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January 12, 2006

**Via E-Mail**

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

**Re: Rule Certification. NYMEX Submission 06.09 – Notification of Amendments to NYMEX Division Rule 9.24(E), Original Margin Depositories and Originators of Letters of Credit.**

Dear Ms. Jean Webb:

The New York Mercantile Exchange, Inc. (“NYMEX” or the “Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC”) of amendments to NYMEX Division Rule 9.24(E), Original Margin Depositories and Originators of Letters of Credit.

Effective January 17, 2006, the amendments to Rule 9.24(E) increase the maximum dollar value of Letters of Credit to \$500 million, and retains the percentage basis at 10%. The amendments also increase the collateralized maximum to \$600 million. Pursuant to Section 5c(c) of the Commodity Exchange Act (“Act”) and CFTC Rule 40.6, the Exchange hereby certifies that the new amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please feel free to contact Arthur McCoy, Vice President, Financial Surveillance and Risk Management, at (212) 299-2928, or Joseph Sanguedolce, Senior Director, Financial Surveillance, at (212) 299-2855.

Very truly yours,

Thomas F. LaSala  
Senior Vice President  
Compliance and Risk Management

Attachments

cc: Brian Regan  
Nancy Minnett

## **NYMEX Rule 9.24, Original Margin Depositories and Originators of Letters of Credit**

(Deletions are in bold/strikethrough, and additions in bold/underlined)

(E) No approved original margin depository or issuer of a letter of credit may commit, with respect to Exchange contracts, more than the lesser of ten percent (10%) of its capital and surplus or ~~\$200~~ 500 million, provided, however, that an issuer may issue letters of credit up to ~~\$300~~ 600 million, if such issuer establishes, to the satisfaction of the Exchange, an account at another financial institution and deposits in such account, for the benefit of the Exchange, collateral in the form of U.S. Government obligations of maturities of less than ten (10) years valued at 95% of par value, for the excess over ~~\$200~~ 500 million. Such collateral shall be deemed to secure any and all obligations of such issuer under letters of credit issued by the issuer in favor of the Exchange. The Board of Directors, upon the application of an issuer of letters of credit, may grant a waiver of the ~~\$300~~ 600 million ceiling, upon such terms and conditions as it deems appropriate.