



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

February 3, 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 Delisting at Certain Contract Days and Weeks As a Result of Amendment to Listing Schedule for Two Petroleum Futures Contracts
NYMEX Submission # 12-035**

Dear Mr. Stawick

Previously, by letter dated January 27, 2012 (NYMEX Submission 12-007), the New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") notified the Commodity Futures Trading Commission ("CFTC" or "Commission") that it was self-certifying an amendment to the listing schedules for two petroleum futures contracts (referenced in the table below) currently listed for trading on the NYMEX trading floor and for submission for clearing through CME ClearPort effective Sunday, February 12, 2012 for trade date Monday, February 13, 2012 and pending CFTC regulatory review period. 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.

| 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 |

As per NYMEX submission 12-007, 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".

The amendment to the listing schedule for Brent CFD (Platts) vs. Brent Front Month (Platts) Swap futures (code 1C) will result in the delisting of contract days that were listed pursuant to the current listing schedule. Consequently, pursuant to Rule 319.04 ("Contract Days"), the Exchange is notifying the Commission that it is delisting the contract days, listed below, for Brent CFD (Platts) vs. Brent Front Month (Platts) Swap futures (code 1C) effective close of business today, Friday, February 3, 2012. There is currently no open interest in these contracts.

- February 2012 calendar month: contract days 13 through 17, 20 through 24, and 27 through 29.
- March 2012 calendar month: contract days 8 and 9, 12 through 16, 19 through 23, and 26 through 30.
- April 2012 calendar month: contract days 10 through 13, 16 through 20, 23 through 27 and 30. Please note that April 6 and April 9 are UK Bank Holidays and therefore were not originally listed.

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Additionally, as per NYMEX submission 12-007, 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".

The amendment to the listing schedule for Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap futures (code CFA) will result in the delisting of contract weeks that were listed pursuant to the current listing schedule. Consequently, pursuant to Rule 1144102 ("Trading Specifications"), the Exchange is notifying the Commission that it is delisting the contract weeks, listed below, for Brent CFD (Platts) vs. Brent Front Month (Platts) Weekly Swap futures (code CFA) effective close of business today, Friday, February 3, 2012. There is currently no open interest in these contracts.

- February 2012 calendar month: 1 week: February 13 through 17.
- March 2012 calendar month: 2 weeks: March 5 through 9 and March 12 through 16.
- April 2012 calendar month: 1 week: April 10 through 13. Please note that April 9 is a UK Bank Holiday and therefore was not originally listed as part of the weekly contract.

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 delisting of contract days and weeks, respectively, may have some bearing on the following Core Principle:

- Emergency Authority: There is no open interest in the contract days (1C) and contract weeks (CFA) submitted for delisting and therefore, there will be no market disruption related to their delisting.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Regulation 40.6 (a), the Exchange hereby certifies that the delisting complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal. This amendment will become effective at the close of business on Friday, February 3, 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