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OFFICE OF THE SECRETARIAT  
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July 27, 2010

**VIA EMAIL**

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

**RE: Rule Certification. New York Mercantile Exchange, Inc. Submission  
# 10-225: Notification of Amendments to Three Dow Jones  
Electricity Futures Contracts**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") hereby notifies the Commodity Futures Trading Commission of amendments to the floating price rules (758.02, 759.02, and 761.02) for the Dow Jones Palo Verde Electricity Price Index 5 MW Peak and Off-Peak Swap Futures and the Dow Jones Mead/Marketplace Electricity Price Index 5 MW Off-Peak Swap Futures. The amendments are intended to remove references to the specific switchyards in the floating price rules and are administrative in nature. These changes do not affect the valuation of the contracts and the contracts have no open interest.

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 July 29, 2010.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609, or the undersigned at (212) 299-2207.

Sincerely,

/s/Brian Regan  
Managing Director and Regulatory Counsel

(UNDERSCORE denotes addition; ~~Strikethrough~~ denotes deletion)

### Chapter 758

#### Dow Jones Palo Verde Electricity Price Index 5 MW Peak Swap Futures

##### 758.02. FLOATING PRICE

The "Floating Price" will be determined for each contract month as follows:

The Floating Price will be equal to the arithmetic average of all daily prices in the contract month of the Dow Jones Palo Verde Electricity Price Index<sup>SM</sup> (the "Index"), as published by CME Group Index Services LLC, for Firm Energy traded during Peak Hours (each as defined in Rule 758.03) (the "Firm On-peak Index").

The Firm On-peak Index averages together blocks of power sold in bilateral, wholesale, physical transactions for power (~~from both Palo Verde and Westwing in Arizona~~) on a day-ahead pre-scheduled basis, and does not include real-time power. Transactions included in the Firm On-peak Index are limited to power traded in 16-hour blocks during Peak Hours. Transactions are quoted in dollars per megawatt hour (\$/MWH). The daily price of the Firm On-peak Index corresponds to transactions for power delivered on such date.

### Chapter 759

#### Dow Jones Palo Verde Electricity Price Index 5 MW Off-Peak Swap Futures

##### 759.02. FLOATING PRICE

The "Floating Price" will be determined for each contract month as follows:

The Floating Price will be equal to the arithmetic average of all daily prices in the contract month of the Dow Jones Palo Verde Electricity Price Index<sup>SM</sup> (the "Index"), as published by CME Group Index Services LLC, for Firm Energy traded during Off-Peak Hours (each as defined in Rule 759.03) (the "Firm Off-peak Index").

The Firm Off-peak Index averages together blocks of power sold in bilateral, wholesale, physical transactions for power (~~from both Palo Verde and Westwing in Arizona~~) on a day-ahead pre-scheduled basis, and does not include real-time power. Transactions included in the Firm Off-peak Index are limited to power traded, (A) on Peak Days, in 8-hour blocks during Off-Peak Hours, and (B) on Sundays, in 24-hour blocks. Transactions are quoted in dollars per megawatt hour (\$/MWH). The daily price of the Firm Off-peak Index corresponds to transactions for power delivered on such date.

### Chapter 761

#### Dow Jones Mead/Marketplace Electricity Price Index 5 MW Off-Peak Swap Futures

##### 761.02. FLOATING PRICE

The "Floating Price" will be determined for each contract month as follows:

The Floating Price will be equal to the arithmetic average of all daily prices in the contract month of the Dow Jones Mead/Marketplace Electricity Price Index<sup>SM</sup> (the "Index"), as published by CME Group Index Services LLC, for Firm Energy traded during Off-Peak Hours (each as defined in Rule 761.03) (the "Firm Off-peak Index").

The Firm Off-peak Index averages together blocks of power sold in bilateral, wholesale, physical transactions for power (~~from both Mead/Marketplace and Westwing in Arizona~~) on a day-ahead pre-scheduled basis, and does not include real-time power. Transactions included in the Firm Off-peak Index are limited to power traded, (A) on Peak Days, in 8-hour blocks during Off-Peak Hours, and (B) on Sundays, in 24-hour blocks. Transactions are quoted in dollars per megawatt

hour (\$/MWH). The daily price of the Firm Off-peak Index corresponds to transactions for power delivered on such date.