



New York  
Mercantile Exchange

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March 14, 2008

**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 #08.48:  
Notification of New NYMEX Rule 9.00B (Transfer of Listed Contracts to  
Another Designated Contract Market)**

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 new NYMEX Rule 9.00B (Transfer of Listed Contracts to Another Designated Contract Market). As a note, a number of new NYMEX contracts will be listed for trading commencing on trade date March 17, 2008 as part of the Exchange's "Green Exchange" product slate. The listing for trading of these products eventually will be shifted to the Green Exchange, which is expected to be established as a stand-alone entity that is also anticipated to obtain its own designation as a contract market next year. The purpose of the attached new rule is to facilitate this anticipated process and to put market participants on notice concerning the eventual transfer of the trading venue. NYMEX does not make any presumptions regarding CFTC regulatory approval of the Green Exchange as a designated contract market and also recognizes that a follow-up filing with the CFTC will be necessary by the Exchange in connection with any delisting from trading of any Exchange products. Even after the products have been delisted from trading on NYMEX and re-listed for trading on the Green Exchange, the products will continue to be cleared by NYMEX.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached new rule complies with the Act, including regulations under the Act. This new rule will be made effective for March 18, 2008.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2207 or De'Ana Dow at (202) 715-8517.

Sincerely,

Brian Regan  
Senior Vice President and  
Counsel

Attachments: Notification of New NYMEX Rule 9.00B

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., is composed of two divisions.  
The NYMEX Division offers trading in crude oil, heating oil, unleaded gasoline,  
natural gas, electricity, coal, propane, platinum, and palladium. The COMEX Division  
offers trading in gold, silver, copper, and aluminum.*

**NYMEX Rule 9.00B (Transfer of Listed Contracts to Another Designated Contract Market )**

(A) Any NYMEX contract identified from time to time in paragraph (B) below may be transferred by NYMEX to another registered designated contract market (the "Transferee Exchange") for trading on or subject to the rules of such Transferee Exchange, provided that:

- (1) all such transferred contracts shall continue to be NYMEX contracts for clearing and settlement purposes and at all times shall remain subject to NYMEX's Clearing and Margin Rules as in effect from time to time;
- (2) the contract specifications of the transferred contract shall be the same as existed prior to such transfer except as may be amended in accordance with the rules of the Transferee Exchange;
- (3) NYMEX shall provide reasonable prior notice to Members and Clearing Members of such transfer (with at least two business days' prior notice constituting reasonable prior notice) by publication of a Notice to Members; and
- (4) the transfer shall occur automatically as to all open positions in the specified contract as of the transfer date and time specified in the Notice to Members without the need for any consent from a Member, Clearing Member, customer or any other party.

(B) The following contracts may be transferred by NYMEX pursuant to Paragraph (A) above:

**A. Carbon-Based Contracts**

- (1) European Union Allowance (EUA) Futures Contract
- (2) European Union Allowance (EUA) Option Contract
- (3) Certified Emission Reduction (CER) Futures Contract

**B. Nitrogen Oxides (NOX) Emission Allowance Contracts**

- (1) Seasonal NOx Emission Allowance Futures Contracts

**Contract Name**

Seasonal NOx Emission Allowance – Current Vintage – Futures  
Seasonal NOx Emission Allowance – Vintage 2009 – Futures  
Seasonal NOx Emission Allowance – Vintage 2010 – Futures  
Seasonal NOx Emission Allowance – Vintage 2011 – Futures  
Seasonal NOx Emission Allowance – Vintage 2012 – Futures

(2) Annual NOx Emission Allowance Futures Contracts

Contract Name

Annual NOx Emission Allowance – Vintage 2009 – Futures  
Annual NOx Emission Allowance – Vintage 2010 – Futures  
Annual NOx Emission Allowance – Vintage 2011 – Futures  
Annual NOx Emission Allowance – Vintage 2012 – Futures

C. Sulfur Dioxide (SO2) Emission Allowance Contracts

- (1) SO2 Emission Allowance Futures Contract
- (2) SO2 Emission Allowance Option Contract