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OFFICE OF THE SECRETARIAT
2009 SEP 1 PM 12 04

August 31, 2009

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

**RE: NYMEX & COMEX Market Regulation Advisory Notice RA0907-4
NYMEX Submission No. 09-189**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") hereby notifies the Commodity Futures Trading Commission that it will issue NYMEX & COMEX Market Regulation Advisory Notice RA0907-4 on September 1, 2009, informing the NYMEX and COMEX membership about the upcoming September 14, 2009, adoption of new Rule 524 ("Trading at Settlement ("TAS") and Matched Order ("MO") Transactions") resulting from the harmonization of NYMEX and COMEX trade practice rules with the rules of CME and CBOT. The Advisory Notice presents the text of the new rule and includes information on those products and contract months in which TAS and MO transactions are permitted.

A copy of the Advisory Notice appears on the next page.

The Exchange certifies that the Advisory Notice complies with the Commodity Exchange Act and regulations thereunder.

If you have any questions regarding the Advisory Notice, please contact Robert Sniegowski, Market Regulation, at 312.341.5991 or me at 312.648.5422. Please reference NYMEX Submission No. 09-189 in any related correspondence.

Sincerely,

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

MARKET REGULATION ADVISORY NOTICE

Exchange	NYMEX & COMEX
Subject	Trading at Settlement and Matched Order Transactions
Rule References	Rule 524
Advisory Date	September 1, 2009
Advisory Number	NYMEX & COMEX RA0907-4
Effective Date	September 14, 2009

Effective September 14, 2009, NYMEX & COMEX will adopt new Rule 524 ("Trading at Settlement ("TAS") and Matched Order ("MO") Transactions") as a result of the harmonization of NYMEX and COMEX trade practice rules with the rules of CME and CBOT. On that date, new Rule 524 will replace Rules 6.40B, 11G.30 and 104.42.

The commodities and contract months in which TAS and MO transactions may take place are set forth below, followed by the text of the rule.

Trading at Settlement ("TAS") Transactions

TAS transactions may take place in the following futures contract months:

Pit-Traded Contracts

- Light "Sweet" Crude Oil** – spot (except on the last trading day), 2nd, 3rd and 7th months
- New York Harbor No. 2 Heating Oil** – spot (except on the last trading day), 2nd and 3rd months
- Natural Gas** – spot (except on the last trading day), 2nd and 3rd months
- NY Harbor Gasoline Blendstock (RBOB)** – spot (except on the last trading day), 2nd and 3rd months

CME Globex Contracts

Commodity Code on CME Globex	Name & Contract Months	Cleared Product
WST	WTI Crude Oil Financial – spot, 2 nd and 3 rd months	WS
RTT	RBOB Gasoline Financial – spot, 2 nd and 3 rd months	RT
BHT	Heating Oil Financial – spot, 2 nd and 3 rd months	BH
HPT	Natural Gas Financial – spot, 2 nd and 3 rd months	HP
HHT	Natural Gas Financial (Last Day) – spot, 2 nd and 3 rd months	HH
BBT	Brent Crude Oil Financial – spot, 2 nd and 3 rd months	BB
CLT	Light "Sweet" Crude Oil	CL
	spot (except on the last trading day), 2 nd , 3 rd and 7 th months	
HOT	Heating Oil	HO
	spot (except on the last trading day, 2 nd and 3 rd months	

NGT	Natural Gas spot (except on the last trading day), 2 nd and 3 rd months	NG
RBT	RBOB Gasoline spot (except on the last trading day), 2 nd and 3 rd months	RB
RET	REBCO spot (except on the last trading day), 2 nd and 3 rd months	RE

Matched Orders (“MO”)

MO transactions may take place in the following pit-traded futures contract months:

Copper – spot and next four consecutive months

Aluminum – spot and next four consecutive months

Questions regarding this Advisory Notice may be directed to the following individuals in Market Regulation:

Nancy Minett, Director, 212.299.2940
Russell Cloughen, Associate Director, 212.299.2880

Rule 524 (“Trading at Settlement (“TAS”) and Matched Order (“MO”) Transactions”)

The Exchange shall determine the commodities, contract months and time periods during which TAS and MO transactions shall be permitted.

524.A. Trading at Settlement (“TAS”) Transactions

The following shall govern TAS transactions:

1. TAS transactions executed in the pit must be made open and competitively pursuant to the requirements of Rule 521 during the hours designated for pit trading in the particular contract and must be identified as such on the member’s trading records.
2. TAS transactions on Globex may take place at any time the applicable contracts are available for trading on Globex.
3. TAS-eligible commodities and contract months may be executed as block trades pursuant to the requirements of Rule 526 except that TAS block trades may not be executed on the last day of trading in an expiring contract.
4. TAS transactions may be executed at the current day’s settlement price or at any valid price increment ten ticks higher or lower than the settlement price.

524.B. Matched Order (“MO”) Transactions

The following shall govern MO transactions:

1. The price of the MO will be the settlement price for that contract.
2. Only Market on Close (“MOC”) orders are eligible to trade as an MO. Members may execute an MOC order during an eligible MO time period as an MO unless specific instructions to the contrary are provided, and such instructions are denoted on the order. Failure to enter specific instructions when placing the MOC order will forfeit a customer’s right to cancel the MOC, in whole or in part, if the order or any portion of the order has been previously executed. An MOC order executed as an MO must be reported to the customer as an MO upon execution. An order entered as an MO will be executed during the closing period as an MOC order if not previously executed as an MO or specifically designated to be executed only as an MO. An order specifically designated for execution only as an MO must be designated as such at the time the order is placed.
3. Members must identify an MOC order executed as an MO on their trading record.