

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

BY ELECTRONIC TRANSMISSION

Submission No. 09-43
October 23, 2009

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OFFICE OF THE SECRETARIAT
C.F.T.C.

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: **Temporary Changes to the Electronic Opening Times for Sugar No. 11[®], Coffee “C”[®] and Cocoa Futures and Options Contracts and Settlement Window for Cocoa Contracts - 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, temporary changes to the opening times for Sugar No. 11, Coffee “C” and Cocoa futures and options contracts and the daily settlement window for Cocoa contracts.

Effective with the start of trading on Monday, October 26, 2009 through and including Friday, October 30, 2009, Sugar No. 11 and Coffee “C” will open for trading at 4:30 am NY time instead of the normal 3:30 am, and Cocoa will open at 5:00 am NY time instead of the normal 4:00 am. In addition, for the same week, the daily settlement window for Cocoa futures and options contracts will be from 12:48 to 12:50 pm NY time instead of the normal 11:48 to 11:50 am. The temporary changes to the opening times and the Cocoa daily settlement window are due to the different end dates for Daylight Savings Time (“DST”) in the U.S. and British Summer Time (“BST”) in Great Britain. Trading hours for all other products will remain unchanged during this period.

The Exchange certifies that the temporary opening times comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

The temporary trading hours were authorized by the President in accordance with Standing Resolution R-7 and will become effective on October 26, 2009. No substantive opposing views were expressed by members or others with respect to the temporary hours.

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