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September 19, 2011

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. New York Mercantile Exchange, Inc. Submission #11-346:
Notification Regarding the Listing of ICE Brent (Singapore Marker) Swap Futures
for Open Outcry Trading and for Clearing through CME ClearPort®**

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 the listing of ICE Brent (Singapore Marker) Swap Futures (Chapter 1122) for open outcry trading and for submission for clearing through CME ClearPort® beginning at 6:00 p.m. on Sunday, September 25, 2011 for trade date Monday, September 26, 2011.

The product specifications are as follows:

Contract	Code	Rule Chapter
ICE Brent (Singapore Marker) Swap Futures	IBS	1122

- **First Listed Month:** October 2011
- **Listing Period:** 18 consecutive calendar months
- **Contract Size:** 1,000 barrels
- **Termination of Trading:** Trading shall cease on the last business day of the contract month
- **Minimum Price Tick:** \$0.001 per barrel
- **Value per Tick:** \$1 per barrel
- **Final Settlement Price:** minimum settlement tick = \$0.001 per barrel
- **Trading and Clearing Hours:**
CME ClearPort: Sunday – Friday 6:00 p.m. – 5:15 p.m. (5:00 p.m. – 4:15 p.m. Chicago Time/CT) with a 45-minute break each day beginning at 5:15 p.m. (4:15 p.m. CT).
Open Outcry: Monday – Friday 9:00 a.m. – 2:30 p.m. (8:00 a.m. – 1:30 p.m. CT).
- **Fees:**

Exchange Fees					
	Member Day	Member	Cross Division	Non-Member	IIP
Pit	n/a	\$0.85	\$1.05	\$1.25	
Globex	n/a	n/a	n/a	n/a	n/a
ClearPort		\$0.85		\$1.25	

Processing Fees		
	Member	Non-Member
Cash Settlement	\$0.85	\$1.25
Futures from E/A	n/a	n/a
	House Acct	Cust Acct
Options E/A Notice	n/a	n/a
Delivery Notice	n/a	n/a
Additional Fees and Surcharges		
EFS Surcharge	\$0.00	
Block Surcharge	\$0.00	
Facilitation Desk Fee	\$0.20	

The Exchange will allow the exchange for related position (EFRP) transactions to be submitted through CME ClearPort. EFRP transactions in this futures contract will be governed by the provisions of Exchange Rule 538.

The Exchange is also notifying the CFTC that it is self-certifying the insertion of the terms and conditions for the new petroleum futures contract into the Position Limit, Position Accountability and Reportable Level Table and Header Notes located in the Interpretations and Special Notices Section of Chapter 5 of the NYMEX Rulebook in relation to the listing of the new contract. These terms and conditions establish the all month/any one month accountability levels, expiration month position limit, reportable level, and aggregation allocation for the new contract.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rules 40.2 and 40.6, the Exchange hereby certifies that the attached contract complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal. This submission will be made effective on trade date September 26, 2011.

Should you have any questions concerning the above, please contact Owain Johnson on +65 6593 5568, cellphone +65 9154 1059, or owain.johnson@cmegroup.com, or the undersigned at (212) 299-2207, (347) 463-5347 or Felix.Khalatnikov@cmegroup.com.

Sincerely,

/s/Felix Khalatnikov
Dir & Assoc General Counsel

Attachments: Appendix A: Rule Chapter
Appendix B: Chapter 5 Table
Appendix C: Cash Market Overview and Analysis of Deliverable Supply

Chapter 1122
ICE Brent (Singapore Marker) Swap Futures

1122100. SCOPE OF CHAPTER

The provisions of these rules shall apply to all futures contracts bought or sold on the Exchange for cash settlement based on the Floating Price. The procedures for trading, clearing and cash settlement of this contract, and any other matters not specifically covered herein shall be governed by the general rules of the Exchange.

1122101. CONTRACT SPECIFICATIONS

The Floating Price for each contract month is the arithmetic average of the ICE Brent Crude Oil Futures first nearby contract marker price using the one minute Singapore marker price, except as noted below.

The marker price of the first nearby contract month will be used except on the last day of trading for the expiring ICE Brent Crude Oil Futures contract when the one minute Singapore marker price of the second nearby ICE Brent Crude Oil Futures contract will be used.

1122102. TRADING SPECIFICATIONS

The number of months open for trading at a given time shall be determined by the Exchange.

1122102.A. Trading Schedule

The hours of trading for this contract shall be determined by the Exchange.

1122102.B. Trading Unit

The contract quantity shall be one thousand (1,000) barrels. Each contract shall be valued as the contract quantity (1,000) multiplied by the settlement price.

1122102.C. Price Increments

Prices shall be quoted in U.S. dollars and cents per barrel. The minimum price fluctuation shall be \$0.001 (0.1¢) per barrel. The minimum final settlement is \$0.001 per barrel.

1122102.D. Position Limits and Position Accountability

For purposes of calculating compliance with position limits, each contract will be aggregated with positions held in Brent Crude Oil Last Day Financial futures. Each position in the contract will be calculated as a single position in the Brent Crude Oil Last Day Financial futures contract.

In accordance with Rule 559, no person shall own or control positions in excess of 2,000 contracts net long or net short in the spot month.

In accordance with Rule 560:

1. the all-months accountability level shall be 20,000 contracts net long or net short in all months combined;
2. the any-one month accountability level shall be 20,000 contracts net long or net short in any single contract month excluding the spot month.

Refer to Rule 559 for requirements concerning the aggregation of positions and allowable exemptions from the specified position limits.

1122102.E. Termination of Trading

Trading shall cease on the last business day of the contract month.

1122103. FINAL SETTLEMENT

Final settlement under the contract shall be by cash settlement. Final settlement, following termination of trading for a contract month, will be based on the Floating Price. The final settlement price will be the Floating Price calculated for each contract month.

1122104. DISCLAIMER

NYMEX AND ITS AFFILIATES MAKE NO WARRANTIES, EXPRESS OR IMPLIED, AS TO THE RESULTS TO BE OBTAINED BY ANY PERSON OR ENTITY FROM USE OF THE PRICE ASSESSMENT, TRADING AND/OR CLEARING BASED ON THE PRICE ASSESSMENT, OR ANY DATA INCLUDED THEREIN IN CONNECTION WITH THE TRADING AND/OR CLEARING OF THE CONTRACT, OR, FOR ANY OTHER USE. NYMEX AND ITS AFFILIATES MAKE NO WARRANTIES, EXPRESS OR IMPLIED, AND HEREBY DISCLAIM ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE OR USE WITH RESPECT TO THE PRICE ASSESSMENT OR ANY DATA INCLUDED THEREIN. WITHOUT LIMITING ANY OF THE FOREGOING, IN NO EVENT SHALL NYMEX OR ITS AFFILIATES HAVE ANY LIABILITY FOR ANY LOST PROFITS OR INDIRECT, PUNITIVE, SPECIAL OR CONSEQUENTIAL DAMAGES (INCLUDING LOST PROFITS), EVEN IF NOTIFIED OF THE POSSIBILITY OF SUCH DAMAGES.

NYMEX Rulebook Chapter 5 Position Limit Table
 (Bold/underline indicates additions)

<u>Contract Name</u>	<u>Rule Chapter</u>	<u>Commodity Code</u>	<u>All Month Accountability Level</u>	<u>Any One Month Accountability Level</u>	<u>Expiration Month Limit</u>	<u>Reporting Level</u>	<u>Aggregate Into (1)</u>
			<u>Rule 560</u>	<u>Rule 560</u>	<u>Rule 559</u>	<u>Rule 561</u>	
<i>Petroleum</i>							
<i>Europe</i>							
<i>Northwest Europe</i>							
<u>ICE Brent (Singapore Marker) Swap Futures</u>	<u>1122</u>	<u>IBS</u>	<u>20,000</u>	<u>20,000</u>	<u>2,000</u>	<u>25</u>	<u>BZ</u>

CASH MARKET OVERVIEW

a) Introduction

The Brent Singapore one-minute marker is the volume-weighted average of all trades in the Brent crude oil futures contract on the InterContinentalExchange (ICE) between 4:29 p.m. and 4:30 p.m. Singapore time. This marker price is a key reference point for many participants in the Asian petroleum markets.

Asian oil market participants use the Brent Singapore one-minute marker to match a representative price for Brent futures in Asian time with other more regionally relevant crude oil benchmarks, such as Dubai and Oman crude oil.

Asian oil market participants also make use of the Brent Singapore one-minute marker to compare the price of crude oil with the price of Asian refined products, such as gasoline or jet fuel, which all settle at 4:30 p.m. Singapore time. This allows participants to lock in the profit that they make from refining crude oil priced on a Brent basis into refined petroleum products

The ICE Brent (Singapore Marker) Swap futures is an over-the-counter derivative that will enable participants to manage the price risk of fluctuations in this key benchmark over a calendar month.

b) Settlement price source

The Exchange does not have an information sharing agreement with the ICE. The ICE Brent Crude Oil Futures contract is the source of the settlement price for NYMEX's ICE Brent (Singapore Marker) Swap futures.

The ICE Brent Crude Oil Futures is regulated by the FSA. According to ICE, the average trading activity in the ICE Brent Crude Oil Futures contract represents more than 500,000 contracts traded per day.

Based on our discussions with market participants, we believe that there are dozens of active participants in the ICE futures market and that their prices are determined competitively. Since the CFTC has reviewed the FSA regulatory structure and determined it to be comparable to that of the CFTC, the

Exchange is assured in placing confidence in the disseminated Singapore marker price for ICE Brent Crude Oil Futures contract.

c) Production

The Brent Crude Oil market is comprised of four North Sea crude oil grades: Brent, Forties, Oseberg, and Ekofisk ("BFOE" or "Brent"). The standard cargo size in the BFOE market is 600,000 barrels. According to Consilience Energy Advisory Group, an oil industry consulting firm based in London, the BFOE accounts for daily crude oil production of over 1.5 million barrels per day. These four North Sea grades are segregated blends delivered at different locations in the North Sea, and each can be substituted by the seller in the 21-day BFOE cash market.

d) Cash Market

The underlying Brent crude oil cash market is actively traded by dozens of commercial companies. The four crude oil grades are aggregated to form the BFOE or Brent cash market. The Brent spot market is known as Dated Brent, which refers to delivery of any of the BFOE grades within 7 to 21 days forward. The Dated Brent spot market assessment is used to price many grades of physical crude oil in the North Sea, Russia, and West Africa. There are hundreds of commercial and non-commercial participants actively trading in the Brent crude oil market, both in the underlying cash market and futures markets. There is an established futures market, under the regulation of the U.K. Financial Services Authority, in Brent Crude Oil at ICE Futures Europe. The average daily trading volume through November 2007 for the ICE Futures Europe Brent Crude Oil futures is approximately 240,000 contracts traded per day (each contract is 1,000 barrels in size). Further, the NYMEX Brent Crude Oil Last Day Financial futures contract is currently trading on the CME Globex® platform under CFTC regulatory authority, and this contract utilizes the ICE Futures Europe Brent settlement price.

e) Prices

Table 1 below reflects the final settlement prices provided by the ICE in U.S. dollars and cents per barrel for their ICE Brent Crude Oil Futures contract. Over the annual period from January 2008 to June 2011, crude oil prices varied from a high of \$134.56 in July 2008 to a low of \$43.05 in December

2008. According to the most recent data provided by ICE, the monthly average price for crude oil was at \$113.90 for the month of June 2011.

Table 1: Selected Statistics for ICE Brent Crude Oil: Prices¹

Year	Month	ICE Brent Crude Oil
2008	Jan	91.91
	Feb	94.66
	Mar	102.87
	Apr	110.43
	May	124.68
	Jun	133.74
	Jul	134.56
	Aug	115.24
	Sep	100.79
	Oct	73.68
	Nov	54.75
	Dec	43.05
2009	Jan	45.71
	Feb	43.87
	Mar	47.42
	Apr	51.39
	May	58.59
	Jun	69.27
	Jul	65.75
	Aug	73.06
	Sep	68.15
	Oct	73.93
	Nov	77.58
	Dec	75.21
2010	Jan	77.01
	Feb	74.79
	Mar	79.93
	Apr	85.75
	May	77.00
	Jun	75.66
	Jul	75.36
	Aug	77.12
	Sep	78.42
	Oct	83.54
	Nov	86.16
	Dec	92.25

¹ ICE Brent Crude Oil Prices, Intercontinental Exchange

Year	Month	ICE Brent Crude Oil
2011	Jan	96.91
	Feb	104.03
	Mar	114.67
	Apr	123.09
	May	114.52
	Jun	113.90
	Jul	116.75

f) OTC Brent Financial Market

Further, BFOE has an active OTC physical and paper market. The liquidity in the OTC Brent swaps market is robust, with an estimated average daily trading volume of 10 to 20 million barrels per day. There are several OTC brokerage firms that are active in the Brent swaps markets, including PVM, Tullet Prebon, TFS, ICAP, Man Financial, Ginga Petroleum, and GFI Group. As discussed above, the OTC market participation is deep and diverse, and includes both cash market and OTC market players. The Brent cash market and OTC market participants number 50 to 70 commercial companies. A list of some, but not all, participants is as follows:

Refiners

ConocoPhillips
Valero
Shell
ExxonMobil
BP
Total
Koch Petroleum
Repsol
CEPSA
Chevron
OMV
Lukoil (Russia)
Statoil (Norway)
Sunoco

Traders/End Users

Hess Energy Trading
Vitol
Glencore
Total
Northville
Cargill
Morgan Stanley
Goldman Sachs
RWE Trading
Mabanaft
Phibro
Arcadia
Mercuria

Brokers

GFI Starsupply
PVM
Man Financial
ICAP
Aspen Oil
Tullet Prebon
TFS

Financial

Deutsche Bank
Barclays
BankAmerica

Analysis of Deliverable Supply

In its analysis of deliverable supply, the Exchange concentrated on production data for Brent-related (BFOE) crude oil. At this time, the Exchange is not including stocks data in its analysis of deliverable supply. Stocks data tend to vary and, at least upon launch of products, we would rather not condition recommended position limits based on stock data.

Further, the Exchange has determined not to adjust the deliverable supply estimate based on the spot availability of Brent because spot market liquidity is not restrictive and tends to vary depending on the market fundamentals of demand and supply. The typical term agreement in the cash market allows flexibility for re-trading of the contracted quantity in the spot market, so the term agreements do not restrict the potential deliverable supply. Also, spot trading is not restricted in that it could increase if the market demand increases. Therefore, we believe that it is not necessary to adjust the deliverable supply estimate on the basis of the spot trading, because this does not restrict the deliverable supply, and spot trading volume can expand to allow for more supply to flow if needed in the spot market.

For the Brent crude oil market, in its analysis of deliverable supply, the Exchange concentrated on production data for Brent-related (BFOE) crude oil. To be conservative, the Exchange has set the position limits at 2,000 ICE Brent (Singapore Marker) Swap futures contract units, with aggregation into the underlying Brent Crude Oil Last Day Financial futures contract (BZ). The production of Brent crude oil is approximately 1.5 million barrels per day, which is equivalent to 45 million barrels per month or 45,000 contract equivalents (contract size: 1,000 barrels). Thus, the spot month position limits of 2,000 futures contract-equivalents, which is equivalent to two million barrels, is less than 5% of the 45,000 contract equivalents of monthly supply.