



Sean M. Downey  
Director and Assistant General Counsel  
Legal Department

August 17, 2012

**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 40.6(a) Certification. Notification Regarding an Amendment to the  
Freight Route TD3 (Baltic) Swap Futures Contract  
NYMEX Submission #12-259**

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 an amendment to the floating price rule for the Freight Route TD3 (Baltic) Swap Futures contract (code TL, rule chapter 684). The Exchange is self-certifying the amendment to Rule 684.02 ("Floating Price") in order to revise the description of the route contained within the rule chapter in conformance with the definition at the Baltic Exchange.

NYMEX business staff responsible for the rule amendments and the Exchange legal department collectively reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act (the "Act" or "CEA"). During the review, Exchange staff identified that the amendment to the floating price for the Freight Route TD3 (Baltic) Swap contract may have some bearing on the following Core Principle:

**Availability of General Information** — The information contained herein will be disseminated to the marketplace via Special Executive Report. The Exchange will publish information on the contract's specifications on its website, together with daily trading volume, open interest and price information.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6 (a), the Exchange hereby certifies that rule amendment complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal. This amendment shall become effective Monday, September 3, 2012, for trade date Tuesday, September 4, 2012.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

Should you have any questions concerning the above, please contact the undersigned at (312) 930-8167 or [Sean.Downey@cmegroup.com](mailto:Sean.Downey@cmegroup.com).

Sincerely,

/s/Sean M. Downey  
Director and Assistant General Counsel

Attachments Appendix A – TL Rule Amendment

# Appendix A

(bold/underline indicates addition; ~~strikethrough~~ indicates deletion)

## Chapter 684 Freight Route TD3 (Baltic) Swap Futures

### 684.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the rates for each business day that the TD3 Tanker Route (for ~~260,000~~ 250,000 metric tons for ~~Middle East Gulf Arab~~ Gulf to Japan) is published by the Baltic Exchange over the contract month. If for any reason the Baltic Exchange cannot provide any rate required for establishing the Floating Price, then the Forward Freight Agreement Brokers Association (FFABA) may be instructed by either party to form a panel to establish any rate which will be binding on both parties.