



**BY ELECTRONIC TRANSMISSION**

07-9  
February 7, 2007

Ms. Eileen A. Donovan  
Acting Secretary of the Commission  
Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, NW  
Washington, DC 20581

OFFICE OF THE SECRETARIAT

FEB 7 2007 10:36

RECEIVED  
FEB 7 2007

Re: **Amendments to Disciplinary Rule 21.25(b)(i) -  
Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Ms. Donovan:

Pursuant to Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6, the Board of Trade of the City of New York, Inc. ("Exchange") submits, by written certification, amendments to Disciplinary Rule 21.25(b)(i), attached as Exhibit A.

The amendments permit the use of cellular telephones outside of the trading rings on the Exchange's trading floor and eliminate a redundant floor fine. Cellular phones will be permitted in the areas outside the trading rings in order to give the floor community access to the same information as their counterparts who are trading electronically. The floor fine for failing to take ten (10) contracts in Cotton No. 2, FCOJ, Financials and Index Contracts after showing two (2) hands is repeated in the fine for failing to state a quantity in any Exchange contract and not take a minimum of ten (10) contracts. Hence, the former is being deleted.

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

The Exchange's Board of Directors adopted the amendments at its meeting on February 7, 2007. The amendments will be implemented on February 8, 2007. No substantive opposing views were expressed by members or others with respect to the amendments.

If you have any questions or need further information, please contact me at [jfassler@nybot.com](mailto:jfassler@nybot.com) or 212-748-4084.

Sincerely,

Jill S. Fassler  
Vice President  
Associate General Counsel

cc: Riva Adriance  
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 21.25. Floor Committee Summary Action**

\* \* \*

*(b) Conduct Subject to Summary Action*

It shall be a violation of the Rules regarding decorum, attire, or timely submission of accurate records for a Member to engage in the following practices:

**(i) Decorum:**

The conduct enumerated below, if committed on the Trading Floor, on premises occupied by the Exchange, or in the building in which such premises are located is deemed a breach of decorum and is prohibited. In addition, the conduct specified in paragraph (A)(15) hereof, if committed in the area immediately surrounding any building in which the Exchange occupies premises is deemed a breach of decorum and is prohibited if such conduct relates to, or impacts upon, the business of the Exchange.

*A. Conduct:*

\* \* \*

17. The use of photographic equipment [~~or cellular telephones~~] on the Trading Floor.
18. Leaving a spot in a Trading Ring in a disruptive manner.
19. Otherwise causing a disruption in the marketplace.
20. Any threatening, abusive, harassing or intimidating speech or conduct.
21. Failure to report sales on the close.
22. The use of cellular telephones inside the Trading Ring

*B. Trading Practices:*

\* \* \*

12. [~~in the Cotton No. 2, FCOJ, Financials and Index Contracts trading rings, showing two (2) hands and failing to trade ten (10) contracts.~~]
- 13] failing to state a quantity and not taking a minimum of ten (10) contracts.

[REMAINDER OF RULE UNCHANGED]

**EXHIBIT A**