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OFFICE OF THE SECRETARIAT
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June 9, 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 #09.97:
Notification of Amendments to NYMEX Rules 9A.26, 9A.27 and 9A.34
Related to Listing of Eighteen (18) New Electricity 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 eighteen (18) new electricity 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 15, 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.)

<u>Contract Name</u>	<u>Rule Chapter</u>	<u>Commodity Code</u>	<u>All Month Accountability Level</u>	<u>Any One Month Accountability Level</u>	<u>Expiration Month Limit</u>	<u>Reporting Level</u>	<u>Aggregate Info (1)</u>	<u>Aggregate Info (2)</u>
			<u>Rule 9A.26</u>	<u>Rule 9A.26</u>	<u>Rule 9A.27</u>	<u>Rule 9A.34</u>		
<i>ERCOT Broker Houston Index (ERCOT-Hou.) SNL Energy Power Daily</i>								
<u>ERCOT Houston Zone MCPE 50 MW Peak Swap Futures</u>	<u>186</u>	<u>2N</u>	<u>2,000</u>	<u>1,500</u>	<u>250</u>	<u>25</u>	<u>2N</u>	
<u>ERCOT Houston Zone MCPE 50 MW Peak Calendar-Day Swap Futures</u>	<u>188</u>	<u>2S</u>	<u>75</u>	<u>50</u>	<u>10</u>	<u>5</u>	<u>2N</u>	
<u>ERCOT Houston Zone MCPE 50 MW Off-Peak Swap Futures</u>	<u>187</u>	<u>2W</u>	<u>30,000</u>	<u>20,000</u>	<u>4,000</u>	<u>25</u>	<u>2W</u>	
<u>ERCOT Houston Zone MCPE 50 MW Off-Peak Calendar-Day Swap Futures</u>	<u>189</u>	<u>3E</u>	<u>1,500</u>	<u>1,000</u>	<u>200</u>	<u>25</u>	<u>2W</u>	
<u>ERCOT North Zone MCPE 50 MW Peak Swap Futures</u>	<u>190</u>	<u>2P</u>	<u>2,000</u>	<u>1,500</u>	<u>300</u>	<u>25</u>	<u>2P</u>	
<u>ERCOT North Zone MCPE 50 MW Peak Calendar-Day Swap Futures</u>	<u>196</u>	<u>2T</u>	<u>100</u>	<u>75</u>	<u>15</u>	<u>1</u>	<u>2P</u>	

<u>ERCOT North</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Swap Futures</u>	<u>195</u>	<u>2X</u>	<u>35,000</u>	<u>25,000</u>	<u>5,000</u>	<u>25</u>	<u>2X</u>	
<u>ERCOT North</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Calendar-Day</u> <u>Swap Futures</u>	<u>197</u>	<u>3F</u>	<u>2,000</u>	<u>1,500</u>	<u>250</u>	<u>5</u>	<u>2X</u>	
<u>ERCOT South</u> <u>Zone MCPE 50</u> <u>MW Peak Swap</u> <u>Futures</u>	<u>198</u>	<u>2Q</u>	<u>750</u>	<u>500</u>	<u>100</u>	<u>5</u>	<u>2Q</u>	
<u>ERCOT South</u> <u>Zone MCPE 50</u> <u>MW Peak</u> <u>Calendar-Day</u> <u>Swap Futures</u>	<u>201</u>	<u>2U</u>	<u>35</u>	<u>25</u>	<u>5</u>	<u>1</u>	<u>2Q</u>	
<u>ERCOT South</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Swap Futures</u>	<u>199</u>	<u>2Y</u>	<u>10,000</u>	<u>7,500</u>	<u>1,500</u>	<u>25</u>	<u>2Y</u>	
<u>ERCOT South</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Calendar-Day</u> <u>Swap Futures</u>	<u>202</u>	<u>3H</u>	<u>500</u>	<u>400</u>	<u>75</u>	<u>5</u>	<u>2Y</u>	
<u>ERCOT West</u> <u>Zone MCPE 50</u> <u>MW Peak Swap</u> <u>Futures</u>	<u>203</u>	<u>2R</u>	<u>900</u>	<u>600</u>	<u>125</u>	<u>5</u>	<u>2R</u>	
<u>ERCOT West</u> <u>Zone MCPE 50</u> <u>MW Peak</u> <u>Calendar-Day</u> <u>Swap Futures</u>	<u>205</u>	<u>2V</u>	<u>35</u>	<u>25</u>	<u>5</u>	<u>1</u>	<u>2R</u>	
<u>ERCOT West</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Swap Futures</u>	<u>204</u>	<u>3D</u>	<u>15,000</u>	<u>10,000</u>	<u>2,000</u>	<u>25</u>	<u>3D</u>	
<u>ERCOT West</u> <u>Zone MCPE 50</u> <u>MW Off-Peak</u> <u>Calendar-Day</u> <u>Swap Futures</u>	<u>208</u>	<u>3J</u>	<u>750</u>	<u>500</u>	<u>100</u>	<u>5</u>	<u>3D</u>	

<i>Midwest Independent Transmission System Operator, Inc. (MISO)</i>								
<u>Midwest ISO Illinois Hub 5 MW Peak Calendar-Month Day-Ahead LMP Swap Futures</u>	<u>184</u>	<u>4Q</u>	<u>5,000</u>	<u>4,000</u>	<u>750</u>	<u>25</u>	<u>4Q</u>	
<u>Midwest ISO Illinois Hub 5 MW Off-Peak Calendar-Month Day-Ahead LMP Swap Futures</u>	<u>185</u>	<u>4R</u>	<u>70,000</u>	<u>50,000</u>	<u>10,000</u>	<u>25</u>	<u>4R</u>	