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OFFICE OF THE SECRETARIAT

 **NEW YORK**
BOARD OF TRADE®
World Financial Center
One North End Avenue
New York, New York 10282

BY ELECTRONIC TRANSMISSION

Amended 05-40
September 16, 2005

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

Re: **Amendments to Chapter 5 -
Amended Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Ms. Webb:

Earlier today, the Board of Trade of the City of New York, Inc. ("Exchange") submitted, by written certification, amendments to Chapter 5, in accordance with Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6. The Submission contained two errors with respect to amended Rule 5.03(b)(i) and (ii).

Subparagraph (b)(i), as submitted, begins with the words "[w]ith respect to Cocoa, Coffee, Cotton Ethanol, FCOJ and Sugar Futures and Options Contracts and". This provision should apply to all of the commodity contracts traded at the Exchange and not just those that are listed in the beginning of the subparagraph. Therefore, the words cited above should be deleted and the subparagraph should begin with the word "[w]here".

In addition, subparagraph (b)(ii) should include Pulp in the list of commodity contracts.

Attached as Exhibit A are the corrected subparagraphs.

The Exchange certifies that the corrections comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

If you have any questions or need further information, please contact me at jfassler@nybot.com or 212-748-4084.

Sincerely,

Jill S. Fassler
Vice President
Associate General Counsel

cc: Riva Adriance
Thomas Leahy
CFTC, Division of Market Oversight
Allen Cooper
CFTC, New York Regional Office

(In the text of the amendments below, additions are underlined and deletions are bracketed and lined out.)

Rule 5.0[4]3. ~~[Original Margin]~~ Margin

(a) Member Firms shall calculate the amount of Original Margin required to be collected from each Person for which it carries an account holding Exchange Futures and/or Options Contracts using the SPANTM (Standard Portfolio Analysis of Risk) margining system unless otherwise determined by the Board.

~~[(a)]~~ (b) The minimum amount of Original Margin which must be obtained by Member Firms from other Persons for any account carrying Exchange Futures and/or Options Contracts shall be as follows:

(i) Where such other Person is a Member or Member of the Trade, the Original Margin required to be deposited in each such account shall be no less than ~~[100% of the amount determined in accordance with SPANTM;~~ the Hedge Margin Rate applicable to each such Commodity Contract as published by the Exchange and modified from time to time.

(ii) With respect to Cocoa, Coffee, Cotton, Ethanol, FCOJ, Pulp and Sugar Futures and Options Contracts and where such other Person is not a Member or Member of the Trade, the Original Margin required to be deposited in each such account shall be ~~[140% of the amount determined in accordance with SPANTM;~~ no less than 140% of the Hedge Margin Rate applicable to each such Commodity Contract as published by the Exchange and modified from time to time.

[REMAINDER OF RULE UNCHANGED]

EXHIBIT A