

December 11, 2012

VIA E-MAIL

Ms. Sauntia Warfield
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

**RE: Modifications to the NYMEX Legacy GreenX Volume and Liquidity Provider Program
NYMEX Submission No. 12-440**

Dear Ms. Warfield:

New York Mercantile Exchange, Inc (“NYMEX,” or the “Exchange”) hereby notifies the Commodity Futures Trading Commission (“Commission”) of modifications to the NYMEX Legacy GreenX Volume and Liquidity Provider Program (“Program”). The proposed modifications will become effective on January 2, 2013 .

Exhibit 1 sets forth the terms of this Program. The modifications appear below, with additions underscored and deletions ~~overstruck~~.

NYMEX business staff responsible for the Program and the NYMEX legal department collectively reviewed the designated contract market core principles (the “Core Principles”) as set forth in the Commodity Exchange Act (“CEA”). During the review, NYMEX staff identified the following Core Principles as potentially being impacted: Prevention of Market Disruption, Execution of Transactions, Protection of Market Participants, Compliance with Rules and Recordkeeping.

The Program and proposed modifications will not impact the Exchange’s ability to perform its trade practice and market surveillance obligations under the CEA. All thresholds requirements and participants will be disclosed to the Exchange’s Market Regulation Department in order to monitor for any manipulative trading and/or market abuse. Additionally, the Exchange has implemented systems to track Program participants’ volume to ensure proper distribution of earned incentives. The products included in this Program are listed for trading in the open and competitive market. The incentives available under the Program will apply equally to transactions by participants via all available NYMEX’s execution and/or clearing venues. Therefore, the incentives under this Program protect any price discovery taking place in the centralized market. Participants in the Program will be selected by NYMEX staff using criteria as further stated in Exhibit 1. Chapter 4 of the NYMEX rules includes prohibitions against fraudulent, non-competitive, unfair or abusive practices. All participants must execute a contractual agreement with NYMEX in which each participant will expressly agree to comply with, and be subject to, applicable regulations and NYMEX rules. The Program and proposed modifications will be subject to the Exchange’s record retention policies, which comply fully with the CEA.

NYMEX certifies that the Program and proposed modifications comply with the CEA and the regulations thereunder. There were no substantive opposing views to this Program.

The Exchange certifies that this submission has been concurrently posted on the Exchange’s website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

If you require any additional information regarding this submission, please contact Robert Lev at 312-930-3019 or via e-mail at robert.lev@cmegroup.com, or contact me at 212-299-2200. Please reference our NYMEX Submission No. 12-440 in any related correspondence.

Sincerely,

/s/ Christopher Bowen
Managing Director, Chief Regulatory Counsel

Enclosure

EXHIBIT 1

Legacy GreenX Volume and Liquidity Provider Program

Program Purpose

The purpose of this Program is to incentivize trading in the products listed below across all available NYMEX venues. Increasing overall volume levels in the products listed below will enhance market liquidity. A more liquid contract benefits all participants in the market.

Product Scope

Any former GreenX NYMEX emissions contracts that are traded on the Globex Platform or cleared via CME ClearPort ("Product(s)").

Eligible Participants

NYMEX may designate up to eight (8) participants in the Program. Participants may be NYMEX members or non-members. In order to be eligible for the Program, potential participants must be sufficiently and consistently active in the trading of any former GreenX products NYMEX emissions products. Notwithstanding the foregoing, NYMEX, in its sole discretion, may add or subtract from the aforementioned criteria as it deems necessary.

Program Term

Start date is such date on which the Products are transitioned from GreenX to NYMEX. End date is ~~December 31, 2012~~ December 31, 2013

Hours

N/A

Obligations

Disclosure Requirements. Participants in the Program are required to provide NYMEX with information in an electronic format acceptable to NYMEX detailing participants' trading activity.

Incentives

Upon completing all obligations as determined by NYMEX, participants will be entitled to the following incentive:

4. *Fee Credits Discounts:* For each calendar quarter of participation in the Program ("Measurement Period"), participants may receive predetermined fee ~~credits discounts~~ based on their combined average daily volume in the Products traded on Globex or cleared through CME ClearPort. ~~The credits earned during an applicable Measurement Period may be applied by participants towards fees for trading in any former GreenX products during the following Measurement Period.~~

Monitoring and Termination of Status

The Exchange shall monitor trading activity and participants' performance and shall retain the right to revoke Program participant status if it concludes from review that a Program participant has failed to meet its obligations or no longer meets the eligibility requirements of the Program. If a Program participant fails to meet at least the first volume threshold in either the first or second quarter, NYMEX may terminate the participant's participation in the Program. NYMEX may also terminate a participant from the Program for cause in certain circumstances, such as a violation of NYMEX rules.