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OFFICE OF THE SECRETARIAT  
2009 JUL 8 PM 3 28  
July 7, 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  
#09.129: Notification of Rule Amendments to the Three Electricity  
Contracts Listed 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 amendments to Rules 635.07, 762.07, and 765.07. These amendments are made to rectify a clerical error contained in the final settlement rule for the following three contracts:

<u>Contract</u>	<u>Code</u>	<u>Chapter</u>
NYMEX PJM Calendar-Month LMP Swap (PJM Interconnection, LLC) Futures Contract	JM	635
Northern Illinois Hub Calendar-Month LMP Swap (PJM Interconnection, LLC) Contract	UM	762
NYMEX AEP-Dayton Hub Calendar-Month LMP Swap (PJM Interconnection, LLC) Contract	VM	765

These amendments will revise the final settlement rule for the three electricity futures contracts such that the cash settlement for a peak day that is not a business day is calculated on the *following* day as it is not possible for cash settlement to be calculated on the *preceding* day.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached amendments comply with the Act, including regulations under the Act. The attached amendments will become effective on trade date Thursday, July 9, 2009.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609 or me at (312) 338-2483.

Sincerely,

/s/ Lisa A. Dunsky  
Director and Associate General Counsel

Attachment: Rule Amendments

## Rule Amendments

(bold/underline indicates insertion; strikethrough indicates deletion)

### **NYMEX PJM Calendar-Month LMP Swap (PJM Interconnection, LLC) Futures Contract**

#### **635.07 Final Settlement**

Delivery under the NYMEX PJM Calendar-Month LMP Swap contract shall be by cash settlement. Cash Settlement will take place in accordance with the following.

Starting with the close of trading on the peak day prior to the contract month, the daily flow (equal to 40 MWH) corresponding to the following peak day is subtracted from the quantity of each contract every business day until contract termination. The subtracted quantity is cash-settled based on the Daily Floating Price for the corresponding peak day.

For peak days that are not also business days, subtraction of the daily flow corresponding to the peak day will take place on the business day immediately ~~preceding~~ **following** this (these) day(s).

~~In the event a business day is not also a peak day, no subtraction of a daily flow will be performed on the business day immediately prior.~~

### **Northern Illinois Hub Calendar-Month LMP Swap (PJM Interconnection, LLC) Contract**

#### **762.07 Final Settlement**

Delivery under the NYMEX Northern Illinois Hub Calendar-Month LMP Swap contract shall be by cash settlement. Beginning with the peak day prior to the beginning of the contract month, cash settlement with liquidation will be performed for a proportionate number of outstanding contracts for each position holder each day based on the number of remaining peak days in the contract month. The proportion will equal the ratio of one (1) to the number of remaining peak days. The cash-settlement price will be based on the Daily Floating Price which is determined for ~~that~~ **the following** peak day.

For peak days that are not also business days, cash-settlement will take place on the business day immediately ~~preceding~~ **following** this (these) day(s) separately, and in chronological succession, for each such peak day up to and including the next coincident peak day and business day.

~~In the event a business day is not also a peak day, no cash settlement will be performed on the business day immediately prior. Cash settlement will be resumed on the business day that immediately precedes the next coincident peak day and business day.~~

### **NYMEX AEP-Dayton Hub Calendar-Month LMP Swap (PJM Interconnection, LLC) Contract**

#### **765.07 Final Settlement**

Delivery under the NYMEX AEP-Dayton Hub Calendar-Month LMP Swap contract shall be by cash settlement. Cash Settlement will take place in accordance with the following.

Starting with the close of trading on the peak day prior to the contract month, the daily flow (equal to 40 MWH) corresponding to the following peak day is subtracted from the quantity of each contract every business day until contract termination. The subtracted quantity is cash-settled based on the Daily Floating Price for the corresponding peak day.

For peak days that are not also business days, subtraction of the daily flow corresponding to the peak day will take place on the business day immediately ~~preceding~~ **following** this (these) day(s).

~~In the event a business day is not also a peak day, no subtraction of a daily flow will be performed on the business day immediately prior.~~