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OFC. OF THE SECRETARIAT

December 1, 2006

**VIA E-MAIL**

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

**Re: NYMEX and COMEX Submission #06.147: Metals Liquidity Provider  
Program on CME Globex® System**

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. (the "Exchange") is notifying the Commodity Futures Trading Commission ("Commission") that, on behalf of itself and COMEX, its wholly-owned subsidiary, it is self-certifying the liquidity provider program attached with this submission. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that all of the attached program terms comply with the Act, including regulations under the Act; these changes will be made effective for trade date December 4, 2006.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2200.

Very truly yours,

Christopher K. Bowen  
General Counsel, CAO and Secretary

Att.

## Metals Liquidity Provider Program CME Globex® Platform

Term of Program: Liquidity Providers (LPs) will fulfill requirements below starting on December 4, 2006 for a period of three (3) months. NYMEX reserves the right to extend the program for an additional three-month period or less after the expiration of this program in its sole discretion.

Obligations: LPs will provide a minimum daily volume (MDV), as agreed to between both parties. The MDV is calculated on a monthly basis in order to qualify for the rate benefit. LPs receive either member rates, tiered rates or full fee waivers depending upon each individual circumstance.

- LPs will make markets anytime while the CME Globex platform is open.
- The program is limited to 20 members and 20 non-members, though NYMEX is not required to fill all 40 LP positions.
- LPs can participate in multiple categories (below) and must meet their MDV in each category for the fee incentive associated with the category.
- If non-members do not meet hurdles they pay non-member rates.
- If members do not meet MDV hurdles, they pay member rates.
- LPs who meet the hurdles of 1000 to 1500 MDV in precious metals traded electronically (Gold, Silver and miNY Gold and miNY Silver) get their fees waived.
- LPs who meet the hurdles of 250 MDV in base metals traded electronically (Copper and Aluminum) get their fees waived.
- LPs who meet the hurdles of 250 MDV in London products get their fees waived.
- LPs who meet the hurdles of 250 MDV in Asian products get their fees waived.