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December 20, 2007 THE SECRETARIAT

Via E-Mail

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

Re: Rule Certification. NYMEX Submission 07.144: Notification of Amendments to Exchange Rule 8.70, Floor Order Ticket Reviews – Summary Violations.

Dear Ms. Eileen A. Donovan:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of rule amendments to Exchange Rule 8.70, Floor Order Ticket Reviews – Summary Violations.

Effective Friday, December 21, 2007, Exchange Rule 8.70, Section (E) will be amended such that the responsibility for review of appeal requests in relation to summary fines issued for failure of a floor order ticket review will be transferred from the Compliance Review Committee to the Business Conduct Committee, NYMEX and COMEX Divisions accordingly. 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 me at (212) 299-2940.

Very truly yours,

Nancy Minett
Vice President, Compliance

cc: Thomas F. LaSala
Brian Regan

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The New York Mercantile Exchange, Inc. offers trading in crude oil, heating oil, unleaded gasoline, natural gas, electricity, coal, propane, freight rates, emissions, gold, silver, platinum, palladium, copper, and aluminum.

(Bold/underline indicates additions; bold/strikethrough indicates deletions.)

Rule 8.70, Floor Order Ticket Reviews – Summary Violations

(A) If the Compliance Department determines that a NYMEX Division FCM, Member Firm or Floor Brokerage Operation has failed to comply with NYMEX Division Rule 6.18(A)(i) or (ii) or that a COMEX Division FCM, Member Firm or Floor Brokerage Group has failed to comply with COMEX Division Rules 4.80 or 4.81 with respect to the preparation of floor order tickets, by achieving a compliance rate of 89% or lower, it may summarily implement disciplinary procedures as follows:

(B) After an initial review, the Compliance Department may impose fines corresponding to the following rates of compliance:

89-80%	\$100
79-70%	\$250
69-60%	\$500
59% and Below	\$1,000

(C) If after a second review an entity fails to achieve a passing compliance rate, the Compliance Department may impose a fine in the amount imposed in the initial review under (B), plus an additional amount corresponding to their rate of compliance achieved in the second review, as follows:

89-80%	(B) + \$100
79-70%	(B) + \$250
69-60%	(B) + \$500
59% and Below	(B) + \$1,000

(D) If after a third review an entity fails to achieve a passing compliance rate, the Compliance Department may impose a fine in the amount imposed in the initial review under (C), plus an additional amount corresponding to their rate of compliance achieved in the third review, as follows:

89-80%	(C) + \$200
79-70%	(C) + \$500
*69-60%	(C) + \$1,000
*59% and Below	(C) + \$2,000

*The Compliance Department may, in its discretion, refer to the Business Conduct Committee any entity achieving a compliance rate of 69% and below after a third review.

If after a fourth review an entity fails to achieve a passing compliance rate, the Compliance Department may refer the entity to the Business Conduct Committee for disciplinary action.

(E) Any fine imposed in accordance with this Rule may be appealed to the Business Conduct Committee ("BCC"), NYMEX and COMEX Divisions accordingly, ~~a subcommittee of the Compliance Review Committee ("Subcommittee"). The Subcommittee shall consist of a Chairman, two additional Subcommittee members and two alternates. The Subcommittee members and alternates shall be appointed by the Chairman of the Compliance Review Committee.~~ To appeal a fine, a Member shall file a typewritten request with the Exchange's Compliance Counsel within five (5) business days after receipt of the notice of such fine. The letter of appeal should set forth the reason for the requested appeal and attach any relevant documents. The BCC Subcommittee shall meet at such times as it deems appropriate, and shall reach its decision based upon the letter of appeal and any other documents furnished by the Member subject to the fine with the appeal letter or by the Compliance Department. The BCC Subcommittee in its sole discretion may permit or require personal appearances by the Member and/or the Compliance Department. The BCC Subcommittee shall affirm, modify or reverse the fine appealed and shall issue its Decision in writing within thirty (30) days of meeting to consider the appeal.