



CME Group

A CME/Chicago Board of Trade/NYMEX Company

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OFFICE OF THE SECRETARIAT

2010 JUN 3 PM 2 30

June 2, 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 # 10-153:
Notification Regarding the Listing of Six (6) Natural Gas Liquids Futures Contracts
for Trading and Clearing**

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 listing of six (6) new natural gas liquids futures contracts for trading on the NYMEX trading floor and for submission for clearing through CME ClearPort beginning at 6:00 p.m. on Sunday, June 6, 2010 for trade date Monday, June 7, 2010.

The three daily natural gas liquids futures contracts and balance-of-month (BALMO) contracts are based on existing Exchange-listed contracts.

The six (6) natural gas liquids contracts, commodity codes, rule chapters and listing schedules are as follows:

| <u>Contracts</u> | <u>Code</u> | <u>Rule Chapter</u> | <u>Listing Period</u> |
|---|--------------------|----------------------------|---|
| Conway Propane (OPIS) BALMO Swap Futures | CPB | 133 | One month and the following month listed 10 business days prior to the start of the contract month. |
| Conway Natural Gasoline (OPIS) BALMO Swap Futures | CGB | 134 | One month and the following month listed 10 business days prior to the start of the contract month. |
| Conway Normal Butane (OPIS) BALMO Swap Futures | CBB | 135 | One month and the following month listed 10 business days prior to the start of the contract month. |
| Daily Mont Belvieu LDH Propane (OPIS) Swap Futures | C3D | 136 | 2 consecutive months |
| Daily Mont Belvieu Normal Butane (Non-LDH) (OPIS) Swap Futures | C4D | 137 | 2 consecutive months |
| Daily Mont Belvieu Natural Gasoline (Non-LDH) (OPIS) Swap Futures | C5D | 138 | 2 consecutive months |

These new natural gas liquids futures contracts will be available during normal trading hours on the NYMEX trading floor and through CME ClearPort. Open outcry trading is conducted Monday through Friday from 9:00 a.m. until 2:30 p.m. (New York prevailing time), except on Exchange holidays. CME ClearPort is available from 6:00 p.m. Sunday until 5:15 p.m. Friday (New York prevailing time). There is a 45-minute halt each day between 5:15 p.m. (current trade date) and 6:00 p.m. (next trade date).

The first listed month for all contracts will be the June 2010 contract month. The listing period is reflected in the table above.

In addition, the Exchange will allow exchange for related position (EFRP) transactions to be submitted through CME ClearPort. EFRP transactions in these futures contracts will be governed by the provisions of Exchange Rule 538.

Although the supplemental market information attached herewith includes the recommended position limits for these contracts, a separate filing will be submitted to the Commission to self-certify those position limits.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rules 40.2 and 40.6, the Exchange hereby certifies that the attached contracts comply with the Act, including regulations under the Act. This submission will be made effective on trade date June 7, 2010.

Should you have any questions concerning the above, please contact Daniel Brusstar at (212) 299-2604 or the undersigned at (212) 299-2207.

Sincerely,

/s/Brian Regan
Managing Director and Regulatory Counsel

Attachments: Contract terms and conditions
Supplemental Market Information

Chapter 133 Conway Propane (OPIS) BALMO Swap Futures

133.01. SCOPE

The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.

133.02. FLOATING PRICE

The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the OPIS Conway Propane (in-well) starting from the selected start date through the end of the contract month, inclusively.

133.03. CONTRACT QUANTITY AND VALUE

The contract quantity shall be 42,000 gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.

133.04. CONTRACT MONTHS

Trading shall be conducted in contracts in such months as shall be determined by the Exchange.

133.05. PRICES AND FLUCTUATIONS

Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.

133.06. TERMINATION OF TRADING

Trading shall cease on the last business day of the contract month.

133.07. FINAL SETTLEMENT

Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract month, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract month.

133.08. EXCHANGE FOR RELATED POSITION

Any Exchange for Related Position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.

133.09. DISCLAIMER

OPIS licenses the New York Mercantile Exchange, Inc. ("NYMEX") to use various OPIS price assessments in connection with the trading of the contracts.

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Chapter 134
Conway Natural Gasoline (OPIS) BALMO Swap Futures

134.01. SCOPE

The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.

134.02. FLOATING PRICE

The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the OPIS Conway Natural Gasoline (in-well) starting from the selected start date through the end of the contract month, inclusively.

134.03. CONTRACT QUANTITY AND VALUE

The contract quantity shall be 42,000 gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.

134.04. CONTRACT MONTHS

Trading shall be conducted in contracts in such months as shall be determined by the Exchange.

134.05. PRICES AND FLUCTUATIONS

Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.

134.06. TERMINATION OF TRADING

Trading shall cease on the last business day of the contract month.

134.07. FINAL SETTLEMENT

Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract month, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract month.

134.08. EXCHANGE FOR RELATED POSITION

Any Exchange for Related Position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.

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Chapter 135
Conway Normal Butane (OPIS) BALMO Swap Futures

135.01. SCOPE

The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.

135.02. FLOATING PRICE

The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the OPIS Conway Normal Butane (in-well) starting from the selected start date through the end of the contract month, inclusively.

135.03. CONTRACT QUANTITY AND VALUE

The contract quantity shall be 42,000 gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.

135.04. CONTRACT MONTHS

Trading shall be conducted in contracts in such months as shall be determined by the Exchange.

135.05. PRICES AND FLUCTUATIONS

Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.

135.06. TERMINATION OF TRADING

Trading shall cease on the last business day of the contract month.

135.07. FINAL SETTLEMENT

Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract month, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract month.

135.08. EXCHANGE FOR RELATED POSITION

Any Exchange for Related Position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.

135.09. DISCLAIMER

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Chapter 136

Daily Mont Belvieu LDH Propane (OPIS) Swap Futures

- 136.01. SCOPE**
The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.
- 136.02. FLOATING PRICE**
The Floating Price is the daily arithmetic average of the OPIS Mt. Belvieu Propane (LDH) price assessment.
- 136.03. CONTRACT QUANTITY AND VALUE**
The contract quantity shall be 42,000 U.S. gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.
- 136.04. CONTRACT DAYS**
Trading shall be conducted in contracts in such duration as shall be determined by the Exchange.
- 136.05. PRICES AND FLUCTUATIONS**
Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.
- 136.06. TERMINATION OF TRADING**
Trading shall cease at the close of the business day of the daily contract.
- 136.07. FINAL SETTLEMENT**
Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract day, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract day.
- 136.08. EXCHANGE FOR RELATED POSITION**
Any exchange for related position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.
- 136.09. DISCLAIMER**
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Chapter 137
Daily Mont Belvieu Normal Butane (Non-LDH) (OPIS) Swap Futures

- 137.01. SCOPE**
The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.
- 137.02. FLOATING PRICE**
The Floating Price is the daily arithmetic average of the OPIS Mt. Belvieu Normal Butane (Non-LDH) price assessment.
- 137.03. CONTRACT QUANTITY AND VALUE**
The contract quantity shall be 42,000 U.S. gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.
- 137.04. CONTRACT DAYS**
Trading shall be conducted in contracts in such duration as shall be determined by the Exchange.
- 137.05. PRICES AND FLUCTUATIONS**
Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.
- 137.06. TERMINATION OF TRADING**
Trading shall cease at the close of the business day of the daily contract.
- 137.07. FINAL SETTLEMENT**
Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract day, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract day.
- 137.08. EXCHANGE FOR RELATED POSITION**
Any exchange for related position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.
- 137.09. DISCLAIMER**
OPIS licenses the New York Mercantile Exchange, Inc. ("NYMEX") to use various OPIS price assessments in connection with the trading of the contract.
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Chapter 138
Daily Mont Belvieu Natural Gasoline (Non-LDH) (OPIS) Swap Futures

- 138.01. SCOPE**
The provisions of these Rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price.
- 138.02. FLOATING PRICE**
The Floating Price is the daily arithmetic average of the OPIS Mt. Belvieu Natural Gasoline (Non-LDH) price assessment.
- 138.03. CONTRACT QUANTITY AND VALUE**
The contract quantity shall be 42,000 U.S. gallons. Each contract shall be valued as the contract quantity (42,000) multiplied by the settlement price.
- 138.04. CONTRACT DAYS**
Trading shall be conducted in contracts in such duration as shall be determined by the Exchange.
- 138.05. PRICES AND FLUCTUATIONS**
Prices shall be quoted in U.S. dollars and cents per gallon. The minimum price fluctuation shall be \$0.00001 per gallon. There shall be no maximum price fluctuation.
- 138.06. TERMINATION OF TRADING**
Trading shall cease at the close of the business day of the daily contract.
- 138.07. FINAL SETTLEMENT**
Delivery under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract day, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract day.
- 138.08. EXCHANGE FOR RELATED POSITION**
Any exchange for related position (EFRP) transaction shall be governed by the provisions of Exchange Rule 538.
- 138.09. DISCLAIMER**
OPIS licenses the New York Mercantile Exchange, Inc. ("NYMEX") to use various OPIS price assessments in connection with the trading of the contract.

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SUPPLEMENTAL MARKET INFORMATION

| <u>Contracts</u> | <u>Rule Chapter</u> | <u>Code</u> | <u>Underlying Contract</u> |
|---|---------------------|-------------|----------------------------|
| Conway Propane (OPIS) BALMO Swap Futures | 133 | CPB | 8K |
| Conway Natural Gasoline (OPIS) BALMO Swap Futures | 134 | CGB | 8L |
| Conway Normal Butane (OPIS) BALMO Swap Futures | 135 | CBB | 8M |
| Daily Mont Belvieu LDH Propane (OPIS) Swap Futures | 136 | C3D | 7Q |
| Daily Mont Belvieu Normal Butane (Non-LDH) (OPIS) Swap Futures | 137 | C4D | D0 |
| Daily Mont Belvieu Natural Gasoline (Non-LDH) (OPIS) Swap Futures | 138 | C5D | B0 |

The supplemental market information includes a description of the price sources for six (6) natural gas liquids futures contracts for trading on the NYMEX trading floor and for submission for clearing through CME ClearPort®. The three daily natural gas liquids futures contracts and balance-of-month (BALMO) contracts are based on existing Exchange-listed contracts.

The supplemental market information also includes a description of Balance-of-Month futures contract and a description of the following markets:

- U.S. Natural Gas Liquids Market

PRICE SOURCES: OPIS

OPIS is the price reporting service used for the final settlement of the 6 new NGL contracts. OPIS is one of the main pricing services that are used in the NGL market for pricing physical and over-the-counter (OTC) swap contracts, and their methodology is well-known in the industry. OPIS has a long-standing reputation in the industry for price benchmarks that are fair and not manipulated. The OPIS pricing methodology relies on telephone surveys and electronic data from dozens and dozens of market participants to determine market value. The OPIS pricing methodology is well-defined and is available at the link below (the OPIS methodology for propane and the various NGLs are listed under the Natural Gas Liquids section in the link): <http://opisnet.com/methodology.asp#ngl>

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") has an agreement with OPIS to utilize their pricing data.

BALANCE-OF-MONTH DESCRIPTION

Typically, in the OTC market, balance-of-month (BALMO) swaps are used by market participants for pricing transactions in periods that are less than a full calendar month. BALMO swap contracts are cash-settled, and are settled similar to the settlement of a calendar month swap using a specified index price, such as the Argus, OPIS or Platts price assessments, starting from the day of execution until the last day of the contract month. The user has the flexibility to select the start date (or first day) of the BALMO averaging period, and the last day of the period is the last business day of the contract month. In the OTC oil market, the BALMO swap is a useful hedging tool that allows the market participants and hedgers to customize the averaging period of the transaction to allow for partial-month average prices. The BALMO swap is similar in structure to a calendar month swap, except for the averaging period of the transaction. The BALMO swap contracts allow the user to customize the timing of a transaction to allow for partial-month average prices.

Propane and Natural Gas Liquids (NGLs) Market

The natural gas liquids (NGL) complex, also called liquefied petroleum gases (LPGs), is composed of propane and other related natural gas liquids, including natural gasoline, ethane, normal butane, and iso-butane. Propane is a by-product of either of the following two processes: natural gas processing or petroleum refining. During the natural gas plant production, NGLs are produced as a result of the extraction of materials such as propane and butane from natural gas in order to prevent these liquids from condensing and causing operational problems within the natural gas pipelines. Similarly, when oil refineries produce petroleum products such as gasoline and heating oil, certain NGLs are also produced as a by-product of those processes.

Table 1. Selected Statistics for Liquefied Petroleum Gases: United States

(Thousand Barrels per Day)

| Item and Region | 2006 | 2007 | 2008 | Average 2006-2008 |
|--|------------------|------------------|------------------|----------------------|
| Stocks, Liquid Petroleum Gases¹ | | | | |
| All Oils (Excluding Crude Oil) | 718,625 | 682,299 | 709,076 | 703,333 |
| Liquid Petroleum Gases | 113,092 | 95,592 | 113,134 | 107,273 |
| Ethane/Ethylene | 20,286 | 14,869 | 27,591 | 20,915 |
| Propane/Propylene | 61,599 | 52,007 | 55,408 | 56,338 |
| Weekly Inputs, Utilization and Production, 4-Week Average² | 4/30/2010 | 5/07/2010 | 5/14/2010 | 5/21/2010 |
| Gulf Coast PADD 3 | 759 | 771 | 763 | 757 |

Given that NGLs are a by-product and are not directly produced, their production cannot be adjusted to coincide with changes in prices and/or demand. However, NGLs can be imported and/or stored.

The main end-users for the various NGLs are the petrochemical and industrial companies, including plastics manufacturers. The manufacturing sector purchases the NGLs to use as inputs for their production process of plastic products and components. Propane is used as a petrochemical feedstock, and for heating and residential uses. Ethane is a key input for the production of plastics. Butane is used as a gasoline-blending component during cold weather to boost the Reid Vapor Pressure (RVP) and assist with the start of a cold engine. Butane is also used as a petrochemical feedstock. Natural gasoline is used as a petrochemical feedstock and as a gasoline additive.

The U.S. Department of Energy's Energy Information Agency (EIA) publishes inventories data for the NGL or "Liquefied Petroleum Gases" market, with a detailed breakdown for each of the NGLs, including propane, ethane, normal butane, isobutene, and pentane (natural gasoline). The monthly EIA stocks can be viewed at the link below:

http://tonto.eia.doe.gov/dnav/pet/pet_stoc_typ_d_nus_SAE_mbbbl_m.htm

The EIA provides production data on the NGL market under the heading of "propane/propylene" which refers to the NGL complex that includes propane, butane, ethane, iso-butane, and natural gasoline. The total U.S. production of NGLs is currently around one million barrels per day. Gulf Coast NGL production is more than 600,000 barrels per day. The production of ethane and normal butane are each estimated at around 100,000 to 150,000 barrels per day. The EIA refinery weekly production data for NGLs for the U.S. and Gulf Coast area (known as Padd 3) appear at the link below:

¹ Liquid Petroleum Gases Stock Data,

http://tonto.eia.doe.gov/dnav/pet/pet_stoc_typ_d_nus_SAE_mbbbl_a.htm,

² EIA Refinery Input Data, http://tonto.eia.doe.gov/dnav/pet/pet_pnp_wiup_dcu_r30_4.htm (Gulf Coast PADD 3)

http://tonto.eia.doe.gov/dnav/pet/pet_pnp_wiup_dcu_r30_w.htm

The main consumption areas for propane are in the Midwest and Northeast markets, which are supplied by the Louis Dreyfus pipeline from the Mont Belvieu hub in Houston via Conway, Kansas to the Midwest and New York markets. The monthly deliverable supply of propane in the Gulf Coast is around 8 million to 10 million barrels. The average daily trading volume at the Conway hub is around 200,000 to 250,000 barrels per day. The EIA publishes weekly data for propane at the link below:

<http://tonto.eia.doe.gov/oog/info/hopu/hopu.asp>

U.S. Propane Market

The main consumption areas for propane are in the Midwest and Northeast markets, which are supplied by the TEPPCO pipeline from the Mont Belvieu hub in Houston via the Midwest and terminating in New York. The propane market has an actively traded cash market, and has an active forward market that trades on the ICE Chemconnect platform. There are dozens of propane wholesalers and retailers that participate in the propane market. The average daily trading volume at the Mont Belvieu hub is approximately 300,000 to 500,000 barrels.

The Conway Propane futures contract is cash-settled based on the OPIS quotation for propane at the hub in Conway, Kansas, which is a key terminal area for propane along the Louis Dreyfus pipeline (formerly TEPPCO), which links Conway with the Gulf Coast. The monthly deliverable supply of propane in the Gulf Coast is around 8 million to 10 million barrels. The average daily trading volume at the Conway hub is approximately 250,000 barrels. In addition, Conway is a key trading and distribution hub for natural gasoline, with daily trading volume in the cash market of around 100,000 barrels.

The NGL market has an actively traded cash market, and has an active forward market that trades on the ICE Chemconnect platform. In addition, there is a robust OTC swaps market transacted by OTC brokers and by the Houston Mercantile Exchange platform. There are dozens of NGL wholesalers and retailers that participate in the cash and OTC markets.

Although imports provide the smallest (about 10 percent) of domestic NGL supply, they are vital when consumption exceeds available domestic supplies. Propane and related NGLs can be imported via pipeline and rail car from Canada, and by sea from countries such as Algeria and Saudi Arabia.

Further, there is a robust OTC market that exists in the NGL complex. The average daily trading volume for each of the NGLs of natural gasoline and iso-butane is in the area of 150,000 to 200,000 barrels. The monthly deliverable supply for natural gasoline and iso-butane is around 4 million barrels. The average size of the typical transaction in the cash market or OTC market is 5,000 barrels and there are 40 to 50 transactions occurring daily.

Propane and NGL Market Participants

The NGL cash market and OTC market participants are diverse and include 30 to 40 wholesalers and retailers. A partial listing is as follows:

Refiners

ConocoPhillips
Valero
Shell
ExxonMobil
BP
Sunoco
Hess
Lyondell
Enterprise Products

Traders/Retailers

Louis Dreyfus
Vitol
Agway
Koch
Fortis
Cargill
Morgan Stanley
Goldman Sachs
Transammonia
Suburban Propane
Amerigas
Blue Flame

Brokers

Liquidity Partners
Nuevo Partners
Nordico
Houston Merc
Echo Energy
Lozier Energy

Financial

Barclays Bank
Goldman
Citibank
JP Morgan
Wells Fargo

Speculative Limits for the NGL Contracts

The Exchange has set the expiration month limit for each of the six new NGL daily and BALMO futures contracts at 250 contracts (equivalent to 250,000 barrels) which is less than 10% of the monthly deliverable supply for each of the NGLs.

Further, the new balance-of-month (BALMO) contracts allow for partial-month average prices for the corresponding calendar-month swaps futures contracts. The Exchange will set the position limits at the same level as those of the underlying calendar month swap contract, and the limits will be aggregated.