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June 3, 2011

Mr. David Stawick

Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

**RE: Section 5c(c)(1), Part 40.6 – Rule Certification
Revisions to NYMEX Rule 524 (“Trading at Settlement (“TAS”) and Matched Order (“MO”) Transactions”)
NYMEX Submission #11-212**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC”) of revisions to NYMEX Rule 524 (“Trading at Settlement (“TAS”) and Matched Order (“MO”) Transactions”) to enable Trading at Marker (“TAM”) on CME Globex. TAM is analogous to existing TAS trading where parties effectuate a trade at a differential to a not-yet-known price. Where TAS trading uses the Exchange determined settlement price for purposes of calculating the final trade price, TAM trading will use a different Exchange determined value identified as a marker price.

Beginning June 13, 2011, NYMEX will offer TAM trading using the London market close as the marker, which corresponds to 4:30 p.m. London Time. At launch, TAM trading will be permitted in the first three contract months of NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, RBOB Gasoline and Brent Crude Oil Last Day Financial futures, and in intra-commodity spreads between the first and second, second and third and first and third contract months in those products. As in TAS trading, parties will be able to trade at TAM or at a differential between one and ten ticks higher or lower than the TAM price.

For TAM trading in NYMEX Brent Crude Oil Last Day Financial futures, the marker price will represent a weighted average of trades in the ICE Brent Crude Futures Minute Marker from 4:29 – 4:30 p.m. LT.

For TAM trading in NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil and RBOB Gasoline futures, the marker price in the front month will be the volume weighted average price (“VWAP”) of outright trades on CME Globex for the one-minute period from 4:29 – 4:30 p.m. LT, rounded to the nearest tradable tick. The marker price in the second and third contract months will be based on prices implied from the VWAPs of the one-month and two-month spreads that are traded on CME Globex during the one-minute period from 4:29 – 4:30 p.m. LT, subject to certain volume thresholds.

Additional information on the determination of the TAM prices is set forth in CME Group Special Executive Report S-5788 which will be released to the marketplace on Monday, June 6. A copy is attached to this submission.

The revisions to NYMEX Rule 524 appear on the next page, with additions underscored and deletions overstruck. Additionally, on May 31, 2011, NYMEX & Commodity Exchange, Inc. ("COMEX") will issue NYMEX & COMEX Market Regulation Advisory Notice RA1105-4 (the "Advisory Notice") providing additional regulatory guidance to the marketplace on the introduction of TAM trading. A copy of the Advisory Notice is also attached to this submission.

The Exchange certifies that the amendments and the Advisory Notice comply with the Commodity Exchange Act and regulations thereunder. There were no substantive opposing views to this proposal.

524. TRADING AT SETTLEMENT ("TAS"), TRADING AT MARKER ("TAM") AND MATCHED ORDER ("MO") TRANSACTIONS

The Exchange shall determine the commodities, contract months and time periods during which TAS, TAM and MO transactions shall be permitted.

524.A. Trading at Settlement ("TAS") Transactions

The following shall govern TAS transactions:

1. TAS transactions executed in the pit must be made open and competitively pursuant to the requirements of Rule 521 during the hours designated for pit trading in the particular contract and must be identified as such on the member's trading records.
2. TAS orders may be entered on Globex at any time the applicable contracts are available for TAS trading on Globex and during each TAS contract's prescribed pre-open time period. The initiation of any TAS order on Globex outside these time periods is prohibited.
3. TAS-eligible commodities and contract months may be executed as block trades pursuant to the requirements of Rule 526 except that TAS block trades may not be executed on the last day of trading in an expiring contract.
4. TAS transactions may be executed at the current day's settlement price or at any valid price increment ten ticks higher or lower than the settlement price.

524.B. Trading at Marker ("TAM") Transactions

The following shall govern TAM transactions:

1. TAM orders may be entered on Globex at any time the applicable contracts are available for TAM trading on Globex and during each TAM contract's prescribed pre-open time period. The initiation of any TAM order on Globex outside these time periods is prohibited.
2. TAM transactions may be executed at the current day's applicable marker price or at any valid price increment ten ticks higher or lower than the applicable marker price.

524.B.C. Matched Order ("MO") Transactions

[The remainder of the Rule is unchanged.]

If you have any questions regarding the revisions, please contact Robert Sniegowski, Market Regulation, at 312.341.5991. Alternatively, you may contact me at 312.930.8167. Please reference NYMEX Submission #11-212 in any related correspondence.

Sincerely,

/s/ Sean Downey
Associate Director & Assistant General Counsel

MARKET REGULATION ADVISORY NOTICE

Exchange	NYMEX & COMEX
Subject	Trading at Settlement ("TAS"), Trading at Marker ("TAM") and Matched Order ("MO") Transactions
Rule References	Rule 524
Advisory Date	June 6, 2011
Advisory Number	NYMEX & COMEX RA1105-4
Effective Date	June 13, 2011

This Advisory Notice supersedes NYMEX & COMEX Market Regulation Advisory Notice RA1104-4 from April 4, 2011, and is being issued based on the introduction of Trading at Marker ("TAM") trading on CME Globex based on the London market close at 4:30 p.m. London time ("LT"). TAM trading will be available in the first three contract months of NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, RBOB Gasoline and Brent Crude Oil Last Day Financial futures, and in intra-commodity spreads between the first and second, first and third and second and third contract months in those products. **TAM trading will launch on Monday, June 13, 2011.**

TAM trading is analogous to existing Trading at Settlement ("TAS") trading wherein parties are permitted to trade at a differential to a not-yet-known price. TAM trading will use a marker price, whereas TAS trading uses the Exchange-determined settlement price for the applicable contract month. The initial marker price for purposes of TAM trading on CME Globex will be the London market close, which corresponds to 4:30 p.m. LT.

For TAM trading in NYMEX Brent Crude Oil Last Day Financial futures, the marker price will represent a weighted average of trades in the ICE Brent Crude Futures Minute Marker from 4:29 – 4:30 p.m. LT.

For TAM trading in NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil and RBOB Gasoline futures, the marker price in the front month will be the volume weighted average price ("VWAP") of outright trades on CME Globex for the one-minute period from 4:29 – 4:30 p.m. LT, rounded to the nearest tradable tick. The marker price in the second and third contract months will be based on prices implied from the VWAPs of the one-month and two-month spreads that are traded on CME Globex during the one-minute period from 4:29 – 4:30 p.m. LT, subject to certain volume thresholds. Additional information on the determination of the TAM prices is set forth in today's release of CME Group Special Executive Report S-5788.

As with TAS trading, parties will be able to enter TAM orders at the TAM price or at a differential between one and ten ticks higher or lower than the TAM price. TAM trading in these four products will be available exclusively on CME Globex.

The list of TAS- and TAM-eligible products and contract months appear in Sections 6 and 7 and the revised text of Rule 524 appears in Section 8 of this Advisory Notice.

1. General Information on TAS, TAM and MO Transactions

TAS transactions may be executed at the current day's settlement price or at any valid price increment ten ticks higher or lower than the settlement price, and, depending on the particular product, may be executed in the pit, on CME Globex, or as a block trade.

TAM transactions may be executed at the current day's marker price or at any valid price increment ten ticks higher or lower than the marker price. TAM transactions may occur only on CME Globex.

MO transactions in pit-traded Copper futures are transactions which are priced at that day's settlement price for the contract.

All market participants are reminded that any trading activity that is intended to unfairly affect or to attempt to unfairly affect a settlement or marker price to benefit a TAS, TAM or MO position, including a TAS block position, will subject the member and/or the market participant to disciplinary action for any of a number of rule violations, including, but not limited to:

- price manipulation or attempted price manipulation
- wash trading
- conduct substantially detrimental to the interests or welfare of the exchange

Any Market Regulation Department investigation of suspected manipulative pricing involving TAS, TAM or MO trades will include review of such positions acquired by market participants and **whether the offset of those positions during the close or during the time period used to determine a marker price was disruptive, collusive, and/or caused or attempted to cause aberrant price movement during these periods.**

2. Entry of TAS and TAM Orders on CME Globex

Rule 524 permits the initiation of TAS and TAM orders into CME Globex only subsequent to the beginning of each group's pre-open state and during the time period the applicable contracts are available for TAS or TAM trading on CME Globex. The initiation of any TAS or TAM order on CME Globex outside of these time periods is strictly prohibited.

Any market participant who initiates the entry of a TAS or TAM order prior to receipt of the market status message will be subject to disciplinary action by a panel of the Business Conduct Committee, notwithstanding that the order may have been rejected by the CME Globex system. Sanctions for noncompliance may include a fine, disgorgement of any profits realized as a result of any orders accepted by CME Globex which were initiated prior to receipt of the security status message and/or a suspension of access to the market. Market participants must ensure that they have appropriate protocols in place to ensure that TAS and TAM orders are not initiated prior to receipt of the security status message.

3. TAS and TAM Calendar Spreads

Intra-commodity calendar spreads in the nearby month/second month spread, the second month/third month spread and the nearby month/third month spread in Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, Henry Hub Natural Gas and RBOB Gasoline futures may be executed on CME Globex or on the trading floor and priced at TAS.

Intra-commodity calendar spreads in the nearby month/second month spread, the second month/third month spread and the nearby/third month spread in Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, RBOB Gasoline and Brent Crude Oil Last Day Financial futures may be executed on CME Globex and priced at TAM.

The pricing of the legs of a TAS or TAM calendar spread will be calculated as follows:

- The nearby leg of the spread will always be priced at the settlement or marker price, as applicable, for that contract month.
- The far leg of the spread will be priced at the settlement or marker price, as applicable, for that contract **minus** the allowable TAS or TAM price increment traded (negative 10 through positive 10), except in circumstances where the traded TAS or TAM price is the actual settlement price of the contract.

Example 1:

A July 2011/August 2011 (N/Q) Light Sweet Crude Oil calendar spread trades at TAS -1. Assume the July contract settles at 99.59 and the August contract settles at 100.06.

The July leg will be priced at the July settlement price of 99.59. The August leg will be priced at 100.07, which is the August settlement price of 100.06 minus the TAS price increment of -1 (100.06 minus -.01 = 100.07).

Example 2:

A July 2011/August 2011 (N/Q) New York Harbor No. 2 Heating Oil calendar spread trades at TAM +/- 0. Assume the July marker price is 2.9213 and the August marker price is 2.9350.

The July leg will be priced at the July marker price of 2.9213. The August leg will be priced at 2.9350, which is the August marker price.

Example 3:

A June 2011/August 2011 (M/Q) Henry Hub Natural Gas calendar spread trades at TAS +3. Assume the June contract settles at 4.345 and the August contract settles at 4.437.

The June leg will be priced at the June settlement price of 4.345. The August leg will be priced at 4.434, which is the August settlement price of 4.437 minus the TAS price increment of +3 (4.437 minus +.003 = 4.434).

4. TAS on Gold, Silver and Copper Futures

TAS transactions are currently allowed in the active contract month in Gold and Silver futures. Effective on January 23, TAS transactions will be allowed in the first active contract month in Copper futures trading on CME Globex. **TAS transactions are not allowed in any pit-traded Copper futures contract month.**

In Gold futures, TAS trades are permitted in the following active contract months: February, April, June, August, and December. Accordingly:

When the February contract becomes spot, the April contract becomes the TAS-eligible month;
 When the April contract becomes spot, the June contract becomes the TAS-eligible month;
 When the June contract becomes spot, the August contract becomes the TAS-eligible month;
 When the August contract becomes spot, the December contract becomes the TAS-eligible month; and

When the December contract becomes spot, the February contract becomes the TAS-eligible month.

In Silver futures, TAS trades are permitted in the following active contract months, and, effective January 23, 2011, TAS trades in Copper futures will be permitted in the following active contract months: March, May, July, September and December. Accordingly:

When the March contract becomes spot, the May contract becomes the TAS-eligible month;

When the May contract becomes spot, the July contract becomes the TAS-eligible month;

When the July contract becomes spot, the September contract becomes the TAS-eligible month;

When the September contract becomes spot, the December contract becomes the TAS-eligible month; and

When the December contract becomes spot, the March contract becomes the TAS-eligible month.

5. MO Transactions in Pit-Traded Copper Futures

MO transactions in Copper futures are open outcry trades competitively executed in the Copper futures pit where the trade is priced at that day's settlement price for the contract. MO transactions in Copper futures are eligible to be executed in the spot month and the next six consecutive contract months. Additionally, with the exception of the post close session, members may execute an MO order at any time the Copper futures pit is open for trading, provided that the order is placed as an MO order. Regular trading hours for open outcry trading in the Copper futures pit are from 8:10 a.m. until 1:00 p.m. Eastern Time ("ET").

Instructions to execute the order as an MO must be denoted on the order and members must identify an order executed as an MO on their trading record.

An order entered as an MO will be executed by the floor broker as a Market on Close order if the order is not previously executed as an MO or specifically designated to be executed only as an MO. An instruction to execute an order only as an MO must be communicated at the time the order is placed.

6. TAS-Eligible Products and Contract Months

Pit-Traded Contracts

Light Sweet Crude Oil

spot (except on the last trading day), 2nd, 3rd and 7th months

nearby/second month, second/third month and nearby/third month calendar spreads

Brent Crude Oil Last Day Financial

spot (except on the last trading day)

New York Harbor No. 2 Heating Oil

spot (except on the last trading day), 2nd and 3rd months

nearby/second month, second/third month and nearby/third month calendar spreads

Henry Hub Natural Gas

spot (except on the last trading day), 2nd and 3rd months

nearby/second month, second/third month and nearby/third month calendar spreads

Pit-Traded Contracts - continued

Henry Hub Natural Gas Swap

spot (except on the last trading day), 2nd and 3rd months

RBOB Gasoline

spot (except on the last trading day), 2nd and 3rd months
nearby/second month, second/third month and nearby/third month calendar spreads

European Gasoil (ICE)

spot (except on the last trading day), 2nd and 3rd months

NYMEX Crude Oil Backwardation/Contango (B/C) Index

spot (except on the last trading day)

NYMEX Crude Oil MACI Index

spot (except on the last trading day)

COMEX Gold

February, April, June, August and December contract months (first active month only)

COMEX Silver

March, May, July, September and December contract months (first active month only)

CME Globex Contracts

For compliance and enforcement purposes, the start of a TAS pre-open period is defined by receipt of the security status message indicating that the group has transitioned to the pre-open state and the end of a TAS trading session is defined by receipt of the security status message indicating that group is closed.

TAS orders may not be entered into CME Globex from the end of a TAS trading session until receipt of the security status message indicating that the group has transitioned to the pre-open state.

Commodity Code on CME Globex	Product Name and Contract Months	Cleared Product
CLT	Light Sweet Crude Oil spot (except on the last trading day), 2 nd , 3 rd and 7 th months and nearby/second month, second/third month and nearby/third month calendar spreads	CL
BZT	Brent Crude Oil Last Day Financial spot (except on the last trading day)	BZ
BBT	Brent Crude Oil Penultimate Financial Spot, 2 nd and 3 rd months	BB

Commodity Code on CME Globex	Product Name and Contract Months	Cleared Product
HOT	New York Harbor No. 2. Heating Oil spot (except on the last trading day, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads)	HO
NGT	Henry Hub Natural Gas spot (except on the last trading day), 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	NG
NNT	Henry Hub Natural Gas Swap spot (except on the last trading day), 2 nd and 3 rd months	NN
RBT	RBOB Gasoline spot (except on the last trading day), 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	RB
7FT	European Gasoil (ICE) spot (except on the last trading day), 2 nd and 3 rd months	7F
KTT	NYMEX Coffee spot (except on the last trading day)	KT
CJT	NYMEX Cocoa spot (except on the last trading day)	CJ
TTT	NYMEX Cotton spot (except on the last trading day)	TT
YOT	NYMEX No. 11 Sugar spot (except on the last trading day)	YO
XCT	NYMEX Crude Oil MACI Index spot (except on the last trading day)	XC
RET	REBCO spot (except on the last trading day), 2 nd and 3 rd months	RE
GCT	COMEX Gold February, April, June, August and December contract months (first active month only)	GC
SIT	COMEX Silver March, May, July, September and December contract months (first active month only)	SI
HGT	COMEX Copper March, May, July, September and December contract months (first active month only)	HG

7. TAM-Eligible Products and Contract Months on CME Globex

For compliance and enforcement purposes, the start of a TAM pre-open period is defined by receipt of the security status message indicating that the group has transitioned to the pre-open state and the end of a TAM trading session is defined by receipt of the security status message indicating that group is closed.

TAM orders may not be entered into CME Globex from the end of a TAM trading session until receipt of the security status message indicating that the group has transitioned to the pre-open state.

Commodity Code on Product CME Globex	Product Name and Contract Months	Cleared
CLL	Light Sweet Crude Oil spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	CL
BZL	Brent Crude Oil Last Day Financial spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	BZ
HOL	New York Harbor No. 2. Heating Oil spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	HO
RBL	RBOB Gasoline spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	RB

Questions regarding this Advisory Notice may be directed to the following individuals in Market Regulation:

Nancy Minett, Director, Investigations, 212.299.2940

Russell Cloughen, Associate Director, Investigations, 212.299.2880

For media inquiries concerning this Advisory Notice, please contact CME Group Corporate Communications at 312.930.3434 or news@cmegroup.com.

8. Text of Rule 524

Trading at Settlement ("TAS"), Trading at Marker ("TAM") and Matched Order ("MO") Transactions

The Exchange shall determine the commodities, contract months and time periods during which TAS, TAM and MO transactions shall be permitted.

524.A. Trading at Settlement ("TAS") Transactions

The following shall govern TAS transactions:

1. TAS transactions executed in the pit must be made open and competitively pursuant to the requirements of Rule 521 during the hours designated for pit trading in the particular contract and must be identified as such on the member's trading records.
2. TAS orders may be entered on Globex at any time the applicable contracts are available for TAS

trading on Globex and during each TAS contract's prescribed pre-open time period. The initiation of any TAS order on Globex outside these time periods is prohibited.

3. TAS-eligible commodities and contract months may be executed as block trades pursuant to the requirements of Rule 526 except that TAS block trades may not be executed on the last day of trading in an expiring contract.
4. TAS transactions may be executed at the current day's settlement price or at any valid price increment ten ticks higher or lower than the settlement price.

524.B. Trading at Marker ("TAM") Transactions

The following shall govern TAM transactions:

1. TAM orders may be entered on Globex at any time the applicable contracts are available for TAM trading on Globex and during each TAM contract's prescribed pre-open time period. The initiation of any TAM order on Globex outside these time periods is prohibited.
2. TAM transactions may be executed at the current day's applicable marker price or at any valid price increment ten ticks higher or lower than the applicable marker price.

524.C. Matched Order ("MO") Transactions

MO transactions are open outcry trades competitively executed pursuant to Rule 521 where the price of the trade is that day's settlement price for the contract.

The following shall govern MO transactions:

1. Members may execute an MO at any time during pit trading hours except during the post close session. Members may execute an order as an MO provided the order is placed as an MO and such instructions are denoted on the order. An order entered as an MO will be executed during the closing period as a Market on Close order if not previously executed as an MO or specifically designated to be executed only as an MO. An order specifically designated for execution only as an MO must be designated as such at the time the order is placed.
2. Members must identify an order executed as an MO on their trading record.



Special Executive Report

DATE: June 6, 2011

SER#: 5788

SUBJECT: Trading at Marker (TAM) Based on the London Market Close for NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, RBOB Gasoline and Brent Crude Oil Last Day Financial Futures

Effective trade date Monday, June 13, 2011, the New York Mercantile Exchange, Inc. (NYMEX or Exchange) will introduce Trading at Marker (TAM) based on the London market close at 4:30 p.m. London time (or 11:30 Eastern time) trading exclusively on CME Globex in the first three contract months of NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil, RBOB Gasoline and Brent Crude Oil Last Day Financial futures, and in intra-commodity spreads between the first and second, first and third and second and third contract months in those products. This will provide a valuable hedging tool that will link the U.S. and European markets more closely. TAM trading will be conducted pursuant to NYMEX Rule 524 ("Trading at Settlement ("TAS"), Trading at Marker ("TAM") and Matched Order ("MO") Transactions").

Regulatory guidance on Rule 524 may be found in today's release of NYMEX & COMEX Market Regulation Advisory Notice RA1105-4.

TAM trading is analogous to our existing Trading at Settlement (TAS) trading wherein parties will be permitted to trade at a differential that represents a not-yet-known price. TAM trading will use a marker price, whereas TAS trading uses the Exchange-determined settlement price for the applicable contract month.

For TAM trading in NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil and RBOB Gasoline futures, the marker price in the front month will be the volume weighted average price (VWAP) of outright trades on CME Globex for the one-minute period from 4:29 – 4:30 p.m. London time, rounded to the nearest tradable tick. The marker price in the second and third contract months will be based on prices implied from the VWAPs of the one-month and two-month spreads that are traded on CME Globex during the one-minute period from 4:29 – 4:30 p.m. London time, subject to volume thresholds as detailed under *Settlement Procedures* below.

For TAM trading in NYMEX Brent Crude Oil Last Day Financial futures, the marker price will represent a weighted average of trades in the ICE Brent Crude Futures Minute Marker from 4:29 – 4:30 p.m. London time.

As with TAS trading, parties will be able to enter TAM orders at the TAM price or at a differential between one and ten ticks higher or lower than the TAM price. TAM trading in these four products will be available exclusively on CME Globex.

Market participants are prohibited from initiating the entry of any TAS or TAM order into CME Globex prior to receipt of the security status message sent via the FIX/FAST incremental feed identifying that the group has transitioned to the pre-open state.

TAM-Eligible Products and Contract Months on CME Globex

<u>Commodity Code on CME Globex</u>	<u>Product Name and Contract Months</u>	<u>Cleared Product</u>
CLL	Light Sweet Crude Oil CL spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	
BZL	Brent Crude Oil Last Day Financial spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	BZ
HOL	New York Harbor No. 2. Heating Oil spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	HO
RBL	RBOB Gasoline spot, 2 nd and 3 rd months and nearby/second month, second/third month and nearby/third month calendar spreads	RB

Settlement Procedures

In accordance with Exchange Rule 813 (Settlement Price), the first three contract months in NYMEX Light Sweet Crude Oil, New York Harbor No. 2 Heating Oil and RBOB Gasoline will be settled by Exchange staff based solely upon CME Globex activity during the one-minute period from 4:29 – 4:30 p.m. London time.

Exchange staff will settle the front month contract at the VWAP of the outright trades executed on CME Globex during the one-minute period from 4:29 – 4:30 p.m. London time, rounded to the nearest tradable tick. The second contract month will be settled to the price implied from the VWAP of the front month/second month spreads that are traded on CME Globex during the one-minute period from 4:29 – 4:30 p.m. London time, using the front month settlement as the anchor price.

The third contract month will be settled based on prices implied from the VWAPs of the one-month (e.g. July/August) and two-month (e.g. June/August) spreads that are traded on CME Globex during the one-minute period from 4:29 – 4:30 p.m. London time provided that certain volume thresholds are met. Additionally, a weighting factor will be employed such that an 85% weighting factor is given to the price implied from the one-month spread and a 15% weighting factor is given to the price implied from the two-month spread. The formula is presented below:

$$\frac{(((\text{Implied Price } 1 * \text{Volume}1) + (\text{Implied Price}2 * \text{Volume}2)) + ((\text{Implied Price}1 * W1) + (\text{Implied Price}2 * W2)))}{(\text{Volume}1 + \text{Volume}2) \quad (W1 + W2)}$$

2

The minimum volume thresholds for NYMEX Light Sweet Crude Oil will be 200 contracts for spreads used to settle the second month and 100 contracts for spreads used to settle the third month. The corresponding thresholds for Heating Oil and RBOB will be 50 and 25.

In the event that one of the spreads does not trade during the one-minute window, but volume in the other spread meets the volume threshold, then the settlement price will be the price implied by the spread that traded. If the combined volume of the component spreads does not meet the volume threshold, the midpoint of the best bids/offers in the relevant one- and two-month spreads at 4:30:00 p.m. London time will be used to imply prices for the contract, and the settlement price for that contract will be the weighted

average of the implied prices, with the one-month spread implied price receiving an 85% weighting, and the two-month spread implied price receiving a 15% weighting. The formula is presented below:

$$\frac{((\text{Implied Price1} * W1) + (\text{Implied Price2} * W2))}{(W1 + W2)}$$

Examples of the settlement methodology are presented below.

Crude Oil Example: Assume July 11 is the spot month

<u>Month</u>	<u>Settlement</u>	<u>Basis for Settlement</u>
N11	100.00	Volume = 4000, VWAP = 100.00 N is front month – use outright VWAP
Q11	101.00	N/Q volume = 2700; VWAP = -1.00 Spread volume > 200 – imply Q settlement from VWAP of spread: 100.00+1.00 = 101.00
U11	101.75	N/U volume = 375; VWAP = -1.76 Q/U volume = 680; VWAP = -0.75 -U spread volume is > 100 – imply U from 85%-15% weighted VWAP of spreads: -Imply U settlement from N = 100.00 + 1.76 = 101.76 -Imply U settlement from Q = 101.00 + 0.75 = 101.75
		$\frac{((101.76 * 375) + (101.75 * 680)) + ((101.76 * 0.15) + (101.75 * 0.85))}{(375 + 680) \quad (0.15 + 0.85)} = \mathbf{101.75}$

Heating Oil and RBOB Gasoline Example: Assume July 11 is the spot month

<u>Month</u>	<u>Settlement</u>	<u>Basis for Settlement</u>
N11	3.0000	Volume = 4000, VWAP = 3.0000 N is front month – use outright VWAP
Q11	3.0500	N/Q volume = 2700; VWAP = -0.0500 Spread volume > 200 – imply Q settlement from VWAP of spread: 3.0000+0.0500 = 3.0500
U11	3.1000	N/U volume = 375; VWAP = -0.0500 Q/U volume = 680; VWAP = -0.1000 -U spread volume is > 100 – imply U from 85%-15% weighted VWAP of spreads: -Imply U settlement from N = 3.0000 + 0.0500 = 3.0500 -Imply U settlement from Q = 3.0500 + 0.0500 = 3.1000
		$\frac{((3.0500 * 375) + (3.1000 * 680)) + ((3.0500 * 0.15) + (3.1000 * 0.85))}{(375 + 680) \quad (0.15 + 0.85)} = \mathbf{3.0822}$

2

Settlement on Last two (2) Trading Days: On the day before the spot month contract expires, both the front and second months will settle based on the VWAP of the outright CME Globex trades in the respective contracts executed between 4:29 and 4:30 p.m. London time. On these days, the next two months will settle based on the procedures outlined above.

On the day of expiration, the front month will settle based on the VWAP of the outright CME Globex trades executed between 4:29 and 4:30 p.m. London time, the second month will settle based on the VWAP of the outright CME Globex trades executed between 4:29 and 4:30 p.m. London time, and the next two months will settle based on the procedures outlined above.

In the absence of outright or spread trades during this period, the settlement price will be the best bid or best offer in the expiring contract at 4:30:00 p.m. London time, whichever is closer to the last trade price. If there is not a bid/offer pair in the expiring contract at that time, the settlement price will be the best bid or offer implied by the bid/offer in the spread at 4:30:00 p.m. London time, whichever is closer to the last outright trade price in the expiring contract.

Only bids and offers that remain active through expiration at 4:30:00 p.m. London time will be considered in these calculations. In the event there is insufficient activity to make the aforementioned calculations, staff may rely on earlier data or other available market information to determine an appropriate settlement price.

Notwithstanding the foregoing, in the event the aforementioned calculations described in this Special Executive Report cannot be made or if staff, in its sole discretion, determines that anomalous activity yields results that are not representative of the fair value of the contract, Exchange staff may determine an alternative settlement price.

Questions regarding this advisory may be directed to the following individuals:

Dan Brusstar, Director, Energy Research	212.299.2604
Bill Doherty, Director, Settlements	212.299.2925
Mike Cazakoff, Settlement Analyst	212.299.2934