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March 5, 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# 10-059: Notification Regarding the Implementation of
an Incentive Program with Regard to the Listed Environmental
Futures and Option Contracts**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying the implementation of a trading and clearing fee waiver program for the futures and option contracts listed below, the incentive program will waive trading and clearing fees for anyone who trades these contracts until May 31, 2010.

| Contract | Code | Rule Chapter |
|--|------|--------------|
| In Delivery Month European Union Allowance (EUA) Futures | 6T | 850 |
| In Delivery Month European Union Allowance (EUA) Option | 6U | 851 |
| In Delivery Month Certified Emission Reduction (CER) Futures | 6S | 852 |
| In Delivery Month Certified Emission Reduction (CER) Option | 6P | 853 |
| European Union Allowance (EUA) Futures | RC | 868 |
| European Union Allowance (EUA) Option | AV | 869 |
| Certified Emission Reduction (CER) Futures | VA | 870 |
| Certified Emission Reduction (CER) Option | VG | 872 |
| In Delivery Month European Union Allowance (EUA) Serial Option | 9G | 909 |
| In Delivery Month Certified Emission Reduction (CER) Serial Option | 9E | 910 |
| NOx Emissions Allowance Futures | RN | 783 |
| Seasonal NOX Emissions Allowance Vintage 2009 Futures | YI | 860 |
| Seasonal NOX Emissions Allowance Vintage 2010 Futures | YJ | 861 |
| Seasonal NOX Emissions Allowance Vintage 2011 Futures | YN | 862 |
| Seasonal NOX Emissions Allowance Vintage 2012 Futures | YM | 863 |
| Annual NOX Emissions Allowance Vintage 2009 Futures | WW | 864 |
| Annual NOX Emissions Allowance Vintage 2010 Futures | YP | 865 |
| Annual NOX Emissions Allowance Vintage 2011 Futures | YQ | 866 |
| Annual NOX Emissions Allowance Vintage 2012 Futures | YR | 867 |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Futures | RJ | 873 |

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|--|----|-----|
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2009 Futures | 98 | 873 |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2010 Futures | 76 | 873 |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2011 Futures | 86 | 873 |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Vintage 2012 Futures | 96 | 873 |
| Regional Greenhouse Gas Initiative (RGGI) CO2 Allowance Option | OR | 874 |
| SO2 Emissions Allowance Future | RS | 782 |
| SO2 Emissions Allowance Option | AS | 871 |
| SO2 Emission 25 Allowance - Current Vintage Future | 09 | 554 |
| SO2 Emission 25 Allowance - Vintage 2010 Futures | 10 | 554 |
| SO2 Emission 25 Allowance - Vintage 2011 Futures | 11 | 554 |
| SO2 Emission 25 Allowance - Vintage 2012 Futures | 12 | 554 |
| SO2 Emission 25 Allowance - Vintage 2013 Futures | 13 | 554 |
| SO2 Emission 25 Allowance - Vintage 2014 Futures | 14 | 554 |
| SO2 Emissions 25 Allowance - Options | S2 | 606 |

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the incentive program complies with the Act, including regulations under the Act. The incentive program shall be effective immediately.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609 or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack
Regulatory Counsel