

January 15, 2009

**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 Certification. New York Mercantile Exchange, Inc. Submission #08.142: Notification of Amendments to NYMEX Rules 9A.26, 9A.27 and 9A.34 for New Crude Oil, Brent Crude Oil-Last Day and Natural Gas Calendar Spread Financially Settled Option Contracts**

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OFFICE OF THE SECRETARIAT

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 NYMEX Rules 9A.26, All Month/Any One Month Accountability Levels, 9A.27, Expiration Month Limits and 9A.34 Reporting Levels, in relation to the listing of the Crude Oil Calendar Spread Financially Settled Option contract, the Brent Crude Oil-Last Day Calendar Spread Financially Settled Option contract and the Natural Gas Calendar Spread Financially Settled Option contract. These amendments include the addition of accountability levels, position limits and reportable levels for the new contracts.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act. These changes will be made effective on trade date January 26, 2009.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Director, Market Surveillance, at (212) 299-2881, or the undersigned at (202) 638-3838.

Sincerely,



De'Ana H. Dow  
Managing Director  
Government Relations

**NOTIFICATION OF AMENDMENTS TO NYMEX RULES 9A.26, 9A.27 and 9A.34**  
(Additions are bold/underline)

<u>Contract Name</u>	<u>Rule Chapter</u>	<u>Commodity Code</u>	<u>All Month Accountability Level</u>	<u>Any One Month Accountability Level</u>	<u>Expiration Month Limit</u>	<u>Reporting Level</u>	<u>Aggregate Into (1)</u>	<u>Aggregate Into (2)</u>
			<u>Rule 9A.26</u>	<u>Rule 9A.26</u>	<u>Rule 9A.27</u>	<u>Rule 9A.34</u>		
<i>Petroleum</i>								
<i>USA</i>								
<i>Cushing, Oklahoma</i>								
<u>Crude Oil Calendar Spread Financially Settled Option Contract</u>	<u>397</u>	<u>7A, 7B, 7C, 7M, 7Z</u>	<u>20,000</u>	<u>20,000</u>	<u>2,000</u>	<u>25</u>	<u>WS</u>	<u>WS</u>
<i>Europe</i>								
<i>Northwest Europe</i>								
<u>Brent Crude Oil-Last Day Calendar Spread Financially Settled Option Contract</u>	<u>398</u>	<u>9C, 9B, 9D, 9L, 9Y</u>	<u>20,000</u>	<u>20,000</u>	<u>2,000</u>	<u>25</u>	<u>BB</u>	<u>BB</u>
<i>Natural Gas</i>								
<u>Natural Gas Calendar Spread Financially Settled Option Contract</u>	<u>399</u>	<u>G4, G2, G3, G5, G6, G7</u>	<u>12,000</u>	<u>12,000</u>	<u>1,000</u>	<u>100</u>	<u>HH</u>	<u>HH</u>