

October 29, 2004

Via E-Mail and US Mail

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

Re: Rule Certification. NYMEX Submission 04.148 – Notification of Amendments to NYMEX Division Rules 9.26, 9.27 and 9.34.

Dear Ms. Jean Webb:

The New York Mercantile Exchange, Inc. (“NYMEX” or the “Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC”) of amendments to NYMEX Division Rules 9.26, All Month/Any One Month Position Accountability; 9.27, Expiration and Current Delivery Month Position Limits; and 9.34, Reportable Levels.

Effective October 31, 2004, for trade date November 1, 2004, these amendments include the addition of position limits, accountability levels and reportable levels for the Eastern Rail CSX Coal Swap, Western Rail PRB Coal Swap, and the ISO New England Internal Hub Peak LMP Swap. Pursuant to Section 5c(c) of the Commodity Exchange Act (“Act”) and CFTC Rule 40.6, the Exchange hereby certifies that the new amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact the undersigned at 212-299-2940.

Very truly yours,

Nancy M. Minett
Vice President
Compliance Department

Attachments

cc: Thomas LaSala
Brian Regan

Amendments to NYMEX Rules 9.26, 9.27 and 9.34
(Strikethroughs indicate deletions; Bold and underlined indicates additions.)

9.26 All Month/Any One Month Position Accountability

(Sections (A) through (D) IV. Cash Settled Crude Oil and Crude Products remain unchanged.)

IV. Futures Contracts Listed for Trading Only on NYMEX ClearPortsm Trading and also Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPortsm Clearing	Net Futures or Futures Equivalent Position Accountability Levels
Cash-Settled Electricity Power Products	
NYISO Zone A LBMP Swap	10,000 contracts
NYISO Zone G LBMP Swap	10,000 contracts
NYISO Zone J LBMP Swap	10,000 contracts
<u>ISO New England Peak LMP Swap</u>	<u>5,000 contracts</u>
DOW JONES Mid-Columbia Electricity Price Index Swap	5,000 contracts
DOW JONES NP15 Electricity Price Index Swap	5,000 contracts
DOW JONES Palo Verde Electricity Price Index Swap	5,000 contracts
DOW JONES SP15 Electricity Price Index Swap	5,000 contracts
<u>Cash-Settled Coal Products</u>	
<u>Eastern Rail CSX Coal Swap</u>	<u>5,000 contracts</u>
<u>Western Rail PRB Coal Swap</u>	<u>5,000 contracts</u>

(Remainder of Rule 9.26 is unchanged.)

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9.27 Expiration and Current Delivery Month Position Limits or Position Accountability

(Sections (A) through (B) IV. Cash-Settled Crude Oil and Crude Oil Products remain unchanged.)

IV. Futures Contracts Listed for Trading Only on NYMEX ClearPortsm Trading and Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPortsm Clearing	Net Futures or Futures Equivalent Expiration Position Limits
Cash-Settled Electricity Power Products	
NYISO Zone A LBMP Swap	1,000 contracts
NYISO Zone G LBMP Swap	1,000 contracts
NYISO Zone J LBMP Swap	1,000 contracts
<u>ISO New England Peak LMP Swap</u>	<u>500 contracts</u>
DOW JONES Mid-Columbia Electricity Price Index Swap	500 contracts
DOW JONES NP15 Electricity Price Index Swap	500 contracts
DOW JONES Palo Verde Electricity Price Index Swap	500 contracts
DOW JONES SP15 Electricity Price Index Swap	500 contracts
<u>Cash-Settled Coal Products</u>	
<u>Eastern Rail CSX Coal Swap</u>	<u>200 contracts</u>

Western Rail PRB Coal Swap

200 contracts

(The remainder of Rule 9.27 remains unchanged.)

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9.34 Reporting Levels

(A) The quantities fixed for the purposes of filing a report under Rule 9.33 are:

(Commodity Section remains unchanged.)

**Futures Contracts listed for Trading Only on NYMEX ClearPort(sm) Trading
and also Listed for Clearing of Off-Exchange Transactions Through NYMEX
ClearPort(sm) Clearing**

ISO New England Peak LMP Swap

25 contracts

Eastern Rail CSX Coal Swap

25 contracts

Western Rail PRB Coal Swap

25 contracts

(The remainder of Rule 9.34 remains unchanged.)