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February 7, 2008
OFFICE OF THE SECRETARIAT

Via E-Mail

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

**Re: Rule Certification. NYMEX Submission 08.16: Notification of
an Amendment to NYMEX Rule 6.40B, Trading at Settlement.**

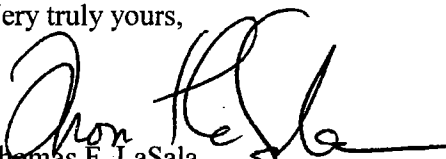
Dear Mr. David Stawitk:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of a rule amendment to NYMEX Rule 6.40B, Trading at Settlement.

In connection with the launch of the NYMEX Crude Oil MACI Index and the NYMEX Crude Oil Backwardation/Contango (B/C) Index Contracts, NYMEX Rule 6.40B is amended to make TAS transactions available for Crude Oil Futures (CL) in the seventh nearby contract month. This amendment will be effective February 11, 2008. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact me at (212) 299-2897.

Very truly yours,


Thomas F. LaSala
Chief Regulatory Officer

cc: Brian Regan

New York Mercantile Exchange, Inc.
World Financial Center
One North End Avenue
New York, NY 10282-1101
(212) 299-2000

The New York Mercantile Exchange, Inc. offers trading in crude oil, heating oil, unleaded gasoline, natural gas, electricity, coal, propane, freight rates, emissions, gold, silver, platinum, palladium, copper, and aluminum.

(Bold/Strikethrough indicates deletions.)

Rule 6.40B, Trading at Settlement

(A) Trading at Settlement Procedure. A floor member may enter into a transaction at the settlement price through open outcry with another floor member in any futures contract and delivery month specified in Section (C) of this rule. Any such trade (collectively referred to as a trading at settlement or "TAS") shall be made by open outcry no later than 2:30 p.m. New York Time or such other time as designated by the Board on that same trading day in the trading ring designated for trading in the particular contract.

(B) Prohibition on TAS Cross Trades. A Floor Member who has in hand buy and sell TAS orders of different principals for the same eligible commodity for future delivery in the same eligible delivery month shall not execute such orders directly between such principals.

(C) Reporting and Recordation. All TAS transactions shall be identified as such on the executing member's trading records prepared in accordance with Rule 6.10 ("Reporting of Trades Executed on the Trading Floor").

(D) Transactions Eligible for Board Approval ~~F~~for Trading at Settlement Procedures.

The Board may, by resolution, authorize the execution of transactions in any or all of the futures contracts and delivery months specified below pursuant to the TAS order procedures set forth in this Rule 6.40B.

Futures Contract Delivery Month

Light Sweet Crude Oil Spot Month (except on the last trading day) and also Second, ~~and~~ Third and Seventh Nearby Months

Heating Oil Spot Month (except on the last trading day) and also Second and Third Nearby Month

Natural Gas Spot Month (except on the last trading day) and also Second and Third Nearby Month

RBOB Gasoline Spot Month (except on the last trading day) and also Second and Third Nearby Month