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OFC. OF THE SECRETARIAT

Via 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. NYMEX Submission 05.99: Notification of
Amendment to NYMEX Rules 9.02.**

Dear Ms. Jean Webb:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of an amendment to NYMEX Rule 9.02, Membership in the Clearing House.

Effective June 6, 2005, the amendments provide that a remote clearing solution can be effectuated by a Clearing Member where the Clearing House Committee receives such request and deems it reasonable. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Arthur McCoy, Vice President, Financial Surveillance and Risk Management, at (212) 299-2928.

Very truly yours,

Nancy M. Minett
Vice President
Compliance Department

cc: Thomas LaSala
Brian Regan

(Additions are in bold and underlined.)

NYMEX Rule 9.02, Membership in the Clearing House

(A) Any Member Firm may, with the approval of the Clearing House Committee and the Board, become a member of the Clearing House in the manner hereinafter set forth, provided:

(1) that the applicant must have such business integrity and financial responsibility as to justify the Clearing House in assuming the risk involved in the clearing of the applicant's trades;

(2) that a bona fide office can be continuously maintained in the City of New York and a bank account maintained with a bank in the City of New York acceptable to the President. A Clearing Member not having an office in the City of New York may satisfy the condition respecting a bona fide business office in the City of New York by: **A)** designating another Clearing Member or member of the Exchange having a bona fide business office in the City of New York to act for it in all matters requiring action by a Clearing Member under the Bylaws and Rules of the Exchange and to receive on its behalf all notices or other communication including legal process in connection with Clearing House and/or Exchange transactions, such designation to be in form satisfactory to the Clearing House Committee; **or B) presenting a plan for a “remote clearing solution” to the Clearing House Committee and having such plan approved by the Clearing House Committee.** The Clearing House Committee may adopt rules, subject to the approval of the Board, respecting the nature of the office to be maintained in New York by a Clearing Member as well as the conditions to be complied with by a Clearing Member not having an office in the City of New York.

The Board, upon receipt of any application and report from the Clearing House Committee, shall either approve or disapprove the applicant and, if approved, the applicant shall be admitted to membership in the Clearing House. If disapproved the applicant shall not be permitted to file another application for a period of one year from the date of notice of disapproval.

Remaining Sections (B) through (L) are unchanged.