

October 25, 2021

VIA CFTC PORTAL

CFTC FOIA Compliance Office
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: FOIA Confidential Treatment Request

To Whom It May Concern:

On October 25, 2021, New York Mercantile Exchange, Inc. (“NYMEX”) provided to staff of the Commodity Futures Trading Commission (“CFTC” or “Commission”), materials related to its Light Sweet Crude Oil Futures contract (Rulebook Chapter 200, Commodity Code: CL) (the “Contract”) regarding the addition of Plains Marketing L.P. delivery terminal (the “Plains Terminal”) to the Contract commencing with the February 2022 contract month and beyond (collectively, the “Rule Amendments”) effective on trade date Monday, November 8, 2021 (the “Confidential Information”). The Confidential Information (which was also provided to the Commission via electronic mail on October 20, 2021) contains confidential and proprietary commercial information that could, if disclosed to the public, cause substantial harm to the competitive position of the submitter.

Pursuant to Sections 8 and 8(a) of the Commodity Exchange Act (“CEA”), as amended, and Commission Regulation 145.9(d), NYMEX requests confidential treatment of the Confidential Information on the grounds that the Confidential Information contains confidential commercial information of the submitter (NYMEX). Pursuant to Commission Regulation 145.9(d)(5), NYMEX requests that confidential treatment be maintained for the Confidential Information until further notice from NYMEX. We also request that the Commission notify the undersigned immediately after receiving any FOIA request for the Confidential Information or any other court order, subpoena or summons for same. Finally, we request that we be notified in the event the Commission intends to disclose the Confidential Information to Congress or to any other governmental agency or unit pursuant to Section 8 of the CEA. NYMEX does not waive its notification rights under Section 8(f) of the CEA with respect to any subpoena or summons for the Confidential Information.

Please contact the undersigned at (212) 299-2200 should you have any questions concerning this letter.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel