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April 26, 2005

Ms. Jean A. Webb  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

RE: Section 5c(c)1 and Regulation 40.6 Submission. Exchange Certification of Amendments to CME Ethanol Futures. CME Submission #05-48

Dear Ms. Webb:

At its Regular Meeting on Monday, April 25, 2005, the Board of Directors of Chicago Mercantile Exchange Inc. ("CME" or "Exchange") approved the following amendments which clarify the measurement process used in deliveries on CME Ethanol Futures.

There is currently no open interest in any contract month, so these amendments will be effective for all existing and newly listed contract months, effective Thursday, April 28, 2005. Market participants will be notified of these changes on Wednesday, April 27, 2005.

Amendments are shown below, with additions underlined and deletions bracketed and overstruck.

## CHAPTER 202 ETHANOL FUTURES

### 20201. COMMODITY SPECIFICATIONS

Each futures contract shall be for 30,000 U.S. gallons of ethanol that meets the requirements of "Standard Specification for Denatured Fuel Ethanol for Blending with Gasolines for Use as Automotive Spark-Ignition Engine Fuel" of the American Society for Testing and Materials in effect at the time of delivery (henceforth ASTM D4806), including "California Ethanol Requirements" in Appendix X2 to ASTM D4806. [~~The volume shall be measured at 60° Fahrenheit using Table 6B of "Petroleum Measurement Tables, Volume Correction Factors~~

~~Volume II" of the American Society for Testing and Materials in effect at the time of delivery (henceforth ASTM D1250).~~

## 20203. SETTLEMENT PROCEDURES

### D. Seller's Duties

The seller shall follow the buyer's shipping instructions within seven business days after receipt of such instructions. In addition, the seller shall prepay the actual freight charges and bill the buyer, through the Clearing House, the lowest published freight rate for tank cars from Chicago, Illinois to the buyer's destination. The term "lowest published freight rate" refers only to the lowest published "general through rate" and not to rates published in any other rate class. The freight rate used shall be the current tariff rate at the time of shipment, including any applicable surcharges noted in the tariff.

If the freight rate to the buyer's destination is not published, the freight charge shall be negotiated between the buyer and seller in accordance with industry practice.

If within two business days of the receipt of the Notice of Intent the buyer has not designated a destination, or if during that time the buyer and seller fail to agree on a negotiated freight charge, the seller shall treat the destination as Chicago, Illinois. If the buyer does not designate a carrier or routing, the seller shall select same according to normal trade practices.

To complete delivery, the seller must deposit with the Clearing House a Delivery Notice, a certificate of chemical analysis from an independent laboratory noting the properties specified in Rule 20201, documentation indicating the exact quantity delivered standardized to 60° Fahrenheit, and a uniform straight bill of lading (or a copy thereof). The foregoing documents must be received by the Clearing House postmarked within fourteen business days of the date of receipt of shipping instructions.

(Remainder of Rule 20203.D. unchanged)

## 20205. ~~[WEIGHING]~~ MEASUREMENT, SAMPLING AND CLAIMS

### A. ~~[Weighing]~~ Measurement

~~[Weighing]~~ Measurement shall be made at the shipping origin ~~[on]~~ using certified [scales] flow meters standardized to 60° Fahrenheit.

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The Exchange certifies that these amendments comply with the Commodity Exchange Act and regulations thereunder.

If you have any questions regarding this submission, please contact Mr. Paul Peterson at (312) 930-4587 or via e-mail at [ppeterso@cme.com](mailto:ppeterso@cme.com) . Please refer to CME Submission #05-48 in all correspondence regarding this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "John W. Labuszewski". The signature is fluid and cursive, with a large initial "J" and "L".

John W. Labuszewski, Managing Director  
Research & Product Development