New York
Mercantile Exchange

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April 29, 2005

VIA FACSIMILE AND E-MAIL
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Rule Certification. New York Mercantile Exchange, Inc. Submission #05.78: Amendments Concerning NYMEX's Trading at Settlement ("TAS") Program

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. ("Exchange") is notifying the Commodity Futures Trading Commission ("Commission") that it is amending NYMEX Rule 6.40B. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached amendments comply with the Act, including regulations under the Act; this rule change will be implemented effective on Monday, May 2, 2005.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2207.

Very truly yours,

Brian J. Regan

Brian J. Regan
Vice President and Counsel

Att.

New York Mercantile Exchange, Inc.
World Financial Center
One North End Avenue
New York, NY 10282-1101
(212) 299-2000

The New York Mercantile Exchange, Inc. is composed of two divisions. The NYMEX Division offers trading in crude oil, heating oil, unleaded gasoline, natural gas, electricity, coal, propane, platinum, and palladium. The COMEX Division offers trading in gold, silver, copper, and aluminum.

NOTIFICATION OF RULE AMENDMENTS TO NYMEX RULE 6.40B

(Strike-outs in bold indicate deletions, underlining in bold indicates additions.)

Rule 6.40B. TRADING AT SETTLEMENT (PILOT PROGRAM)

(A) Trading at Settlement Procedure. A floor member may enter into a transaction at the settlement price through open outcry with another floor member in any futures contract and delivery month specified in Section (C) of this rule. Any such trade (collectively referred to as a trading at settlement or "TAS") shall be made by open outcry no later than 2:30 p.m. (except in Heating Oil and Unleaded Gasoline where such trades shall be made by open outcry no later than one hour prior to the end of the Regular Trading Hours session for that trading day) or such other time as designated by the Board on that same trading day in the trading ring designated for trading in the particular contract.

(B) Prohibition on TAS Cross Trades. A Floor Member who has in hand buy and sell TAS orders of different principals for the same eligible commodity for future delivery in the same eligible delivery month shall not execute such orders directly between such principals.

(C) Reporting and Recordation. All TAS transactions shall be identified as such on the executing member's trading records prepared in accordance with Rule 6.10 ("Reporting of Trades Executed on the Trading Floor").

(D) Transactions Eligible for Board Approval For Trading at Settlement Procedures.

The Board may, by resolution, authorize the execution of transactions in any or all of the futures contracts and delivery months specified below pursuant to the TAS order procedures set forth in this Rule 6.40B.

Futures
Contract Delivery Month

Light Sweet Crude Oil Spot Month (except on the last trading day)
Brent Crude Oil Spot Month (except on the last trading day)
And also Second Nearby Month (e.g., calendar month following the Spot Month but only on the last 5 trading days of the Spot Month)
Heating Oil Spot Month (except on the last trading day)
Natural Gas Spot Month (except on the last trading day)
Unleaded Gasoline Spot Month (except on the last trading day)

(E) This pilot program shall expire on the following dates:

Futures Contract	Expiration Date
Light Sweet Crude Oil	Extended until further notice
Brent Crude Oil	Extended until further notice
Heating Oil	**~~May 2, 2005~~ June 6, 2005**
Natural Gas	Extended until further notice
Unleaded Gasoline	**~~May 2, 2005~~ June 6, 2005**