

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 20-486

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 23, 2020 Filing Description: Weekly Notification of Amendments Related to Product Terms and Conditions - Week of November 16, 2020

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- | | | |
|--------------------------|-------------------------------------|------------|
| <input type="checkbox"/> | Certification | § 40.6(a) |
| <input type="checkbox"/> | Approval | § 40.5(a) |
| <input type="checkbox"/> | Notification | § 40.6(d) |
| <input type="checkbox"/> | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/> | SIDCO Emergency Rule Change | § 40.10(h) |

Rule Numbers:

New Product

Please note only ONE product per Submission.

- | | | |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification | § 40.2(a) |
| <input type="checkbox"/> | Certification Security Futures | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class | § 40.2(d) |
| <input type="checkbox"/> | Approval | § 40.3(a) |
| <input type="checkbox"/> | Approval Security Futures | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission | § 39.5 |

Official Product Name:

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

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

Official Name(s) of Product(s) Affected: See filing.

Rule Numbers: See filing.



Christopher Bowen
Managing Director and Chief Regulatory Counsel
Legal Department

November 23, 2020

VIA ELECTRONIC PORTAL

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

**Re: CFTC Regulation 40.6(d) Notification. New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) Weekly Notification of Amendments Related to Product Terms and Conditions.
NYMEX Submission No. 20-486**

Dear Mr. Kirkpatrick:

Pursuant to Commodity Futures Trading Commission (“CFTC” or “Commission”) Regulation 40.6(d), the Exchange submits this weekly notification of the following amendments related to product terms and conditions effective during the week of November 16, 2020.

On Wednesday, November 18, 2020, administrative amendments to NYMEX Rulebook Chapter 191 (“RBOB Gasoline Futures”) were implemented to delete an obsolete reference to the Probable Cause Committee (“PCC”). Previously, the Exchange filed with the Commission that the responsibilities of the PCC had been delegated to the Chief Regulatory Officer of the Exchange. A copy of the amended Rulebook Chapter is attached hereto, in blackline format, as Exhibit A.

If you require any additional information, please contact the undersigned at (212) 299-2200 or via e-mail at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – NYMEX Rulebook Chapter 191 (blackline format)

EXHIBIT A

NYMEX RULEBOOK Chapter 191 RBOB Gasoline Futures

(additions underscored; deletions ~~struck through~~)

191110. LATE PERFORMANCE, FAILURE TO PERFORM AND FAILURE TO MAKE PAYMENT

191110.C. Surcharges for Late Performance

1. Whenever a Party is found by the Exchange to be late in the performance of a delivery, the Chief Regulatory Officer or his designee shall have the authority to impose surcharges in accordance with Section 110.C.2. below.
2. Either one or both Parties shall be assessed a surcharge to be paid to the Exchange for each day of late performance as described below. Such surcharge shall be cumulative for each day of late performance.
 - first day of late performance – up to 3% of contract value;
 - second day of late performance – up to 3% of contract value;
 - third day of late performance – up to 3% of contract value;
 - fourth day of late performance – up to 3% of contract value;
 - fifth day of late performance – up to 3% of contract value;
 - sixth day of late performance – up to 3% of contract value;
 - seventh day of late performance – up to 4% of contract value;
 - eighth day of late performance – up to 5% of contract value.
3. A Party shall have 15 days following receipt of the notice of a surcharge to present evidence to the Market Regulation Department that the surcharge should be rescinded or reduced. Absent the submission of such evidence within the designated time period, the surcharge shall be deemed final and may not be appealed.
4. If the Chief Regulatory Officer or his designee determines that evidence submitted by a Party pursuant to Section 110.C.3. is insufficient to support the requested rescission or reduction of the surcharge, the Party may, within 10 days of the decision, file a written appeal with the Market Regulation Department. A written appeal that fails to specify the grounds for the appeal and the specific error or impropriety of the original decision shall be dismissed. The appeal shall be heard by a Panel of the Business Conduct Committee (“BCC Panel”) whose decision shall be final. The appellant shall be entitled to be represented by counsel, appear personally before the BCC Panel and present evidence that he may have in support of his appeal. The BCC Panel shall not set aside, modify or amend the appealed decision unless it determines, by a majority vote, that the decision was:
 - a. Arbitrary, capricious, or an abuse of the Exchange staff’s discretion;
 - b. In excess of the Exchange staff’s authority or jurisdiction; or
 - c. Based on a clearly erroneous application of Exchange rules.

Notwithstanding the provisions of Sections 110.C.2. and 110.C.3. above, the Market Regulation Department, may, at any time, refer matters that it deems egregious to ~~Probable Cause Committee~~ the Chief Regulatory Officer.