

DART # 20040201

John F.

Assigned: 5-10-04

45-day Review
Period Expires
6-24-04

Request For Approval

May 6, 2004

Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, NW
Washington, DC 20581

Rec'd 5/10/04

BY E-MAIL AND AIRBORNE EXPRESS

SUBJECT: Request for Commission Rule Approval: Proposed Amendment to NYMEX Platinum Supplement No. 3, "Official List of Approved Carriers"; NYMEX Palladium Supplement No. 3, "Official List of Approved Carriers" and COMEX Gold Supplement No. 4, "Approved Carriers for Gold." Submission No. 04-61.

Dear Ms. Webb:

Pursuant to Section 5c(c)(2) of the Commodity Exchange Act (the "Act") and CFTC Rule 40.5 ("Voluntary Submission of Rules for Commission Review and Approval"), the New York Mercantile Exchange Inc. ("NYMEX" or the "Exchange") hereby requests on a voluntary basis CFTC approval of a proposed amendment to NYMEX Platinum Supplement No. 3, "Official List of Approved Carriers"; NYMEX Palladium Supplement No. 3, "Official List of Approved Carriers" and COMEX Gold Supplement No. 4, "Approved Carriers for Gold."

The proposed amendments and a complete explanation of their operation, purpose and effect are attached hereto.

If you have any questions concerning this submission, please contact Albert J. Getz at 212-299-2608.

Sincerely,

Robert A. Levin
Senior Vice President

cc: Richard Shilts, Division of Market Oversight
Allen Cooper, Eastern Region

I. EXPLANATION AND PURPOSE

The Exchange proposes to amend NYMEX Platinum Supplement No. 3, "Official List of Approved Carriers"; NYMEX Palladium Supplement No. 3, "Official List of Approved Carriers" and COMEX Gold Supplement No. 4, "Approved Carriers for Gold." The proposed amendments add VIA MAT International (USA) Inc. ("MATUSA") as an Approved Carrier for the Exchange's Platinum, Palladium and Gold Futures Contracts.

MATUSA has provided all the information required of applicants for designation as an Approved Carrier for platinum, palladium and gold deliverable against the NYMEX Division's Platinum and Palladium Futures Contracts and the COMEX Division's Gold Futures Contracts, including a list of officers and directors, and insurance certificates.

MATUSA is a wholly owned subsidiary of VIA MAT Management AG which in turn is a wholly owned subsidiary of VIA MAT Holding AG. VIA MAT Holding AG is privately held by the Moser family of Switzerland. While MATUSA was started in 1997 as a marketing and representative entity for the European based operations, VIA MAT Holding AG was initially founded in 1945 as MAT Transport AG which specialized in the handling and forwarding of valuable cargo including precious metals and currencies on a global basis. VIA MAT Holding AG has continued to expand its armored car services throughout Europe and the operations now include secure vault storage facilities in Zurich and Chiasso, Switzerland.

Companies and Exchange Licensed Depositories who have used the services of VIA MAT International (USA) Inc. have provided favorable references and have unconditionally recommended that the company be designated as an Approved Carrier for the Exchange's Gold, Platinum and Palladium Futures Contracts.

MATUSA will be an additional vendor for the transportation of platinum, palladium and gold deliverable against the respective contracts, thus ensuring market participants efficient, quality service at competitive prices. In addition, MATUSA's approval will provide greater diversity to the Official List of Approved Carriers for the Platinum, Palladium and Gold Futures Contracts and ensure that the Contracts continue to serve and represent the international precious metals markets.

II. PROPOSED AMENDMENTS

The proposed amendments are attached.

Proposed Amendment. Underlining indicates additions.

Gold Supplement
No. 4

COMMODITY EXCHANGE, INC.
APPROVED CARRIERS FOR GOLD

All Exchange Approved Refiners, Depositories, Weighmasters and Assayers are also Approved Carriers and are authorized to deliver Gold directly to Licensed Depositories via their own facilities.

ADDITIONAL APPROVED CARRIERS

Securicor International Valuables Transport Inc.
Securicor Valuables Transport Inc.
814 Silvia Street, Building 800B
Ewing Township, NJ 08628
(609) 883-1100

Loomis, Fargo & Co.
701 Kingsland Avenue
Lyndhurst, NJ 07071
(201) 939-2700

Brinks, Inc.
580 5th Avenue
Suite 400
New York, NY 10036
1-800-5-BRINKS
(212) 558-6267

American Armored Car, LTD.
44 North Saw Mill River Road
Elmsford, NY 10523
(914) 347-2807

AT Systems Atlantic, Inc.
4200 Governor Printz Rd.
P.O. Box 1223
Wilmington, DE 19899
(302) 762-5444

VIA MAT International (USA) Inc.
130 Sheridan Boulevard
Inwood, New York 11096
(718) 868-1500

Coin Devices Corporation ("CDC")
5-26 45th Avenue
Long Island City, Queens, NY 11101
(718) 289-2900

Dunbar Armored, Inc.
50 Schilling Road
Hunt Valley, MD 21031
(800) 888-2129

IBI Armored Services, Inc.
37-06 61st Street
Woodside, NY 11377
(718) 458-4000

Proposed Amendment. Underlining indicates additions.

PALLADIUM FUTURES CONTRACT

Supplement No. 3

OFFICIAL LIST OF APPROVED CARRIERS

Carrier	Address
DELAWARE	
AT Systems Atlantic, Inc.	4200 Governor Printz Blvd. P.O. Box 1223 Wilmington, Delaware 19899 302-762-5444
NEW JERSEY	
Engelhard Corporation	101 Wood Ave. Iselin, N.J. 08830 732-205-5000
Loomis, Fargo & Co.	701 Kingsland Avenue Lyndhurst, NJ 07071 201 939-2700
NEW YORK	
American Armored Car, LTD	44 North Saw Mill Road Elmsford, NY 10523 914-347-2807
Brink's, Inc.	580 5 th Avenue Suite 400 New York, N.Y. 10036 212-558-6267 1-800-5-BRINKS
IBI Armored Services, Inc.	37-06 61st Street Woodside, NY 11377 718-458-4000
<u>VIA MAT International (USA) Inc.</u>	<u>130 Sheridan Boulevard</u> <u>Inwood, New York 11096</u> <u>718- 868-1500</u>
MARYLAND	
Dunbar Armored, Inc.	50 Schilling Road Hunt Valley, MD 21031 800-888-2129

Proposed Amendment. Underlining indicates additions.

PLATINUM FUTURES CONTRACT

Supplement No. 3

OFFICIAL LIST OF APPROVED CARRIERS

Carrier	Address
DELAWARE	
AT Systems Atlantic, Inc.	4200 Governor Printz Blvd. P.O. Box 1223 Wilmington, Delaware 19899 302-762-5444
NEW JERSEY	
Engelhard Corporation	101 Wood Ave. Iselin, N.J. 08830 732-205-5000
Loomis, Fargo & Co.	701 Kingsland Avenue Lyndhurst, NJ 07071 201-939-2700
NEW YORK	
American Armored Car, LTD	44 North Saw Mill Road Elmsford, NY 10523 914-347-2807
Brink's, Inc.	580 5 th Avenue Suite 400 New York, N.Y. 10036 212-558-6267 1-800-5-BRINKS
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MARYLAND	
Dunbar Armored, Inc.	50 Schilling Road Hunt Valley, MD 21031 800-888-2129

III. EXCHANGE ACTION

The NYMEX Board of Directors approved the proposed amendments at a regularly scheduled meeting. No anti-competitive effects are anticipated or are apparent. There were no substantive opposing views concerning this amendment.

While there are open positions in the Platinum, Palladium and Gold Futures Contract, these amendments will not have an economic impact on positions or prices in the market.

The Exchange intends to implement the proposed amendments the day after it receives notification of Commission approval or notification that such approval is not necessary.

In addition to the notification of the proposed amendment to add VIA MAT International (USA) Inc. as an Approved Carrier for the COMEX Division Gold Futures Contract pursuant to COMEX By-Law 205(D), given April 16, 2004, the Membership was informed in a Notice to Membership dated May 6, 2004, that the Exchange intends to amend NYMEX Platinum Supplement No. 3, "Official List of Approved Carriers"; NYMEX Palladium Supplement No. 3, "Official List of Approved Carriers" and COMEX Gold Supplement No. 4, "Approved Carriers for Gold" by adding VIA MAT International (USA) Inc. as an Approved Carrier, pending notification from the Commission.