



August 21, 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

2009 AUG 21 PM 4 45  
OFFICE OF THE SECRETARIAT  
C.F.T.C.

**Re: Rule Certification. New York Mercantile Exchange, Inc.  
Submission # 09-154R: Revision to Submission 09-154 to  
Amend Listing of First Contract Month for European Gasoil (ICE)  
Futures Contract Listed on Globex® for Trading and on CME  
ClearPort® for Submission for Clearing**

Dear Mr. Stawick:

Previously, by letter dated August 20, 2009, the New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") notified the Commodity Futures Trading Commission ("CFTC" or "Commission") that it was self-certifying the listing of European Gasoil (ICE) Futures contract beginning with the September 2009 contract month for trading on Globex and for submission for clearing on CME ClearPort effective Monday, August 24, 2009. This letter revises submission 09-154 in order to amend the listing of the first contract month. The first listed month for this contract shall be the October 2009 contract month. The European Gasoil (ICE) Futures contract will continue to be listed for 36 consecutive contract months.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the amendment to the first listed contract month complies with the Act, including regulations under the Act. The effective date of this listing shall be August 24, 2009.

Should you have any questions concerning the above, please contact Daniel Brusstar at (212) 299-2604 or me at (312) 648-5422.

Sincerely,

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