

December 11, 2008

**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 #  
08.134; Notification of Amendments to Termination of Trading Rules  
261.06 and 262.06 for NYMEX CSX Coal and NYMEX River Basin Coal  
Swap Contracts**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is amending the Termination of Trading rules for the NYMEX CSX Coal and NYMEX Powder River Basin Coal Swap contracts. The revisions reflect Platts' decision to change the pricing window. Under the new pricing window, Platts will assess month-ahead coal prices through the 25<sup>th</sup> of the preceding month. When the 25<sup>th</sup> of the month falls on a weekend or a holiday, the last day of the prompt-month assessment will be the last business day preceding the 25<sup>th</sup> of the month. Accordingly, the Exchange will amend the Termination of Trading for the NYMEX CSX Coal and NYMEX Powder River Basin Coal Swap contracts to reflect Platts' new pricing window.

The Termination of Trading rule amendments for the NYMEX CSX Coal and NYMEX Powder River Basin Coal Swap contracts will be made effective on Sunday, December 14, 2008 for trade date Monday, December 15, 2008 starting with the January 2009 contract month.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Brad Leach at (212) 299-2609 or the undersigned at (202) 715-8517.

Sincerely,

A handwritten signature in black ink, reading "De'Ana H. Dow". The signature is written in a cursive style with a large initial "D".

De'Ana H. Dow  
Managing Director  
Government Relations

Attachment

**Bold** indicates insertion, and ~~strikethrough~~ indicates deletion

**Rule Amendments for NYMEX CSX Coal Swap Contract**

**261.06 Termination of Trading**

Trading shall cease on the last 25<sup>th</sup> day of the month prior to the contract month. If the 25<sup>th</sup> day is not a business day, the Contract shall expire on the last business day prior to the 25<sup>th</sup>.

**Rule Amendments for NYMEX Powder River Basin Coal Swap Contract**

**262.06 Termination of Trading**

Trading shall cease on the last 25<sup>th</sup> day of the month prior to the contract month. If the 25<sup>th</sup> day is not a business day, the Contract shall expire on the last business day prior to the 25<sup>th</sup>.