Davis, Head of Legal and Company Secretary, at [patrick.davis@theice.com](mailto:patrick.davis@theice.com) or +44 20 7065 7738.

Very truly yours,

A handwritten signature in blue ink, appearing to read 'Paul Swann', with a small flourish at the end.

Paul Swann  
President & Managing Director