

October 22, 2012

VIA E-MAIL

Ms. Sauntia Warfield
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

**Re: Rule Certification. Notification Regarding the Delisting Certain Contract Days for the Daily European Union Allowance (EUA) Futures Contract
NYMEX Submission #12-333**

Dear Ms. Warfield:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying the delisting of certain contract days for the Daily European Union Allowance (EUA) futures contract (Code EUL, Chapter 1260), effective immediately. Specifically, the contract days to be delisted are October 22, 2012, through November 30, 2012. The contract days to be delisted have no open interest. This action was taken in order to allow the CME Clearing House to complete necessary system adjustments to account for the implementation of upgrades to the EU Emissions Trading System's Union Registry.

On May 29, 2012, the European Commission announced the activation of the EU Emissions Trading Scheme (ETS) single registry – the Union Registry – and the migration of EU ETS accounts from national registries to the Union Registry. The Union Registry transition period was scheduled for June 3, 2012 to June 20, 2012. During that time, the operation of the national registries and the single registry was suspended, and account holders were not able to access their registry accounts.

Although the single registry was activated on June 20, 2012, it did not contain all the required functionalities at that time. Features of the Union Registry yet to be included were a 26-hour delay for some transactions and the designation of authorized representatives. Transfer delays would not be applicable to new account types (Trading Accounts) if they are included in a list of "trusted accounts." The upgraded Union Registry became fully operational on October 2, 2012.

NYMEX business staff responsible for the delisting of contract days in this contract and the NYMEX legal department collectively reviewed the designated contract market core principles ("Core Principles") as set for the in the Commodity Exchange Act ("CEA" or "Act"). During the review, NYMEX staff identified that the delisting of contract days may have some bearing on the following Core Principle:

- **Emergency Authority:** There is no open interest in the contract days submitted for delisting, and, therefore, there will be no market disruption related to their delisting.

Pursuant to Section 5c(c) of the Act and CFTC Rule 40.6(a), the Exchange hereby certifies that the delisting of contract days complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal.

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 at Sean.Downey@cmegroup.com. Please reference NYMEX Submission No. 12-333 in any related correspondence.

Sincerely,

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