



C.F.T.C.
OFFICE OF THE SECRETARIAT

June 11, 2009

2009 JUN 12 AM 8 47

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
#09.107: Notification of Amendments to NYMEX Rules 9A.26, 9A.27
and 9A.34 for Six (6) New Minute-Marker 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 six (6) new Crude Oil, RBOB Gasoline, and Heating Oil Minute-Marker 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)

<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 Into (1)</u>
			<u>Rule 9A.26</u>	<u>Rule 9A.26</u>	<u>Rule 9A.27</u>	<u>Rule 9A.34</u>	
<i>Petroleum</i>							
<i>USA</i>							
<i>Cushing, Oklahoma</i>							
<u>NYMEX Crude Oil Minute-Marker Futures</u>	<u>231</u>	<u>6C</u>	<u>20,000</u>	<u>10,000</u>	<u>3,000</u>	<u>25</u>	<u>4T</u>
<u>NYMEX Crude Oil Minute-Marker Calendar Month Swap Futures</u>	<u>232</u>	<u>4T</u>	<u>20,000</u>	<u>10,000</u>	<u>3,000</u>	<u>25</u>	<u>4T</u>
<i>New York Harbor</i>							
<u>NYMEX RBOB Gasoline Minute-Marker Futures</u>	<u>235</u>	<u>6R</u>	<u>7,000</u>	<u>5,000</u>	<u>1,000</u>	<u>25</u>	<u>5T</u>
<u>NYMEX RBOB Gasoline Minute-Marker Calendar Month Swap Futures</u>	<u>236</u>	<u>5T</u>	<u>7,000</u>	<u>5,000</u>	<u>1,000</u>	<u>25</u>	<u>5T</u>
<u>NYMEX Heating Oil Minute-Marker Futures</u>	<u>239</u>	<u>6H</u>	<u>7,000</u>	<u>5,000</u>	<u>1,000</u>	<u>25</u>	<u>7T</u>
<u>NYMEX Heating Oil Minute-Marker Calendar Month Swap Futures</u>	<u>240</u>	<u>7T</u>	<u>7,000</u>	<u>5,000</u>	<u>1,000</u>	<u>25</u>	<u>7T</u>