

EXCHANGE NOTICE

SEPTEMBER 14, 2015

OWNERSHIP AND CONTROL REPORTING (OCR) AMENDMENTS TO RULE 6.15 - REPORTABLE POSITIONS AND DAILY REPORTS

As previously stated in Notices dated December 23, 2014 and February 10, 2015, in conjunction with the Commodity Futures Trading Commission's ("CFTC" or "Commission") implementation of its Ownership and Control Reporting ("OCR") rules, ICE Futures U.S. ("IFUS" or "Exchange") is amending Exchange Rule 6.15 to require that the same ownership and control information be submitted to the Exchange.

As announced in the February 10, 2015 Notice, IFUS will require Reporting Firms¹ and Clearing Members, to begin submitting the OCR data using the new CFTC Forms 102A - *Identification of Special Account* and 102B - *Identification of Volume Threshold Account*, respectively, on September 30, 2015, to be consistent with the CFTC's implementation date.

Effective September 30, 2015, the Exchange is amending its Rule 6.15 - Reportable Positions and Daily Reports - by adding part (d) to require OCR submissions. The text of the amended Rule is below.

Rule 6.15. Reportable Positions and Daily Reports

(a) Clearing Members, Carrying Members and foreign brokers which hold, control, or carry for any Customer a reportable position, as such term is defined by the Act and the Regulations thereunder, shall submit to the Exchange daily reports with respect to such positions containing the information that is required to be reported to the Commission in the same form as prescribed by the Commission, unless otherwise specified by the Exchange.

(b) Without limiting any provisions of the Rules, Clearing Members, Carrying Members and foreign brokers shall provide such additional information with respect to positions in Futures and Option Contracts and the ownership of such positions as may be requested by the Exchange.

(c) In the case where a long and short position in the same delivery month is carried for a Customer by a Firm that is not a Clearing Member, it shall be the responsibility of the Carrying Member to advise the Clearing Member that the long and short position is for the account of the same customer.

(d) Submission of account Ownership and Control Reporting ("OCR") information to the Exchange

¹ Includes clearing members, futures commission merchants and foreign brokers which hold, control, or carry for any customer a reportable position, as such term is defined by the Commodity Exchange Act and CFTC Regulations

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(1) Clearing Members, Carrying Members and foreign brokers which hold, control, or carry for any Customer a special account as such term is defined by the Commission must submit to the Exchange either by electronic submission via secure FTP or by manual entry through the Exchange OCR Portal, information identifying the ownership and control of each special account and all trading accounts related to each such special account, using CFTC Form 102A - Identification of a Special Account after the account reaches or exceeds the applicable reportable position level prescribed by the Commission, *provided, however*, that if the reportable position level prescribed by the Exchange is lower than the corresponding CFTC reportable level for a product, such Form 102A must be filed with the Exchange when the position in a special account reaches or exceeds the Exchange prescribed reporting level. Such submission shall be made in accordance with the timing and other requirements specified in subparagraph (3) hereof.

(2) A Clearing Member which holds or carries for itself or any Customer a reportable volume threshold account, as such term is defined by the Commission, must submit to the Exchange either by electronic submission via secure FTP or by manual entry through the Exchange OCR Portal, information identifying the ownership and control of the volume threshold account using CFTC Form 102B - Identification of a Volume Threshold Account, after an account reaches the reportable volume trading level as prescribed by the Commission. Such submission shall be made in accordance with the timing and other requirements specified in subparagraph (3) hereof.

(3) At a minimum, information regarding the names and addresses of the owner(s) and controller(s), account number and account type for each special account and each volume threshold account shall be submitted to the Exchange by the close of business on the Business Day following the date on which the special account or volume threshold account, as applicable, reached or exceeded the applicable reportable level, and all supplemental information shall be submitted no later than the close of business on the third Business Day following the date on which the account reached or exceeded the applicable reportable level. All information shall be submitted to the Exchange in the same format as prescribed by the Commission.

(4) Clearing Members, Carrying Members and foreign brokers shall update any information submitted by them via Forms 102A and 102B whenever such information changes or becomes inaccurate, by submission of updated, accurate information by electronic submission via secure FTP or by manual entry through the Exchange OCR Portal, within the time frames specified in subparagraph (3) of this paragraph.

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Form 102A - Identification of Special Account

Starting September 30, 2015, Reporting Firms must submit to the Exchange the new electronic CFTC Form 102A which identifies the owners and controllers of special accounts, accounts controlled and all other information required on the form for each account that becomes reportable for the first time.

At a minimum, information regarding the names and addresses of the owner(s) and controller(s), the CFTC reporting number, account number and account type for each special account shall be submitted to the Exchange by the close of business on the Business Day following the date on which the special account becomes reportable. All additional Form 102A information required must be submitted no later than the close of business on the third (3rd) Business Day following the date on which the account became reportable.

The Exchange recognizes that in some instances there are differences between the Exchange's large trader reporting levels and the CFTC's large trader reporting thresholds. For products where the Exchange's large trader reportable levels are lower than the CFTC levels, Reporting Firms will be required to submit 102A information to the Exchange earlier than the CFTC would require. For products where the Exchange's large trader reportable levels are higher than the CFTC levels, the Exchange will accept over-reporting of accounts and will not reject files on the basis that the position reported is below the Exchange's reporting level.

Form 102B - Identification of Volume Threshold Account

Beginning on September 30, 2015 Clearing Members will also be required to submit a CFTC Form 102B for any trading account that meets the volume threshold of 50 contracts in a single trading day as defined by CFTC Regulation 15.04.

At a minimum, information regarding the names and addresses of the owner(s) and controller(s), account number and account type and related special account reporting number for each volume threshold account shall be submitted to the Exchange by the close of business on the Business Day following the date on which the trading account becomes reportable. All additional Form 102B information required must be submitted no later than the close of business on the third (3rd) Business Day following the date on which the account became reportable.

Clearing Members, Carrying Members and foreign brokers are required to update any information submitted to the Exchange via Forms 102A and 102B whenever there is a material change to information previously submitted or such information becomes inaccurate. Such updates shall be submitted by electronic submission via secure FTP or by manual entry through the Exchange OCR Portal within the time frames specified in Rule 6.15 (d)(3). The Exchange may also request that firms provide updated OCR information on an as-needed basis for any account as it deems necessary.

When a Reporting Firm has notified the CFTC that a special account or volume threshold account no longer exists or has been closed, a similar notification must be provided to the Exchange's Market Regulation department at compliance-OCR-reporting@theice.com.



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Submission of Forms 102A & 102B

The Exchange will accept the new Forms 102A and 102B via automated XML submission via SFTP or via manual entry via its web based OCR Portal. This process will replace any existing identification processes, such as the submission of the Form 102s in .pdf format.

Production OCR Files

Production-level file submissions must be made to the Production MFT folder and processed on the Production OCR environment.

Firms that currently submit large trader position files to the Production MFT server already have the access required to submit production OCR files. The specific directory for OCR submissions is: /LGTR/OCR.

Below is the suggested naming convention for OCR files submitted to Production MFT:

OCRFORM_102_[IDENTIFIER]_[YYYYMMDD]_E_[OPTIONALUNIQUEIFIER].formxml.[zip]

OCR Test Files

Since January 5, 2015, IFUS has been accepting and processing test XML files and providing automated validation feedback messages regarding potential errors via email.

Firms that have yet to submit test files to the Exchange or the wish to submit additional test files prior to September 30, 2015 must submit them to the UAT (User Acceptance Testing) MFT environment.

Below is the suggested naming convention for OCR test files submitted to UAT MFT:

OCRFORM_102_[IDENTIFIER]_[YYYYMMDD]_E_[TEST][OPTIONALUNIQUEIFIER].formxml.[zip]

Any firm that does not currently have access to either the Production or UAT MFT server, and needs access for OCR reporting or testing purposes, should send an email to Compliance-OCR-Reporting@theice.com to request access.

OCR Portal

As an alternative to automated SFTP submission of OCR information to the Exchange, firms may utilize the Exchange's OCR Portal for manual submission the required OCR data. The OCR portal is currently available for the manual submission of Production Forms 102A and 102B.

Firms interested in testing manual submissions or updates via the OCR Portal can make those test submissions to the UAT OCR Portal.

Firms needing access to either the Production or UAT OCR Portal should send an email request for access to: Compliance-OCR-Reporting@theice.com.



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Once access is granted, the Production OCR Portal is accessible by going to <https://www.theice.com>, selecting the "Login" link, and selecting "OCR" from the drop-down. The UAT OCR Portal is accessible in the same fashion at <https://uat1.theice.com>.

FOR MORE INFORMATION:

Questions pertaining to this Notice may be directed to:

For Agricultural, Metals & Financial Products:

Mark Fabian

Mark.Fabian@theice.com

(212) 748-4010

Susan Gallant

Susan.Gallant@theice.com

(212) 748-4030

For Energy Products:

Patrick Swartzter

Patrick.Swartzter@theice.com

(312) 836-6745

Vito Naimoli

Vito.Naimoli@theice.com

(312) 836-6729

Technical questions with respect to file submissions and testing should be directed to:

Compliance-OCR-Reporting@theice.com

Further information about the CFTC reporting infrastructure can be found on the CFTC's [OCR Portal](#).

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