



Sean M. Downey  
Director and Assistant General Counsel  
Legal Department

January 10, 2013

**VIA E-MAIL**

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

**Re: Rule 40.6(a) Certification. Notification Regarding Expansion of Listed Months for the Heating Oil Calendar Spread Option (1 Month) Contract  
NYMEX Submission #13-010**

Dear Mr. Stawick,

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying amendments to the listed months for the Heating Oil Calendar Spread Option (1 Month). The amendment shall be effective on Sunday, January 27, 2013, for trade date Monday, January 28, 2013.

The Heating Oil Calendar Spread Option (1 Month) is currently listed for the first three consecutive months. The Exchange is amending the listing rule such that the contract is listed for the first 35 consecutive months.

NYMEX business staff responsible for the rule amendments and the NYMEX legal department collectively reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA"). During the review, Exchange staff identified that the listing rule amendments may have some bearing on the following Core Principle:

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 additional listing months for the fifteen petroleum futures contracts listed above.

Pursuant to Section 5c(c) of the CEA and CFTC Rule 40.6(a), the Exchange hereby certifies that the the rule amendments comply with the CEA, including regulations under the CEA. There were no substantive opposing views to this proposal.

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 (312) 930-8167 or [Sean.Downey@cmegroup.com](mailto:Sean.Downey@cmegroup.com).

Sincerely,

/s/Sean M. Downey  
Director and Assistant General Counsel

Attachment: Appendix A – Expansion Listing Schedule for Heating Oil Calendar Spread Option (1 Month)

**APPENDIX A**

**Expansion of Listing Schedule for Heating Oil Calendar Spread Option (1 Month)**

<b>Rule</b>	<b>Contract</b>	<b>Code</b>	<b>Current Listing Schedule</b>	<b>New Listing Schedule (effective April 30, 2012)</b>	<b>Venue</b>
392	Heating Oil Calendar Spread Option (1 Month)	FA	Any one-month spread combination for first 4 listed months	First 35 consecutive months	CME ClearPort, Globex, NXPIT