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OFFICE OF THE SECRETARIAT

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November 18, 2009

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: REVISED Rule Certification. New York Mercantile Exchange, Inc.
Submission# 09-270R: Notification Regarding Amendment of First Listed
Month for Two ASCI Calendar Month and the Argus WTI Formula Basis
Calendar Month Swap Futures Contracts**

Dear Mr. Stawick:

Previously, by letter dated November 18, 2009 (Submission 09-270), the New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") notified the Commodity Futures Trading Commission ("CFTC" or "Commission") that it was self-certifying the listing of five futures contracts, (i) four contracts based on the Argus Sour Crude Index, and (ii) an Argus WTI Formula Basis Calendar Month Swap for clearing through CME ClearPort[®] and for trading on the NYMEX trading floor beginning with the January 2010 contract month.

This letter revises Submission 09-270 such that the first listed month for the three (3) Calendar Month Swap Futures contracts listed below begins with the December 2009 contract month. The remainder of the content of Submission 09-270 is unchanged.

Contract	Code	Rule Chapter
Argus Sour Crude Index ("ASCI") Calendar Month Swap Futures	37	223
Argus Sour Crude Index ("ASCI") vs. WTI Diff Spread Calendar Month Swap Futures	38	224
Argus WTI Formula Basis Calendar Month Swap Futures	39	225

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the amendment to the first listed contract month complies with the Act, including regulations under the Act. The effective date of this listing shall be Monday, November 23, 2009.

Should you have any questions concerning the above, please contact Daniel Brusstar at (212) 299-2604 or me at (312) 648-5422.

Sincerely,

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