

September 1, 2009

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OFFICE OF THE SECRETARIAT
C.F.T.C.

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. NYMEX Submission No. 09-188 (REVISED): Notification of a New NYMEX incentive program for NYMEX environmental products.

Dear Mr. Stawick:

By letter dated yesterday, the New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") notified the Commodity Futures Trading Commission ("CFTC" or "Commission") that it was self-certifying two new NYMEX incentive programs for all currently listed NYMEX environmental futures and options contracts. Following discussion with CFTC staff, the Exchange has determined to defer one of these programs in order to allow opportunity for further review and discussion with CFTC staff.

Consequently, the purpose of this letter is to confirm that the sole new incentive program being launched at this time is a fee holiday of short duration from Exchange fees. Specifically, under this program, commencing September 2, there will be a three (3) month fee holiday for all volume transacted on, or submitted subject, to NYMEX rules in these contracts. This program will be open to all market participants. For this program, entities that are Founding Members in the Green Exchange venture must fulfill certain conditions prior to being eligible for these programs.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that this new program complies with the Act, including regulations under the Act. This program will be made effective on September 2, 2009.

If you have any questions regarding this program, please contact me at (212) 299-2207. Please reference this revised version of NYMEX Submission No. 09-188 in any related correspondence.

Sincerely,

/s/ Brian Regan
Managing Director, Regulatory Counsel