



Sean M. Downey
Associate Director and Assistant General Counsel
Legal Department

January 27, 2012

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 of Amendment to Listing Schedule for Two Petroleum Futures Contracts, and Amendments to Rules for Three Petroleum Futures Contracts
NYMEX Submission # 12-007**

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 an amendment to the listing schedule for two petroleum futures contracts, and amendments to the Rule chapters for three petroleum futures contracts currently listed for trading on the NYMEX trading floor and for submission for clearing through CME ClearPort. These changes shall be effective Sunday, February 12, 2012 for trade date Monday, February 13, 2012.

The amendments to the listing schedules are a result of changes by Platts, the underlying final settlement index provider, to the publication schedule for the first month cash Brent crude oil price assessment. The listing schedules for the following two futures contracts shall be amended:

Contract	Code	Chapter
Brent CFD (Platts) vs. Brent Front Month (Platts) Swap Futures	1C	319
Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap Futures	CFA	1144

The listing schedule for the Brent CFD (Platts) vs. Brent Front Month (Platts) Swap futures (code 1C) will be amended from "daily contracts for three consecutive months", to "daily contracts listed for the current and next two consecutive calendar months, except where such day is later than the day that is 25 calendar days prior to the first day of the following calendar month". For example, with regard to the March 2012 calendar month, under the new listing schedule, only contract days March 1, March 2, March 5 through March 7 are listed and available for trading and clearing. Any business days in calendar month March 2012 after the March 7 contract day are within the 25 calendar days prior to the first day of the following calendar month and therefore are not available for trading or clearing.

The listing schedule for the Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap futures (code CFA) will be amended from "the current calendar week and the next eight consecutive calendar weeks excluding weeks that have a Monday which is the 16th of the month or later", to "weekly contracts listed for the current calendar week and the next eight consecutive calendar weeks, excluding weeks where (i) the last business day of the week is later than the day that is 25 calendar days prior to the first day of the following calendar month, or (ii) the Monday and the last business day of the week fall in different calendar months". For example, with regard to the March 2012 calendar month, under the new listing

schedule, no weeks would be listed. During the week of 1 March 2012, Monday and the last business day of the week fall in different calendar months and there are no other weeks in March 2012 where the last business day of the week is prior to the day that is 25 calendar days prior to the first day of the following calendar month. During April 2012, under the new listing schedule, only the week of April 2 through 5 would be listed for trading and clearing. Please note that April 6, 2012 is a UK Bank Holiday.

In addition, amendments to the Rulebook chapters will be applied to the following three futures contracts:

Contract	Code	Chapter
Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap Futures	CFA	1144
Brent CFD (Platts) vs. Brent Second Month (Platts) Weekly Swap Futures	CFB	1145
Brent CFD (Platts) vs. Brent Third Month (Platts) Weekly Swap Futures	CFC	1146

These Rulebook changes can be found in Appendix A. The Exchange is self-certifying amendments to the *Contract Specification* rule for each of the products listed above in order to clarify the choice of underlying price reference in light of the changes in publication schedule by Platts.

In addition, the Exchange is self-certifying administrative amendments to the *Contract Specification* rule for each of the products listed above in order to delete the unnecessary citation of the contract title within the rule, and to uppercase the defined term "Floating Price" in the rule.

The Exchange is also self-certifying an amendment to the *Trading Specifications* rule for each of the weekly contracts listed above in order to correct a typographical error in the rule which currently states that these contracts are "daily" rather than "weekly" contracts.

NYMEX business staff responsible for the rule amendments and the Exchange 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 and other amendments may have some bearing on the following Core Principle:

- **Availability of General Information:** The Exchange will publish the change to the rules and to the listing cycles on its website, and shall distribute this information to customers.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Regulation 40.6 (a), the Exchange hereby certifies that the rule amendment complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal. This amendment will become effective on Sunday, February 12, 2012 for trade date Monday, February 13, 2012.

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.

Sincerely,

/s/Sean M. Downey
Assoc Dir & Asst General Counsel

Attachment: Appendix A – Rule Amendments

APPENDIX A

Rule Amendments

Additions are shown in underlined text and deletions are shown in ~~strikethrough~~.

Chapter 1144

Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap Futures

1144101. CONTRACT SPECIFICATIONS

The Floating Price for each ~~Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap Futures~~ contract is the arithmetic average of the mid-point between the high and low quotations from Platts Crude Oil Marketwire for Dated Brent minus the arithmetic average midpoint between the high and low quotations from Platts Crude Oil Marketwire for the first month Brent cash price, for each business day that both prices are determined during the specified contract week.

The Floating Price reflects data published during a specified calendar week, from Monday to Friday inclusive.

The same calendar month reference shall be used for all days of the week, and shall be determined as the calendar month which is one month later than the calendar month in which the Monday of the contract week falls, ~~first month reference published on the Monday of the specified week (or would have been published had publication taken place on that Monday).~~

The Floating Price is calculated using the common pricing convention. In calculating the spread differential, the monthly average for each component leg of the spread shall be calculated by using only the common trading days in the month between the two component legs, followed by the calculation of the spread differential between the two averages.

1144102. TRADING SPECIFICATIONS

The number of ~~days~~weeks open for trading at a given time shall be determined by the Exchange.

[remainder of rule unchanged]

Chapter 1145

Brent CFD (Platts) vs. Brent Second Month (Platts) Weekly Swap Futures

1145101. CONTRACT SPECIFICATIONS

The Floating Price for each ~~Brent CFD (Platts) vs. Brent Second Month (Platts) Weekly Swap Futures~~ contract is the arithmetic average of the mid-point between the high and low quotations from Platts Crude Oil Marketwire for Dated Brent minus the arithmetic average midpoint between the high and low quotations from Platts Crude Oil Marketwire for the second month Brent cash price, for each business day that both prices are determined during the specified contract week.

The Floating Price reflects data published during a specified calendar week, from Monday to Friday inclusive.

The same calendar month reference shall be used for all days of the week, and shall be determined as the calendar month which is two months later than the calendar month in which the Monday of the contract week falls, ~~second month reference published on the Monday of the specified week (or would have been published had publication taken place on that Monday).~~

The Floating Price is calculated using the common pricing convention. In calculating the spread differential, the monthly average for each component leg of the spread shall be calculated by using only the common trading days in the month between the two component legs, followed by the calculation of the spread differential between the two averages.

1145102. TRADING SPECIFICATIONS

The number of ~~days~~weeks open for trading at a given time shall be determined by the Exchange.

[remainder of rule unchanged]

Chapter 1146

Brent CFD (Platts) vs. Brent Third Month (Platts) Weekly Swap Futures

1146101. CONTRACT SPECIFICATIONS

The Floating Price for each ~~Brent CFD (Platts) vs. Brent Third Month (Platts) Weekly Swap Futures~~ contract is the arithmetic average of the mid-point between the high and low quotations from Platts Crude Oil Marketwire for Dated Brent minus the arithmetic average midpoint between the high and low quotations from Platts Crude Oil Marketwire for the third month Brent cash price, for each business day that both prices are determined during the specified contract week.

The floating price reflects data published during a specified calendar week, from Monday to Friday inclusive.

The same calendar month reference shall be used for all days of the week, and shall be determined as the calendar month which is three months later than the calendar month in which the Monday of the contract week falls ~~third month reference published on the Monday of the specified week (or would have been published had publication taken place on that Monday).~~

The Floating Price is calculated using the common pricing convention. In calculating the spread differential, the monthly average for each component leg of the spread shall be calculated by using only the common trading days in the month between the two component legs, followed by the calculation of the spread differential between the two averages.

1146102. TRADING SPECIFICATIONS

The number of ~~days~~weeks open for trading at a given time shall be determined by the Exchange.

[remainder of rule unchanged]