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OFFICE OF THE SECRETARIAT  
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January 21, 2010

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 #10-027: Notification of Amendments to NYMEX Rules 559, 560 and 561 Relating to the Launch of a New Argus Sour Crude Index ("ASCI") Financial Futures Contract**

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: 559, Position Limits and Exemptions; 560, Position Accountability; and 561, Reports of Large Positions, in relation to the listing of a new Argus Sour Crude Index ("ASCI") Financial Futures contract. These amendments establish the all month/any one month accountability levels, expiration position limit, reportable level, and aggregation allocation for the new contract.

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 25, 2010.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Director, Market Surveillance, at (212) 299-2881, or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack  
Regulatory Counsel

Attachment

8044

**NOTIFICATION OF AMENDMENTS TO NYMEX RULES 559, 560 and 561**  
 (Bold/underline indicates additions)

| <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>Rule 560</u>                       | <u>Rule 560</u>                           | <u>Rule 559</u>               | <u>Rule 561</u>        |                           |
| <i>Petroleum</i>   |                     |                       |                                       |   |                               |                        |                           |
| <i>USA</i>   |                     |                       |                                       |   |                               |                        |                           |
| <i>Gulf Coast</i>  |                     |                       |                                       |   |                               |                        |                           |
| <u>Argus Sour Crude Index ("ASCI")<br/>Financial Futures</u> | <u>226</u>          | <u>A0</u>             | <u>30,000</u>                         | <u>20,000</u>                             | <u>5,000</u>                  | <u>25</u>              | <u>29</u>                 |