

**By Electronic Mail**

June 7, 2013

Ms. Melissa Jurgens  
Secretary  
Commodity Futures Trading Commission  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

**Re: Amendments to ICE Trade Vault, LLC Fee Schedule Pursuant to Section 5c(c)(1) of the Commodity Exchange Act and Commission Regulation 40.6**

Dear Ms. Jurgens:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commodity Futures Trading Commission (the "Commission") Regulation 40.6, ICE Trade Vault, LLC ("ICE Trade Vault") submits, by written certification, an amendment to the Fee Schedule to address repository fees for cleared swaps and options in the commodity asset class.

This amendment complies with CFTC Regulation § 49.27(b)(1), "Fees," which states that any fees or charges imposed by a registered SDR shall be equitable and established in a uniform and nondiscriminatory manner. Accordingly, the Fee Holiday applies to all ICE Trade Vault Participants equally and these amendments do not create artificial barrier to access ICE Trade Vault.

ICE Trade Vault certifies that these amendments comply with the Commodity Exchange Act and the rules and regulations promulgated by the Commission thereunder. No substantive opposing views have been expressed by Participants or others with respect to the amendments. ICE Trade Vault further certifies that, concurrent with this filing today, a copy of this submission was posted on its website and may be accessed at: [www.icetradevault.com](http://www.icetradevault.com). ICE Trade Vault intends to implement this amended Fee Schedule on June 24, 2013.

As noted above, enclosed with this letter is a marked version of the ICE Trade Vault Fee Schedule, which is being submitted in whole due to the number of amendments made thereto. If you have any questions or need further information, please contact me at [Kara.Dutta@theice.com](mailto:Kara.Dutta@theice.com) or (770) 916-7812.

Sincerely,



Kara Dutta  
General Counsel  
ICE Trade Vault, LLC

Enclosures

**ICE Trade Vault Service and Pricing Schedule:**

**Credit Asset Class**

The following fee structure for ICE Trade Vault is applicable to the reporting of data in respect of swaps (as defined in the Dodd-Frank Act) ("Swaps") in the Credit Asset Class to the ICE SDR Service:

- ICE Trade Vault will impose no fees on Swaps in the Credit Asset Class reported through May 31, 2013 ("Credit Fee Holiday"). The Credit Fee Holiday applies to Swaps reported pursuant to the CFTC Regulations set forth in 17 CFR § 43, 45, and 46.
- After the Credit Fee Holiday expires, Repository Fees will be charged based on a published rate per quantity unit for each market type in the Credit Asset Class. The Repository Fee rates for the Credit Asset Class are set forth in Annex A.
- Repository Fees for the Credit Asset Class will be assessed upon acceptance of the initial trade record for a Swap by the SDR and will be charged as follows:
  - Cleared Swap or Cleared Option – A Repository Fee will be charged to the Derivatives Clearing Organization ("DCO") that cleared the Swap or Option;
  - Uncleared/Bilateral Swap or Uncleared/Bilateral Option – A Repository Fee will be charged to each Participant that is a party to the Trade, except that only the party that is not the designated reporting party under CFTC Regulations will be charged in the case of a voluntary supplemental report (as such term is used in Part 45 of the CFTC Regulations).
- The minimum monthly invoice per Participant will be \$150 for the Credit Asset Class. In a given month, each Participant or DCO shall be invoiced the greater of (i) the total of all Repository Fees incurred by Participant or DCO in respect of Swaps in the Credit Asset Class, or (ii) \$150. The minimum monthly invoice only applies to Participants who have open positions in the Credit Class in the SDR.
- No rebates, share of profits, or dividends will be paid to any Participant or group of Participants.
- No additional fees will be assessed by ICE Trade Vault for storing trade data, processing life-cycle events, valuations, supporting upgrades, integrating and maintaining APIs or help desk assistance.
- ICE Trade Vault will only assess fees as detailed above, and there will be no "hidden fees" associated with ICE Trade Vault. All fees charged by ICE Trade Vault are uniform, equitable and non-discriminatory.

## Service and Pricing Schedule

### Annex A: Repository Fees for the Credit Asset Class

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Set forth below are the Repository Fee Rates to be applied upon acceptance of an initial trade record in respect of Swaps in the Credit Asset Class to the ICE SDR Service:

#### **CREDIT ASSET CLASS**

Repository Fee rates for the Credit Asset Class after the expiration of the Credit Fee Holiday will be as follows:

<b>Contract Type</b>	<b>Cleared Swap Rate</b>	<b>Cleared Option Rate</b>
Single name corporate & sovereigns	\$1.13 per \$1mm notional	\$1.13 per \$1mm notional
Index	\$0.45 per \$1mm notional	\$0.45 per \$1mm notional
<b>Contract Type</b>	<b>Uncleared/Bilateral Swap</b>	<b>Uncleared/Bilateral Option</b>
Single name corporate & sovereigns	\$1.13 per \$1mm notional	\$1.13 per \$1mm notional
Index	\$0.45 per \$1mm notional	\$0.45 per \$1mm notional

**ICE Trade Vault Service and Pricing Schedule:**

**Commodity Asset Class**

The following fee structure for ICE Trade Vault is applicable to the reporting of data in respect of swaps in the Commodity Asset Class to the ICE SDR Service:

- ICE Trade Vault will impose no fees on Swaps in the Commodity Asset Class reported through August 31, 2013 ("Commodity Fee Holiday"). The Commodity Fee Holiday applies to Swaps reported pursuant to the CFTC Regulations set forth in 17 CFR § 43, 45, and 46.
- After the relevant Commodity Fee Holiday expires, Repository Fees will be charged based on a published rate per quantity unit for each market type in the Commodity Asset Class. The Repository Fee rates for the Commodity Asset Class are set forth in Annex B. Repository Fees for the Commodity Asset Class will be assessed upon acceptance of the initial trade record for a Swap by the SDR and will be charged as follows:
  - Uncleared/Bilateral Swap or Uncleared/Bilateral Option – A Repository Fee will be charged to each Participant that is a party to the Trade, except that, in the case of a voluntary supplemental report (as such term is used in Part 45 of the CFTC Regulations), only the party submitting the voluntary supplemental report will be charged.
  - Cleared Swap or Cleared Option – A Repository Fee will be charged to each Participant that is a party to the Trade; and
  - Exchange For Related Position ("EFRP") – No Repository Fee will be charged to Participants that are a party to the EFRP.
- The minimum monthly invoice per Participant will be \$375 for the Commodity Asset Class. In a given month, each Participant shall be invoiced the greater of (i) the total of all Repository Fees incurred by Participant in respect of the Commodity Asset Class, or (ii) \$375. The minimum monthly invoice only applies to Participants who have open positions in the Commodity Asset Class in the SDR.
- The maximum monthly invoice ("Cap") per Participant will be \$44,500 for the Commodity Asset Class. In a given month, no fee will be due to ICE Trade Vault above this amount in respect of the Commodity Asset Class.
- No rebates, share of profits, or dividends will be paid to any Participant or group of Participants.
- No additional fees will be assessed by ICE Trade Vault for storing trade data, processing life-cycle events, valuations, supporting upgrades, integrating and maintaining APIs or help desk assistance.
- ICE Trade Vault will only assess fees as detailed above, and there will be no "hidden fees" associated with ICE Trade Vault. All fees charged by ICE Trade Vault are uniform, equitable and non-discriminatory.

### Service and Pricing Schedule

#### Annex B: Repository Fees for the Commodity Asset Class

Set forth below are the Repository Fee Rates to be applied upon acceptance of an initial trade record in respect of Swaps in the Commodity Asset Class to the ICE SDR Service:

#### **OTHER COMMODITY ASSET CLASS**

**Uncleared/Bilateral Swap, ~~or~~ Uncleared/Bilateral Option, Cleared Swap or Cleared Option :**

Market Type	Quantity Unit/Notional Unit	Rate when Contract Type = Swap or Forward	Rate when Contract Type = Option or Swaption
COMMODITY INDEX	CAD	\$0.00058	\$0.00087
COMMODITY INDEX	EUR	\$0.00078	\$0.0012
COMMODITY INDEX	GBP	\$0.00091	\$0.0014
COMMODITY INDEX	INDEX LEVEL	\$0.00000011	\$0.00000017
COMMODITY INDEX	USD	\$0.0000011	\$0.0000017
CONTINENTAL FINANCIAL NATURAL GAS	MWH	\$0.00034	\$0.00051
CONTINENTAL FINANCIAL POWER	MWH	\$0.00062	\$0.00093
CONTINENTAL PHYSICAL NATURAL GAS	MWH	\$0.00034	\$0.00051
CONTINENTAL PHYSICAL POWER	MWH	\$0.00062	\$0.00093
EMISSIONS	CALIFORNIA CARBON ALLOWANCES	\$0.00030	\$0.00045
EMISSIONS	CAR	\$0.00025	\$0.00038
EMISSIONS	CFI	\$0.00025	\$0.00038
EMISSIONS	CRE	\$0.00032	\$0.00048
EMISSIONS	CROSS STATE AIR POLLUTION RULE TR NOX ANNUAL ALLOWANCE	\$0.12	\$0.18
EMISSIONS	CROSS STATE AIR POLLUTION RULE TR NOX OZONE SEASON TRADING PROGRAM ALLOWANCE	\$0.12	\$0.18
EMISSIONS	CROSS STATE AIR POLLUTION RULE TR SO2 GROUP 1 ALLOWANCE	\$0.024	\$0.036

EMISSIONS	CROSS STATE AIR POLLUTION RULE TR SO2 GROUP 2 ALLOWANCE	\$0.024	\$0.036
EMISSIONS	CRT	\$0.00025	\$0.00038
EMISSIONS	ERU	\$0.00032	\$0.00048
EMISSIONS	EU ALLOWANCE	\$0.00032	\$0.00048
EMISSIONS	EU CREDIT	\$0.00032	\$0.00048
EMISSIONS	EUAA	\$0.00032	\$0.00048
EMISSIONS	MT	\$0.00025	\$0.00038
EMISSIONS	MWH REPRESENTING CONNECTICUT CLASS 1 RECS	\$0.0020	\$0.0030
EMISSIONS	MWH REPRESENTING MASSACHUSETTS CLASS 1 RECS	\$0.0020	\$0.0030
EMISSIONS	MWH REPRESENTING NEW JERSEY CLASS 1 RECS	\$0.0010	\$0.0015
EMISSIONS	REGIONAL GREENHOUSE GAS INITIATIVE	\$0.00010	\$0.00015
EMISSIONS	SFI	0.0040	0.0060
EMISSIONS	TON	\$0.00010	\$0.00015
FINANCIAL AGRICULTURES	BU	0.000053	0.000079
FINANCIAL AGRICULTURES	CWT	\$0.00066	\$0.0010
FINANCIAL AGRICULTURES	KG	\$0.000015	\$0.000022
FINANCIAL AGRICULTURES	LBS	\$0.0000066	\$0.0000098
FINANCIAL AGRICULTURES	MT	\$0.015	\$0.022
FINANCIAL AGRICULTURES	ST	\$0.0026	\$0.0039
FINANCIAL COAL	MT	\$0.00072	\$0.0011
FINANCIAL COAL	ST	\$0.00072	\$0.0011
FINANCIAL NATURAL GAS	MMBTU	\$0.000021	\$0.000031
FINANCIAL NATURAL GAS	10,000 USD	\$0.000030	\$0.000045
FINANCIAL NATURAL GAS	BCF	\$0.000000000021	\$0.000000000031
FINANCIAL NATURAL GAS	GJ	\$0.000080	\$0.00012
FINANCIAL NATURAL GAS LIQUIDS	BBL	\$0.00032	\$0.00049

FINANCIAL NATURAL GAS LIQUIDS	GAL	\$0.0000077	\$0.0000116
FINANCIAL NATURAL GAS LIQUIDS	LBS	\$0.0000013	\$0.0000019
FINANCIAL NATURAL GAS LIQUIDS	MT	\$0.0028	\$0.0042
FINANCIAL OIL	BBL	\$0.00013	\$0.00020
FINANCIAL OIL	GAL	\$0.000003	\$0.000005
FINANCIAL OIL	KL	\$0.000021	\$0.000032
FINANCIAL OIL	MT	0.0011	0.0016
FINANCIAL POWER	MW	\$0.015	\$0.023
FINANCIAL POWER	MWH	\$0.00064	\$0.00096
FREIGHT	CHARTER DAY	\$0.48	\$0.71
FREIGHT	MT	\$0.00035	\$0.00053
FREIGHT	WORLDSCALE POINTS	\$0.00035	\$0.00053
METALS	DMT	0.0020	0.0030
METALS	FTO	\$0.00013	\$0.00020
METALS	LBS	\$0.00000076	\$0.0000011
METALS	MT	\$0.0017	\$0.0025
METALS	T/O	\$0.000000052	\$0.000000078
PHYSICAL CRUDE OIL	BBL	\$0.00013	\$0.00020
PHYSICAL CRUDE OIL	CUBIC METERS	\$0.00085	\$0.00127
PHYSICAL CRUDE OIL	GAL	\$0.0000032	\$0.0000048
PHYSICAL NATURAL GAS	GJ	\$0.000080	\$0.00012
PHYSICAL NATURAL GAS	MMBTU	\$0.000021	\$0.000031
PHYSICAL NATURAL GAS LIQUIDS	BBL	\$0.00032	\$0.00049
PHYSICAL NATURAL GAS LIQUIDS	CUBIC METERS	\$0.0000032	\$0.0000048
PHYSICAL NATURAL GAS LIQUIDS	GAL	\$0.0000077	\$0.000012
PHYSICAL NATURAL GAS LIQUIDS	LBS	\$0.0000013	\$0.0000019
PHYSICAL POWER	MWH	\$0.00064	\$0.00096
PHYSICAL REFINED PRODUCTS	BBL	\$0.00013	\$0.00020
PHYSICAL REFINED PRODUCTS	GAL	\$0.0000032	\$0.0000048
UK FINANCIAL NATURAL GAS	THERMS	\$0.0000021	\$0.0000031
UK FINANCIAL POWER	MWH	\$0.00024	\$0.00036

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UK PHYSICAL NATURAL GAS	THERMS	\$0.0000021	\$0.0000031
UK PHYSICAL POWER	MWH	\$0.00024	\$0.00036
WEATHER	INDEX POINT	\$0.016	\$0.024
All	EXOTIC – Per Trade Fee	\$16.00	\$16.00