



A CME/Chicago Board of Trade/NYMEX Company

November 19, 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. New York Mercantile Exchange, Inc. Submission# 09-282: Notification Regarding the Implementation of an Incentive Program with Regard to the Listing of Five Argus Swap Futures Contracts for Clearing through CME ClearPort® and Trading on the NYMEX Trading Floor

Dear Mr. Stawick:

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 implementation of a trading and clearing fee waiver program for the five futures contracts listed below and submitted via self-certification to the Commission on November 18, 2009 (submission 09-270). Specifically, the incentive program will waive trading and clearing fees for these contracts until June 30, 2010.

Contract	Code	Rule Chapter
Argus Sour Crude Index ("ASCI") Trade Month Swap Futures	29	221
Argus Sour Crude Index ("ASCI") vs. WTI Diff Spread Trade Month Swap Futures	36	222
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 incentive program complies with the Act, including regulations under the Act.

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