

November 3, 2009

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OFFICE OF THE SECRETARIAT
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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. Commodity Exchange, Inc. Submission #09-245:
Notification of Listing of Additional Contract Months for COMEX
miNY Gold Futures and COMEX miNY Silver Futures Contracts
Currently Listed on Globex®**

Dear Mr. Stawick:

On June 16, 2009 and August 7, 2009, the Commodity Exchange, Inc. ("COMEX" or "Exchange") notified the Commodity Futures Trading Commission ("CFTC" or "Commission") under Submissions #09-90 and 09-148, respectively, that it was self-certifying the delisting of contract months with no open interest in COMEX miNY Gold Futures (Chapter 911; code QO) and COMEX miNY Silver Futures (Chapter 912; code QI). Due to a shift in market demand, the Exchange no longer intends to delist these contracts. As such, the Exchange is notifying the Commission that it is self-certifying the addition of contract months for its COMEX miNY Gold Futures (50 Troy Ounces; code QO) and COMEX miNY Silver Futures (2,500 Troy Ounces; code QI) contracts listed on Globex as follows:

COMEX miNY Gold Futures (50 Troy Ounces; code QO)	COMEX miNY Silver Futures (2,500 Troy Ounces; code QI)
February 2010	January 2010
April 2010	March 2010
June 2010	May 2010
August 2010	July 2010
October 2010	September 2010
December 2010	

With the addition of the above-listed contract months, the listing schedules for the COMEX miNY Gold Futures and COMEX miNY Silver Futures will coincide. The last listed month for both contracts shall be the December 2010 contract month.

In addition, the Exchange is notifying the Commission that it is self-certifying that no new contract months will be added to the E-mini Gold Futures (33 Troy Ounces; code 8Q; Chapter 407) and E-mini Silver Futures (1,000 Troy Ounces; code 6Q; Chapter 408) contract listing cycles also listed on Globex.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rules 40.6, the Exchange hereby certifies that the listing of additional contract months for COMEX miNY Gold Futures and COMEX miNY Silver Futures contracts and the abstention from listing additional contract months for E-mini Gold Futures and E-mini Silver Futures contracts comply with the Act, including regulations under the Act. This will become effective on trade date November 9, 2009.

Should you have any questions concerning the above, please contact Robert Levin at (212) 299-2390, or me at (312) 648-5422.

Sincerely,

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