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BY EMAIL AND FACSIMILE

Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Rule Certification. NYMEX Submission 04.33: Notification of Listing Additional Months in the NYMEX New York Harbor Gasoline Calendar Swap Contract (Symbol MS)

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is expanding the listed contract months for the Exchange's New York Harbor Gasoline Calendar swap contract (Symbol MS) from 12 to 36 contract months, and thereafter maintaining the listing of 36 months on a rolling basis. This futures contract is listed for trading and clearing on NYMEX ClearPortsm.

This expansion in listed contract months will go into effect on trade date Thursday, March 11, 2004. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the listing of these additional months complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Dan Brusstar, Director, Research, at (212) 299-2604; or contact the undersigned at (212) 299-2390.

Very truly yours,

Robert Levin
Senior Vice President, Research