

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 15-528

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a: DCM SEF DCO SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): November 26, 2015 Filing Description: Determination to Not Effectuate the Close-Out of NYMEX In Delivery Month European Union Allowance Futures Positions and Re-establishment of Equivalent Positions on CME Europe

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- Certification § 40.6(a)
- Approval § 40.5(a)
- Notification § 40.6(d)
- Advance Notice of SIDCO Rule Change § 40.10(a)
- SIDCO Emergency Rule Change § 40.10(h)

Rule Numbers: 1250 and 1260

New Product

Please note only ONE product per Submission.

- Certification § 40.2(a)
- Certification Security Futures § 41.23(a)
- Certification Swap Class § 40.2(d)
- Approval § 40.3(a)
- Approval Security Futures § 41.23(b)
- Novel Derivative Product Notification § 40.12(a)
- Swap Submission § 39.5

Official Product Name:

Product Terms and Conditions (product related Rules and Rule Amendments)

- Certification § 40.6(a)
- Certification Made Available to Trade Determination § 40.6(a)
- Certification Security Futures § 41.24(a)
- Delisting (No Open Interest) § 40.6(a)
- Approval § 40.5(a)
- Approval Made Available to Trade Determination § 40.5(a)
- Approval Security Futures § 41.24(c)
- Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a)
- "Non-Material Agricultural Rule Change" § 40.4(b)(5)
- Notification § 40.6(d)

Official Name(s) of Product(s) Affected:

Rule Numbers:

November 26, 2015

VIA ELECTRONIC PORTAL

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

RE: CFTC Regulation 40.6(a) Certification. Determination to Not Effectuate the Close-Out of NYMEX In Delivery Month European Union Allowance Futures Positions (CME Globex Code: 6T; Clearing Code: EAF; NYMEX Rulebook Chapter: 1250) and the Re-establishment of Equivalent Positions on CME Europe. NYMEX Submission No. 15-528

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) self-certified to the Commodity Futures Trading Commission (“CFTC” or “Commission”) procedures described in Special Executive Report (SER# 7472R dated October 8, 2015) to close-out opted-in NYMEX In Delivery Month European Union Allowance futures contract (“EUA Futures” or “EUA Futures contract”) positions (CME Globex Code: 6T; Clearing Code: EAF; NYMEX Rulebook Chapter: 1250) and re-establish equivalent positions on CME Europe Limited (“CMEE”).¹ The procedures were certified via NYMEX Submission No. 15-425 (dated September 28, 2015) and revisions made thereto by NYMEX Submissions No. 15-425R and No. 15-425RR. This submission will be effective on Friday, December 11, 2015.

The implementation of the close-out and re-establishment (“CORE”) procedures was dependent on a number of variables. At this time, the Exchange has determined to not effectuate CORE. The Exchange will continue to work with market participants to help develop solutions to meet their EUA Futures trading and risk management objectives. EUA Futures will continue to be listed for trading at both NYMEX and CMEE, and will be available for clearing at CME Inc. and CME Clearing Europe, respectively.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“Act” or “CEA”) and identified that the CORE process may have some bearing on the following Core Principles:

- Daily Publication of Trading Information: NYMEX will continue to comply with this Core Principle by making public daily information on settlement prices, volume, open interest, and opening and closing ranges for the NYMEX EUA Futures contract.
- Availability of General Information: Pursuant to the Exchange’s obligations under this Core Principle, the Exchange will publish an SER to notify market participants and position holders of its intent not to proceed with CORE at this time.

¹ References herein to NYMEX EUA Futures also include the NYMEX Daily European Union Allowance (EUA) futures contract (CME Globex/Clearing Code: EUL; NYMEX Rulebook Chapter: 1260).

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchange hereby certifies that not proceeding with the CORE process as previously described complies with the Act, including regulations under the Act. The Exchange has contacted market participants and holders of open interest. Several market participants expressed a desire for the Exchange to implement the CORE process as previously described. The Exchange considered these views and determined that not proceeding with the CORE process best serves the majority of market participants at this time.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2200 or via e-mail at CMEGSubmissionsInquiry@cmegroup.com.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel