

May 22, 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

O.F.T.O.
OFFICE OF THE SECRETARIAT
2009 MAY 22 PM 4 22

**Re: Rule Certification. New York Mercantile Exchange, Inc. Submission #09.95:
Notification of Amendments to NYMEX Rules 9A.26, 9A.27 and 9A.34
Relating to the Listing of Eight (8) New Petroleum Swap 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.27, Expiration Month Position Limit; and 9A.34, Reporting Level, in relation to the listing of eight (8) new petroleum swap futures contracts. These amendments establish the all month/any one month accountability levels, expiration position limits, reportable levels and aggregation allocations for the 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 June 1, 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 Last Day Contract	Reporting Level	Aggregate Into (1)	Aggregate Into (2)
			<u>Rule 9A.26</u>	<u>Rule 9A.26</u>	<u>Rule 9A.27</u>	<u>Rule 9A.27A</u>	<u>Rule 9A.34</u>		
<i>Petroleum</i>									
<i>USA</i>									
<i>New York Harbor</i>									
<u>New York Jet Fuel (Platts) Swap Futures</u>	<u>412</u>	<u>1Q</u>	<u>2,000</u>	<u>1,500</u>	<u>250</u>		<u>25</u>	<u>1Q</u>	
<u>New York Jet Fuel (Platts) vs. Heating Oil Swap Futures</u>	<u>413</u>	<u>1U</u>	<u>2,000/7,000</u>	<u>1,500/5,000</u>	<u>250/1,000</u>		<u>25</u>	<u>1Q</u>	<u>HO</u>
<i>Europe</i>									
<i>Northwest Europe</i>									
<u>1% Fuel Oil (Platts) Cargoes CIF NWE Swap Futures</u>	<u>419</u>	<u>1X</u>	<u>1,000</u>	<u>750</u>	<u>150</u>		<u>10</u>	<u>1X</u>	
<i>Mediterranean</i>									
<i>Italy</i>									
<u>Jet Aviation Fuel (Platts) Cargoes FOB MED Swap Futures</u>	<u>416</u>	<u>1T</u>	<u>350</u>	<u>250</u>	<u>50</u>		<u>5</u>	<u>1T</u>	
<u>Jet Aviation Fuel (Platts) Cargoes FOB MED vs. ICE Gasoil Swap Futures</u>	<u>417</u>	<u>1V</u>	<u>350/7,000</u>	<u>250/7,000</u>	<u>50/1,000</u>		<u>5/25</u>	<u>1T</u>	<u>GX</u>
<i>Genoa/Lavera</i>									
<u>1% Fuel Oil (Platts) Cargoes CIF MED Swap Futures</u>	<u>418</u>	<u>1W</u>	<u>350</u>	<u>250</u>	<u>50</u>		<u>5</u>	<u>1W</u>	

<i>Light Hydrocarbons</i>									
<i>Mt. Belvieu</i>									
<u>Propane Non-LDH Mont Belvieu (OPIS) Swap Futures</u>	<u>414</u>	<u>1R</u>	<u>1,500</u>	<u>1,000</u>	<u>200</u>		<u>25</u>	<u>1R</u>	
<u>Propane Non-LDH Mont Belvieu (OPIS) BALMO Swap Futures</u>	<u>415</u>	<u>1S</u>	<u>1,500</u>	<u>1,000</u>	<u>200</u>		<u>25</u>	<u>1R</u>	