

January 17, 2007

**Via E-Mail**

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

OFFICE OF THE SECRETARIAT

2007 JAN 18 AM 11:09

RECEIVED  
CFTC

**Re: Rule Certification. NYMEX Submission 07.08: Notification of Amendments to NYMEX Rules 9.26, 9.27A, and 9.34 for the NYMEX 3-2-1 PLUS Energy Index Contract.**

Dear Ms. Eileen A. Donovan:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of amendments to NYMEX Rules 9.26, All Month/Any One Month Accountability Levels, 9.27A, Expiration Accountability Levels, and 9.34, Reporting Levels.

Effective on trade date Monday, January 22, 2007, these amendments include the addition of all month/any one month accountability level, penultimate expiration accountability level, and reporting level for the NYMEX 3-2-1 PLUS Energy Index Contract. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Senior Director, Market Surveillance, at (212) 299-2881.

Very truly yours,

Thomas F. LaSala  
Chief Regulatory Officer

cc: Brian Regan  
Nancy Minett  
Anthony V. Densieski

| <u>Contract Name</u>                          | <u>Rule</u>    | <u>Commodity</u> | <u>All/Any One Month</u> | <u>Any/All Month Limit</u> | <u>Expiration</u> | <u>Expiration</u>                       | <u>Expiration</u>           | <u>Reporting</u> |                  |                  |
|---|----------------|------------------|--------------------------|----------------------------|-------------------|---|-----------------------------|------------------|------------------|------------------|
|   | <u>Chapter</u> | <u>Code</u>      | <u>Accountability</u>    | <u>Rule 9.26A</u>          | <u>Month</u>      | <u>Accountability Level</u>             | <u>Accountability Level</u> | <u>Level</u>     | <u>Aggregate</u> | <u>Aggregate</u> |
|   |                |                  | <u>Level</u>             |                            | <u>Limit</u>      | <u>Penultimate and Metals Contracts</u> | <u>Last Day</u>             |                  | <u>Into (1)</u>  | <u>Into (2)</u>  |
|   |                |                  | <u>Rule 9.26</u>         |                            | <u>Rule 9.27</u>  |   | <u>Contracts</u>            | <u>Rule 9.34</u> |                  |                  |
|   |                |                  |                          |                            |                   | <u>Rule 9.27A</u>                       | <u>Rule 9.27A</u>           |                  |                  |                  |
| <u>iPort™ Index Contracts</u>                 |                |                  |                          |                            |                   |   |                             |                  |                  |                  |
| <u>NYMEX 3-2-1 PLUS Energy Index Contract</u> |                | <u>WX</u>        | <u>20,000</u>            |                            |                   | <u>2,000</u>                            |                             | <u>25</u>        | <u>WX</u>        |                  |