

April 20, 2006

Via E-Mail

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 06.49: Notification of Amendments to NYMEX Rules 9.26, 9.27, and 9.34 for Five New New York Harbor Gasoline Blendstock (RBOB) Swap Contracts.

Dear Ms. Jean Webb:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of amendments to NYMEX Rules 9.26, All Month/Any One Month Position Accountability; 9.27, Expiration and Current Delivery Month Position Limits or Position Accountability; and 9.34, Reporting Levels.

Effective on April 24, 2006, these amendments include the addition of position limits, accountability levels, and reporting levels for five new New York Harbor Gasoline Blendstock (RBOB) Swap Contracts. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Senior Director, Market Surveillance, at (212) 299-2881, or Nicholas G. Galati, Director, Market Surveillance, at (212) 299-2920.

Very truly yours,

Thomas LaSala
Senior Vice President
Compliance and Risk Management

cc: Brian Regan
Nancy Minett

Amendments to NYMEX Rule 9.26, 9.27 and 9.34
(Strikethroughs in bold indicate deletions; underlining in bold indicate additions.)

9.26 All Month/Any One Month Position Accountability

Paragraphs (A) through (D) are unchanged. C)

(D) Except as provided in Rule 9.27, the any one month/all month position accountability levels for each futures contract traded on the Exchange are:

| | Net Futures or Futures- Equivalent Position Accountability Levels |
|--|--|
| I. Futures Contracts Listed for Open Outcry Trading | |
| Light "Sweet" Crude Oil Futures Contract (also includes NYMEX Light Sweet Crude Oil Mini Futures Contract, NYMEX WTI Calendar Swap Contract, WTI-Brent Crude Oil Spread Calendar Swap Futures, NYMEX WTI Average Price Option, WTI Crude Oil Look-Alike Option, Crude Oil Option Contract, WTI legs of the WTI Bullet Swap contract (WS), WTI-Brent (ICE) Bullet Swap Contract (BY), the WTI leg of the NYMEX Brent-WTI Bullet Swap Contract (WN), and WTI-Brent (ICE) Calendar Swap (BK) <u>and the WTI leg of the RBOB Crack Spread Swap</u>) | 20,000 contracts |
| Brent Bullet Swap Contract (BB) (also includes ICE Brent Crude legs of the Dated to Frontline Brent Swap (FY), WTI-Brent (ICE) Bullet Swap Contract (BY), WTI-Brent (ICE) Calendar Swap (BK), Brent (ICE) Calendar Swap Contract (CY), Brent- Dubai Swap Contract (DB), European Gasoil Crack Spread Swap (GZ), European Argus Gasoline Crack Spread Swap Contract (RG), European Platts Gasoline MED Crack Spread Swap (EP), European Naphtha Crack Spread Swap (EN), 3.5% Fuel Oil Rdam Crack Spread (FO), 1% Fuel Oil NWE Crack Spread Swap Contract (FI) and the 3.5% Fuel Oil FOB MED Crack Spread Swap Contract (FL) | 20,000 contracts |
| Brent Bullet Swap Contract (BN) (also includes the Brent Crude leg of the NYMEX Brent-WTI Bullet Swap Contract (WN) | 20,000 contracts |
| Petroleum Product Futures Contracts — New York Harbor (also includes NYMEX miNY Unleaded Gasoline Futures Contract, Unleaded Gasoline Average Price Option, New York Harbor Unleaded Gasoline Look-Alike Option, and NYMEX Unleaded Gasoline Option Contract) | 7,000 contracts |
| New York Harbor Gasoline Blendstock (RBOB) <u>(also includes the RBOB Calendar Swap, RBOB Bullet Swap Contract, the RBOB leg of the RBOB Crack Spread Swap, the RBOB leg of the RBOB Up-Down Calendar Swap Contract and the RBOB leg of the RBOB vs. Heating Oil Swap Contract)</u> | 7,000 contracts |
| New York Harbor No. 2 Heating Oil (also includes NYMEX miNY Heating Oil Futures Contract, NY Harbor Calendar Swap, Heating Oil Average Price Option, New York Harbor Heating Oil Look-Alike Option, the Heating Oil leg of the Heating Oil Arb Swap: NYMEX Heating Oil v. Rdam Gasoil (HA), and Heating Oil Option Contract) <u>and the Heating Oil leg of the RBOB vs. Heating Oil Swap Contract)</u> | 7,000 contracts |
| Natural Gas Futures Contract (also includes NYMEX Natural Gas Mini Futures Contract, Henry Hub Swap Futures Contract, Henry Hub Natural Gas Penultimate Swap Futures Contract, Natural Gas Look-Alike Option, and NYMEX Natural Gas Option Contract) | 12,000 contracts |
| Liquefied Propane Gas | 1,500 contracts |
| Palladium | 1,000 contracts |
| Platinum | 1,500 contracts |
| Central Appalachian Coal | 5,000 contracts |
| SO ₂ Emissions Allowance | 2,500 contracts |
| NOX Emissions Allowance | 2,500 contracts |

| | |
|---|-----------------|
| Banked NOX Emissions Allowance | 2,500 contracts |
| One-Year Forward NOX Emissions Allowance Futures Contract | 2,500 contracts |
| Two-Year Forward NOX Emissions Allowance Futures Contract | 2,500 contracts |
| Three-Year Forward NOX Emissions Allowance Futures Contract | 2,500 contracts |

The Position Accountability levels for the PJM Calendar Month LMP Swap, PJM Calendar Week LMP Swap and the PJM Calendar Day Ahead LMP Swap shall be 5,000 contracts in the aggregate.

(Sections II and III are unchanged.)

IV. Futures Contracts Listed for Trading Only on NYMEX ClearPortsm Trading and also Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPortsm Clearing

**Net Futures
or Futures-
Equivalent
Position
Accountability
Levels**

Cash-Settled Crude Oil and Crude Products

NYMEX WTI Calendar Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the Light Sweet Crude Oil contract as indicated in Subsection I. above.

NYMEX WTI-Brent Spread Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract as indicated in Subsection I. above.

NYMEX Brent Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract as indicated in Subsection I. above.

Dated Brent Calendar Swap (also includes the Dated Brent leg of the Dated to Frontline Brent Swap (FY)) 5,000 contracts

Dubai Crude Oil Calendar Swap (Platts) Contract (also includes the Dubai leg of the Brent-Dubai Swap Contract (DB)) 10,000 contracts

U.S. Gulf Coast Unl 87 Crack Spread Calendar 10,000 contracts

U.S. Gulf Coast No. 2 Crack Spread Calendar 10,000 contracts

Unl 87 Up-Down Spread Calendar Swap 10,000 contracts

No. 2 Up-Down Spread Calendar Swap 10,000 contracts

WTI-Bow River Swap 10,000 contracts

New York Harbor Gasoline Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Unleaded Gasoline futures as indicated in Subsection I. above.

RBOB Crack Spread Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract and the Light "Sweet" Crude Oil Futures Contract as indicated in Subsection I. above.

RBOB Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB Bullet Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with

positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB Up-Down Calendar Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB vs. Heating Oil Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract and the New York Harbor No. 2 Heating Oil contract as indicated in Subsection I. above.

(Remainder of Section IV. Cash Settled Crude Oil and Crude Products is unchanged, With the exception of housekeeping to the following contracts:

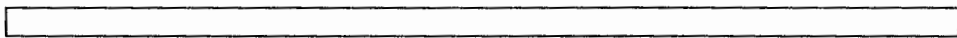
European 3.5% Fuel Oil Rotterdam Calendar Swap Contract (also includes the 3.5% NWE Fuel Oil leg of the 3.5% Fuel Oil Rdam Crack Spread Swap (FO), and the 3.5% Fuel Oil (Rdam) leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap ~~(FX)~~ **(FK)**) 1,500 contracts

European 3.5% Fuel Oil MED (Mediterranean) Calendar Swap (also includes the 3.5% FOB MED leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap ~~(FX)~~ **(FK)** and the 3.5% MED leg of the 3.5% Fuel Oil FOB MED Crack Spread Contract (FL) 1,500 contracts

3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap

Note: For purposes of this rule, the 3.5% Fuel Oil (Rdam) leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap ~~(FX)~~ **(FK)** is aggregated with the European 3.5% Fuel Oil Rotterdam Calendar Swap Contract (UV) and the 3.5% FOB MED leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap Is aggregated with positions in the European 3.5 Fuel Oil MED (Mediterranean) Calendar Swap Contract (UI) as indicated in Subsection IV. above.

(Remainder of the Rule is unchanged.)



9.27 Expiration and Current Delivery Month Position Limits or Position Accountability

Paragraphs (A) and (B) are unchanged.

Futures Contracts

I. Futures Contracts Listed for Open Outcry Trading

Net Futures or Futures-Equivalent Expiration Position Limits

Light "Sweet" Crude Oil Futures Contract (also includes NYMEX Light Sweet Crude Oil Mini Futures Contract, NYMEX WTI Calendar Swap Contract, WTI-Brent Crude Oil Spread Calendar Swap Futures, NYMEX WTI Average Price Option, WTI Crude Oil Look-Alike Option, Crude Oil Option Contract, WTI legs of the WTI Bullet Swap contract (WS), WTI-Brent (ICE) Bullet Swap Contract (BY), the WTI leg of the NYMEX Brent-WTI Bullet Swap Contract (WN), and WTI-Brent (ICE) Calendar Swap (BK) and the WTI leg of the RBOB Crack Spread Swap) 2,000 contracts

Brent Bullet Swap Contract (BB) (also includes ICE Brent Crude legs of the Dated to Frontline Brent Swap (FY), WTI-Brent (ICE) Bullet Swap Contract (BY), WTI-Brent (ICE) Calendar Swap (BK), Brent (ICE) Calendar Swap Contract (CY), Brent- Dubai Swap Contract (DB), European Gasoil Crack Spread Swap 2,000 contracts

(GZ), European Argus Gasoline Crack Spread Swap Contract (RG), European Platts Gasoline MED Crack Spread Swap (EP), European Naphtha Crack Spread Swap (EN), 3.5% Fuel Oil Rdam Crack Spread (FO), 1% Fuel Oil NWE Crack Spread Swap Contract (FI) and the 3.5% Fuel Oil FOB MED Crack Spread Swap Contract (FL)

Brent Bullet Swap Contract (BN) (also includes the Brent Crude leg of the NYMEX Brent-WTI Bullet Swap Contract (WN)) 2,000 contracts

NYMEX Brent-WTI Bullet Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the Light Sweet Crude Oil contract and the Brent Bullet Swap Contract (BN) as indicated in Subsection I. above.

Petroleum Product Futures Contracts — New York Harbor (also includes NYMEX miNY Unleaded Gasoline Futures Contract, Unleaded Gasoline Average Price Option, New York Harbor Unleaded Gasoline Look-Alike Option, and NYMEX Unleaded Gasoline Option Contract) 1,000 contracts

New York Harbor Gasoline Blendstock (RBOB)) (also includes the RBOB Calendar Swap, RBOB Bullet Swap Contract, the RBOB leg of the RBOB Crack Spread Swap, the RBOB leg of the RBOB Up-Down Calendar Swap Contract and the RBOB leg of the RBOB vs. Heating Oil Swap Contract) 1,000 contracts

New York Harbor No. 2 Heating Oil (also includes NYMEX miNY Heating Oil Futures Contract, NY Harbor Calendar Swap, Heating Oil Average Price Option, New York Harbor Heating Oil Look-Alike Option, the Heating Oil leg of the Heating Oil Arb Swap: NYMEX Heating Oil v. Rdam Gasoil (HA), and Heating Oil Option Contract and the Heating Oil leg of the RBOB vs. Heating Oil Swap Contract) 1,000 contracts

(Remainder of Section I, Sections II and II are unchanged.)

IV. Futures Contracts Listed for Trading Only on NYMEX ClearPortsm Trading and Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPortsm Clearing

| Cash-Settled Contracts | Net Futures or Futures-Equivalent Expiration Position Limits |
|--|---|
| Cash-Settled Crude Oil and Crude Oil Products | |
| Freight Route TC1 Swap | 1,000 contracts |
| Freight Route TC4 Swap | 500 contracts |
| Freight Route TC5 Swap | 1,000 contracts |
| Freight Route TC2 Swap | 500 contracts |
| Freight Route TD3 Swap | 2,500 contracts |
| Freight Route TD5 Swap | 2,500 contracts |
| Freight Route TD7 Swap | 1,000 contracts |
| Freight Route TD9 Swap | 1,000 contracts |
| Freight Route TD10D Swap | 1,000 contracts |

NYMEX WTI Calendar Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the Light Sweet Crude Oil contract.

NYMEX WTI-Brent Spread Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in

the Light Sweet Crude Oil contract.

WTI - Bow River Swap

1,000 contracts

New York Harbor Gasoline Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Unleaded Gasoline futures contract.

RBOB Crack Spread Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract and the Light "Sweet" Crude Oil Futures Contract as indicated in Subsection I. above.

RBOB Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB Bullet Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB Up-Down Calendar Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract as indicated in Subsection I. above.

RBOB vs. Heating Oil Swap Contract

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Gasoline Blendstock (RBOB) contract and the New York Harbor No. 2 Heating Oil contract as indicated in Subsection I. above.

(Remainder of Section IV. Cash Settled Crude Oil and Crude Oil Products is Unchanged, except for housekeeping for the following contracts:

European 3.5% Fuel Oil Rotterdam Calendar Swap Calendar Swap Contract (also includes the 3.5% NWE Fuel Oil leg of the 3.5% Fuel Oil Rdam Crack Spread Swap (FO) and the 3.5% Fuel Oil (Rdam) leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap ~~(FX)~~ **(FK)**) 150 contracts

European 3.5% Fuel Oil MED Calendar Swap (Mediterranean) includes the 3.5% FOB MED leg of the 3.5% Fuel Oil (Rdam) V. 3.5% FOB MED Spread Swap ~~(FX)~~ **(FK)** and the 3.5% MED leg of the 3.5% Fuel Oil FOB MED Crack Spread Contract (FL) 150 contracts

European Gasoil 0.2 CIF NWE vs. Gasoil Futures Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the European Gasoil 0.2 NWE (Northwest Europe Calendar Swap Contract ~~Contract~~ and the Gasoil Calendar Swap (GX) as indicated in Subsection IV. above.

(Remainder of the Rule is unchanged.)

9.34 Reporting Levels

(A) The quantities fixed for the purposes of filing a report under Rule 9.33 are:

Commodity (Section is unchanged.)

Futures Contracts listed for Trading Only on NYMEX ClearPort(sm) Trading and also Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPort(sm) Clearing

(New contracts inserted as follows:)

| | | |
|--|---------------------|---------------|
| New York Harbor Gasoline Calendar Swap | | 150 contracts |
| <u>RBOB Crack Spread Swap</u> | <u>25 contracts</u> | |
| <u>RBOB Calendar Swap</u> | <u>25 contracts</u> | |
| <u>RBOB Bullet Swap Contract</u> | <u>25 contracts</u> | |
| <u>RBOB Up-Down Calendar Swap Contract</u> | <u>25 contracts</u> | |
| <u>RBOB vs. Heating Oil Swap Contract</u> | <u>25 contracts</u> | |
| New York Harbor Heating Oil Calendar Swap | | 250 contracts |

(Remainder of the Rule is unchanged.)