

September 27, 2007

Via E-Mail

Office of the Acting Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

OFFICE OF THE SECRETARY

SEP 27 11 31 52

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OFFICE

Re: Rule Certification. NYMEX Submission 07.108: Notification of Housekeeping Amendment – Deletion of COMEX Rule 104.37A, Concurrent Futures Positions

Dear Ms. Eileen A. Donovan:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of a housekeeping amendment to delete COMEX Rule 104.37A, Concurrent Futures Positions.

As of May 16, 2003, the processing and clearing of COMEX Division transactions as well as NYMEX Division transactions has been governed by the Rules contained in Exchange Rule 9.04(P) of Chapter 9 of the NYMEX Rulebook. However, COMEX Rule 104.37A, Concurrent Futures Positions, had inadvertently not been deleted. The deletion will be effective September 28, 2007. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached amendment complies 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.

Very truly yours,

Thomas F. LaSala
Chief Regulatory Officer

cc: Brian Regan
Nancy Minett
Anthony V. Densieski

(Strikethrough indicates deletions)

COMEX Rule 104.37A, Concurrent Futures Positions

(1) ~~Concurrent long and short positions in the current delivery month may not be offset by netting, transfer, ex pit, adjustment or any other bookkeeping procedures, but each side must be offset by normal floor transactions in accordance with Exchange Rules. Provided, however, that a clearing member will be exempt from this requirement if one side of the concurrent position is established the business day prior to the date that the open positions are filed with the Clearing House.~~

(2) ~~For the purposes of this Rule 104.37A, the current delivery month for metals futures contracts commences on the open of trading on the tenth (10th) business day, prior to the first business day of the delivery month.~~

~~The current delivery month for Eurotop futures commences on the open of trading on the tenth (10th) business day prior to the termination of the respective futures contract, including the termination date.~~