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April 15, 2009

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 #09.67:
Notification of Amendments to NYMEX Rules 9A.26, 9A.27A and 9A.34 for
the New E-mini Gold Futures and E-mini Silver Futures Contracts**

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 amendments to NYMEX Rules 9A.26, All Month/Any One Month Accountability Levels, 9A.27A, Expiration Position Accountability Levels, and 9A.34 Reporting Levels, in relation to the listing of the new E-mini Gold Futures and E-mini Silver Futures contracts. These amendments establish the accountability levels, expiration accountability levels, reportable levels and aggregation allocations for the new contracts. Additionally, the Exchange is self-certifying administrative amendments in order to align the accountability levels, expiration accountability levels, reportable levels and aggregation allocations of the COMEX miNY Gold Futures, COMEX miNY Silver Futures and COMEX Asian Gold Futures contracts that are affected with the launch of the aforementioned new contracts.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act. These changes will be made effective on trade date April 20, 2009.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Director, Market Surveillance at (212) 299-2881, or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack
Director and Associate General Counsel

Attachment

NOTIFICATION OF AMENDMENTS TO NYMEX RULES 9A.26, 9A.27 and 9A.34
 (bold/underline indicates additions; strikethrough indicates deletions)

Contract Name	Rule Chapter	Commodity Code	All Month Accountability Level	Any One Month Accountability Level	Expiration Month Limit	Expiration Accountability Level- Penultimate and Metals Contracts	Reporting Level	Aggregate Into (1)	Aggregate Into (2)
			Rule 9A.26	Rule 9A.26	Rule 9A.27	Rule 9A.27A	Rule 9A.34		
<i>Metals</i>									
<i>USA</i>									
<u>E-mini Gold Futures</u>	407	8Q	10,000	10,000		2,000	25	8Q	
COMEX miNY Gold Futures	911	QQ	6,000 10,000	6,000 10,000		3,000 2,000	200 25	QQ 8Q	
<u>E-mini Silver Futures</u>	408	6Q	3,000	3,000		500	25	6Q	
COMEX miNY Silver Futures	912	QI	6,000 3,000	6,000 3,000		1,500 500	150 25	QI 6Q	
<i>ASIA</i>									
COMEX Asian Gold Futures	914	QS	6,000 10,000	6,000 10,000		3,000 2,000	200 25	QS 8Q	