



C.F.T.C.  
OFFICE OF THE SECRETARIAT  
2010 DEC 7 PM 12 53

December 7, 2010

**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 #10-359: Notification of Amendment Relating to Change of Minimum Price Fluctuation for RBOB Gasoline Average Price Option**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying an amendment to Chapter 386, Rule 386.05 ("STRIKE PRICES RBOB GASOLINE AVERAGE PRICE OPTION") in order to change the minimum price fluctuation for the RBOB Gasoline Average Price Option contract (code RA) from one cent per gallon to one-hundredth of a cent per gallon and reduce the minimum number of strike prices from 61 to 41.

The proposed rule amendment is reflected below in blackline format.

(Strikethrough indicates deletion; underscore indicates addition)

**Chapter 386**

**RBOB Gasoline Average Price Option**

**386.05 STRIKE PRICES RBOB GASOLINE AVERAGE PRICE OPTION**

Twenty strike prices in ~~\$0.04~~ \$0.0001 per gallon increments above and below the at-the-money strike price, and ~~the next 10 strike prices in \$0.05 increments above the highest and below the lowest existing strike prices~~ for a total of at least ~~61~~ 41 strike prices. The at-the-money strike price is the nearest to the previous day's close of the underlying futures contract (RB). Strike price boundaries are adjusted according to the futures price movements.

The Exchange is amending this rule in order to facilitate the trading of the RBOB Gasoline Average Price Option, by changing the minimum strike price interval from one cent per gallon to one-hundredth of a cent per gallon. The minimum number of strike prices listed will be 41 under the amended rule.

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 rule amendment complies with the Act, including regulations under the Act. This amendment will become effective on trade date December 13, 2010.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2200 or Bob Biolsi at (212) 299-2610.

Sincerely,

/s/Christopher K. Bowen  
Managing Director, Chief Regulatory Counsel