# SECURITIES AND EXCHANGE COMMISSION (Release No. 34-66895; File No. SR-ICC-2012-07)

May 1, 2012

Self-Regulatory Organizations; ICE Clear Credit LLC; Notice of Filing and Immediate Effectiveness of Proposed Rule Change to Amend Schedule 502 of the ICC Rules to Update the Contract Reference Obligation ISINs Associated with Four Single Name Contracts

Pursuant to Section 19(b)(1) of the Securities Exchange Act of 1934 ("Act")<sup>1</sup> and Rule 19b-4<sup>2</sup> thereunder, notice is hereby given that on April 20, 2012, ICE Clear Credit LLC ("ICC") filed with the Securities and Exchange Commission ("Commission") the proposed rule change described in Items I, II, and III below, which Items have been prepared primarily by ICC. ICC filed the proposal pursuant to Section 19(b)(3)(A)(iii) of the Act, <sup>3</sup> and Rule 19b-4(f)(3)<sup>4</sup> thereunder so that the proposal was effective upon filing with the Commission. The Commission is publishing this notice to solicit comments on the rule change from interested parties.

# I. <u>Self-Regulatory Organization's Statement of the Terms of Substance of the</u> <u>Proposed Rule Change</u>

The purpose of proposed rule change is to update the Contract Reference

Obligation International Securities Identification Numbers ("Contract Reference

Obligation ISIN") in Schedule 502 of the ICC Rules in order to be consistent with the

industry standard reference obligations for four single name contracts that ICC currently

- <sup>3</sup> 15 U.S.C. 78s(b)(3)(A)(iii).
- <sup>4</sup> 17 CFR 240.19b-4(f)(3).

<sup>&</sup>lt;sup>1</sup> 15 U.S.C. 78s(b)(1).

<sup>&</sup>lt;sup>2</sup> 17 CFR 240.19b-4.

clears (Amgen Inc., Freeport-McMoRan Copper & Gold Inc., Kinder Morgan Energy Partners, L.P., and Southwest Airlines Co.) (collectively, "Contracts").

# II. <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory Basis</u> for, the Proposed Rule Change

In its filing with the Commission, ICC included statements concerning the purpose of and basis for the proposed rule change and discussed any comments it received on the proposed rule change. The text of these statements may be examined at the places specified in Item IV below. ICC has prepared summaries, set forth in sections (A), (B), and (C) below, of the most significant aspects of these statements.<sup>5</sup>

# (A) <u>Self-Regulatory Organization's Statement of the Purpose of, and Statutory</u> <u>Basis for, the Proposed Rule Change</u>

ICC is updating the Contract Reference Obligation ISINs for the Contracts in order to remain consistent with the industry standard reference obligations. The Contract Reference Obligation ISIN update does not require any changes to the body of the ICC Rules. Also, the Contract Reference Obligation ISIN update does not require any changes to the ICC risk management framework. The only change being submitted is the update to the Contract Reference Obligation ISIN for the Contracts in Schedule 502 of the ICC Rules.

Section 17A(b)(3)(F) of the Act<sup>6</sup> requires, among other things, that the rules of a clearing agency be designed to promote the prompt and accurate clearance and settlement of securities transactions and, to the extent applicable, derivative agreements, contracts, and transactions. ICC believes that the proposed rule change is consistent with the

<sup>&</sup>lt;sup>5</sup> The Commission has modified the text of the summaries prepared by ICC.

<sup>&</sup>lt;sup>6</sup> 15 U.S.C. 78q-1(b)(3)(F).

requirements of the Act and the rules and regulations thereunder applicable to ICC, in particular, to Section 17A(b)(3)(F), because the update to the Contract Reference Obligation ISIN for the Contracts will facilitate the prompt and accurate settlement of securities transactions and assure the safeguarding of securities and funds associated with securities transactions which are in the custody or control of ICC or for which it is responsible.

## (B) <u>Self-Regulatory Organization's Statement on Burden on Competition</u>

ICC does not believe that the proposed rule change will have any impact or impose any burden on competition.

## (C) <u>Self-Regulatory Organization's Statement on Comments on the Proposed</u> <u>Rule Change Received from Members, Participants, or Others</u>

Written comments relating to the proposed rule change have not been solicited or received. ICC will notify the Commission of any written comments received by ICC.

# III. <u>Date of Effectiveness of the Proposed Rule Change and Timing for</u> <u>Commission Action</u>

The foregoing rule change has become effective upon filing pursuant to Section  $19(b)(3)(A)(iii)^7$  of the Act and Rule  $19b-4(f)(3)^8$  thereunder because it is concerned solely with the administration of the self-regulatory organization. At any time within 60 days of the filing of the proposed rule change, the Commission summarily may temporarily suspend such rule change if it appears to the Commission that such action is necessary or appropriate in the public interest, for the protection of investors, or otherwise in furtherance of the purposes of the Act.

<sup>&</sup>lt;sup>7</sup> 15 U.S.C. 78s(b)(3)(A)(iii).

<sup>&</sup>lt;sup>8</sup> 17 CFR 240.19b-4(f)(3).

## IV. Solicitation of Comments

Interested persons are invited to submit written data, views, and arguments concerning the foregoing, including whether the proposed rule change is consistent with the Act. Comments may be submitted by any of the following methods:

#### Electronic comments:

- Use the Commission's Internet comment form (<u>http://www.sec.gov/rules/sro.shtml</u>); or
- Send an e-mail to <u>rule-comments@sec.gov</u>. Please include File Number SR-ICC-2012-07 on the subject line.

## Paper comments:

• Send paper comments in triplicate to Elizabeth M. Murphy, Secretary, Securities and Exchange Commission, 100 F Street, NE, Washington, DC 20549-1090.

All submissions should refer to File Number SR-ICC-2012-07. This file number should be included on the subject line if e-mail is used. To help the Commission process and review your comments more efficiently, please use only one method. The Commission will post all comments on the Commission's Internet website

(http://www.sec.gov/rules/sro.shtml). Copies of the submission, all subsequent amendments, all written statements with respect to the proposed rule change that are filed with the Commission, and all written communications relating to the proposed rule change between the Commission and any person, other than those that may be withheld from the public in accordance with the provisions of 5 U.S.C. 552, will be available for website viewing and printing in the Commission's Public Reference Room, 100 F Street, NE, Washington, DC 20549, on official business days between the hours of 10:00 a.m. and 3:00 p.m. Copies of such filings also will be available for inspection and copying at the principal office of ICC and on ICC's website at

https://www.theice.com/publicdocs/regulatory\_filings/ICEClearCredit\_042012.pdf.

All comments received will be posted without change; the Commission does not edit personal identifying information from submissions. You should submit only information that you wish to make available publicly. All submissions should refer to File Number SR-ICC-2012-07 and should be submitted on or before [insert date 21 days from publication in the Federal Register].

For the Commission by the Division of Trading and Markets, pursuant to delegated authority.<sup>9</sup>

Kevin O'Neill Deputy Secretary

<sup>&</sup>lt;sup>9</sup> 17 CFR 200.30-3(a)(12).