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December 14, 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: **Rule Certification. Commodity Exchange, Inc. Submission #09-301: Notification of Amendments to Strike Price Intervals for Silver Option and Copper Option Contracts**

Dear Mr. Stawick:

The Commodity Exchange, Inc. ("COMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it will be amending the listing of strike prices for Silver Option and Copper Option contracts which are listed for trading on Globex® and the COMEX trading floor, and for clearing through CME ClearPort®.

Specifically, the Exchange intends to expand the strike price listing for each of Silver Option and Copper Option contracts from six to twenty strike prices above and below the at-the-money option for both trading venues, the trading floor and Globex, such that the expanded strike price listing is applicable to all trading months regardless of the level of the underlying futures prices. For Silver Options, the strike price increment will be a standard $0.05 per troy ounce. Currently, price increments vary according to the futures price from $0.10, $0.25, and $0.50. For Copper Options, the strike increment will be $0.01. Currently, price increments vary according to the futures price from $0.01, $0.02, and $0.05. For options to be cleared through CME ClearPort, in addition to regular listing, strikes can be added on an as-needed basis.

The expansion of strike price listings for each of Silver Option contract and Copper Option contracts is made pursuant to NYMEX Rules 116.03(b) and 117.04(b), respectively. The proposed amendments are attached herewith in blackline format. Underscore denotes additions and strikethrough denoted deletions.

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. These amendments will be made effective on December 21, 2009.

Should you have any questions concerning the above, please contact Bob Biolsi, at (212) 299-2610, or me at (312) 648-5422.

Sincerely,

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

Attachment

RULE AMENDMENTS

UNDERSCORE denotes addition; ~~Strikethrough~~ denotes deletion

SILVER OPTION

116.03. STRIKE PRICES ~~FOR SILVER FUTURES OPTIONS~~

(a)

~~February and January Expiration Cycle~~

~~(1)~~ Strike prices for silver ~~futures~~ option contracts shall be in the following increments per troy ounce of silver ~~during the six nearby~~ for all trading months at an interval of five cents ($.05). ~~:~~

~~(A) for strike prices of less than or equal to eight dollars, the strike price increments are $0.25 and $0.10;~~

~~(B) for strike prices greater than eight dollars and up to and including fifteen dollars, the strike price increments are $0.25; and~~

~~(C) for strike prices greater than fifteen dollars, the strike price increments are $0.50.~~

~~(2) Strike prices for silver futures options shall be in the following increments per troy ounce of silver for all other months than the nearest six nearby months but not greater than 2 years to expiration:~~

~~(A) for strike prices of less than or equal to eight dollars, the strike price increments are $0.25;~~

~~(B) for strike prices greater than eight dollars, and up to and including fifteen dollars, the strike price increments are $0.50; and~~

~~(C) for strike prices greater than fifteen dollars, the strike price increments are $1.00.~~

~~(3) For trading months greater than 2 years to expiration, strike price increments will be 1.00. Trading in puts and calls on the first day of a new option contract month shall be at the following five strike prices: (i) the previous day's settlement price for silver futures contracts in the corresponding delivery month rounded off to the nearest strike price unless such settlement price is precisely midway between two strike prices, in which case it shall be rounded off to the higher price; (ii) the two strike prices which are the two increments higher than the strike price described in (i) of this Rule 116.03(a)(3); and (iii) the two strike prices which are the two increments lower than the strike price described in (i) of this Rule 116.03(a)(3). Thereafter, additional strike prices are added such that there will be at least two strike price increments above and below the at the money option.~~

~~(4)~~ Trading in puts and calls on the first day of a new option contract month ~~in the February expiration cycle~~ shall be at the following ~~thirteen~~ twenty strike prices: (i) the previous day's settlement price for silver futures contracts in the corresponding delivery month rounded off to the nearest strike price unless such settlement price is precisely midway between two strike prices, in which case it shall be rounded off to the higher price; (ii) the ~~six~~ twenty strike prices which are ~~the six~~ twenty increments higher than the strike price described in (i) of this Rule 116.03(a)~~(4)~~; and (iii) the ~~six~~ twenty strike prices which are ~~the six~~ twenty increments lower than the strike price described in (i) of this Rule 116.03(a)~~(4)~~. Thereafter, additional strike prices are added such that there will be at least twenty strike price increments above and below the at-the-money option.

~~(5) (a) Trading in puts and calls on the first day of a new option contract month in the January expiration cycle shall be at the following strike prices; provided however, that the strike price is less than or equal to eight dollars: (i) the previous day's settlement price for silver futures contracts in the corresponding delivery month rounded off to the nearest strike price unless such settlement price is precisely midway between two strike prices, in which case it shall be rounded off to the higher price; (ii) the six strike prices which are in increments of $0.10 and the six strike prices which are in increments of $0.25 higher than the strike price described in (i) of this Rule 116.03(a)(5)(a); and (iii) the six strike prices which are in increments of $0.10 and the strike prices which are in increments of $0.25 lower than the strike price described in (i) of this Rule 116.03(a)(5)(a). (b) In the event that strike prices are greater than eight~~

~~dollars, trading in puts and calls on the first day of a new option contract month in the January expiration cycle shall be at the following thirteen strike prices with strike price increments determined pursuant to Rule 116.03(a)(1)(B) and (C): (i) the previous day's settlement price for silver futures contracts in the corresponding delivery month rounded off to the nearest strike price unless such settlement price is precisely midway between two strike prices, in which case it shall be rounded off to the higher price; (ii) the six strike prices which are the six increments higher than the strike price described in (i) of this Rule 116.03(a)(5)(b); and (iii) the six strike prices which are the six increments lower than the strike price described in (i) of this Rule 116.03(a)(5)(b).~~

~~(6) Whenever the settlement price for silver futures contracts in the delivery month corresponding to an option contract month is equal to or greater than (i) the seventh highest strike price for that option contract month plus (ii) one-half the increment between the seventh highest strike price and the sixth highest strike price, one or more new strike prices for both puts and calls shall be introduced on the following business day, on the increments set forth in paragraph (a) above, so that at all times there will be at least six strike prices above the at-the-money strike price.~~

~~(7) Whenever the settlement price for silver futures contracts in the delivery month corresponding to an option contract month is less than (i) the seventh lowest strike price for that option contract month minus (ii) one-half the increment between the seventh lowest strike price and the sixth lowest strike price, one or more new strike prices for both puts and calls shall be introduced on the following business day, on the increments set forth in paragraph (a) above, so that at all times there will be at least six strike prices below the at-the-money strike price.~~

~~(8) No new strike prices shall be introduced in the option contract month of the silver futures options next due to expire after the third business day prior to the Expiration Date for such futures options.~~

(b) Notwithstanding the provisions of section (a) of this Rule 116.03, if the Exchange ~~Board~~ determines that trading in silver ~~futures~~ option contracts will be facilitated thereby, the ~~Board~~ Exchange may, by resolution, change the increments between strike prices, the number of strike prices which shall be traded on the first day in any new option contract month, the price of the silver futures contract at which a new strike price will be introduced, or the period preceding the expiration of a silver ~~futures~~ option contract in which no new strike prices may be introduced.

(c) In addition to strike prices authorized pursuant to other sections of this Rule 116.03, the President of the Exchange or his designee may direct that additional strike prices be added. ~~Such strike prices may be added provided they may be listed only in increments consistent with the pricing for the underlying futures contract. Such directed strike prices shall be effective upon adoption. Notice of such adoption must be given by the Exchange to the CFTC pursuant to Commission Regulation 1.41(n) in such fashion that the CFTC receives such notice within three business days of the strike price listing.~~

COPPER OPTION

117.04. STRIKE PRICES ~~FOR GRADE 1 COPPER FUTURES OPTIONS~~

(a) ~~February and January Expiration Cycle~~

~~(1)~~ Strike prices for ~~grade 1~~ copper ~~futures~~ option contracts shall be ~~listed~~ in the following increments per pound of copper for all trading months at an interval of one cent ($.01). ~~:~~

~~(A) for strike prices of less than or equal to forty cents ($0.40), the strike price increments shall be one cent ($0.01);~~

~~(B) for strike prices greater than forty cents ($0.40) and up to and including one dollar and twenty cents ($1.20), the strike price increments shall be two cents ($0.02); and~~

~~(C) for strike prices greater than one dollar and twenty cents ($1.20), the strike price increments are shall be five cents ($0.05).~~

~~(2)~~ Trading in puts and calls on the first day of a new option contract month shall be at the following forty-one ~~thirteen~~ strike prices: (i) the previous day's settlement price for ~~grade 1~~ copper futures contracts in the corresponding delivery month rounded off to the nearest strike price unless such settlement price is precisely midway between two strike prices, in which case it shall be rounded off to the higher price and (ii) the twenty ~~six~~ strike prices which are the ~~six~~ twenty increments higher than the strike price described in (i) of this Rule 117.04(a)~~(2)~~, and (iii) the ~~six~~ twenty strike prices which are twenty ~~the six~~ increments lower than the strike price described in (i) of this Rule 117.04(a)~~(2)~~. Thereafter, additional strike prices are added such that there will be at least twenty strike price increments above and below the at-the-money option.

~~(3) Whenever the settlement price for grade 1 copper futures contracts in the delivery month corresponding to an option contract month is equal to or greater than (i) the seventh highest strike price for that option contract month plus (ii) one-half the increment between the seventh highest strike price and the sixth highest strike price, one or more new strike prices for both puts and calls shall be introduced on the following business day, on the increments set forth in paragraph (a) above, so that at all times there will be at least six strike prices above the at-the-money strike price.~~

~~(4) Whenever the settlement price for grade 1 copper futures contracts in the delivery month corresponding to an option contract month is less than (i) the seventh lowest strike price for that option contract month minus (ii) one-half the increment between the seventh lowest strike price and the sixth lowest strike price, one or more new strike prices for both puts and calls shall be introduced on the following business day, on the increments set forth in paragraph (a) above, so that at all times there will be at least six strike prices below the at-the-money strike price.~~

~~(5) No new strike prices shall be introduced in the option contract month of the grade 1 copper futures options next due to expire after the third business day prior to the Expiration Date for such futures options.~~

(b) Notwithstanding the provisions of Rule 117.04(a), if the Exchange ~~Board~~ determines that trading in ~~grade 1~~ copper ~~futures~~ option contracts will be facilitated thereby, the ~~Board~~ Exchange may, by resolution, change the increments between strike prices, the number of strike prices which shall be traded on the first day in any new option contract month, the price of the ~~grade 1~~ copper futures contract at which a new strike price will be introduced, or the period preceding the expiration of a ~~grade 1~~ copper ~~futures~~ option contract in which no new strike prices may be introduced. .

(c) In addition to strike prices authorized pursuant to other sections of this Rule 117.04, the President of the Exchange or his designee may direct that additional strike prices be added. ~~Such strike prices may be added provided they may be listed only in increments consistent with the pricing for the underlying futures contract. Such directed strike prices shall be effective upon adoption. Notice of such adoption must be given by the Exchange to the CFTC pursuant to Commission Regulation 1.41(n) in such fashion that the CFTC receives such notice within three business days of the strike price listing.~~