

June 16, 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 #09.114: Notification of Amendment to the  
Listing Date for Eight (8) Electricity Swap Futures Contracts  
on CME ClearPort®**

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 a change in the listing date for the following eight (8) electricity swap futures contracts listed for trading and for submission for clearing on CME ClearPort.

<b><u>CONTRACT</u></b>	<b><u>CODE</u></b>	<b><u>CHAPTER</u></b>
ERCOT Houston Zone MCPE 50 MW Peak Calendar-Day Swap Futures	2S	188
ERCOT Houston Zone MCPE 50 MW Off-Peak Calendar-Day Swap Futures	3E	189
ERCOT North Zone MCPE 50 MW Peak Calendar-Day Swap Futures	2T	196
ERCOT North Zone MCPE 50 MW Off-Peak Calendar-Day Swap Futures	3F	197
ERCOT South Zone MCPE 50 MW Peak Calendar-Day Swap Futures	2U	201
ERCOT South Zone MCPE 50 MW Off-Peak Calendar-Day Swap Futures	3H	202
ERCOT West Zone MCPE 50 MW Peak Calendar-Day Swap Futures	2V	205
ERCOT West Zone MCPE 50 MW Off-Peak Calendar-Day Swap Futures	3J	208

According to submission #09-101, filed with the Commission on June 9, 2009, the first listed contract day for the above-referenced, peak and off-peak, calendar-day, electricity swap futures contracts was scheduled to be July 1, 2009. Due to customer demand, the Exchange seeks to list the ERCOT calendar-day swap futures contracts beginning with the June 18, 2009 contract day. The daily ERCOT contracts will continue to list current month plus the next month.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the amendment to listing date complies with the Act, including regulations under the Act. The new listing date for these contracts will become effective on trade date June 18, 2009.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609, or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel