

February 13, 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 SECRETARY

FEB 13 AM 10:36

RECEIVED

Re: Rule Certification. NYMEX Submission 07.23: Notification of Amendments to NYMEX Division Rule 6.90, Trading Card Procedures.

Dear Ms. Eileen Donovan:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of amendments to NYMEX Division Rule 6.90, Trading Card Procedures.

Effective February 15, 2007, the amendments to NYMEX Division Rule 6.90 outline the requirements for recordation of electronically-executed trades on a Member's trading cards. Specifically, Members will be permitted to record electronic executions, both personal and for customers, on their trading cards. If the entries for the two different venues are commingled, the trades must be recorded sequentially, and must be clearly marked with a designation that the trade was executed electronically. Alternately, Members may draw a line clearly marked "electronic" across a separate area of the trading card and record the electronic trades below.

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 and policy changes comply with the Act, including regulations under the Act.

If you have any questions, please contact Nancy Minett, Vice President, Compliance, at (212) 299-2940, or myself at (212) 299-2897.

Sincerely,

Thomas F. LaSala
Chief Regulatory Officer

cc: Nancy Minett
Brian Regan

(Additions are in bold/underline; deletions are in bold/strikethrough.)

Rule 6.90, Trading Card Procedures

(A) A Floor Member shall regularly and promptly record all transactions that he executes on a sequentially numbered trading card pre-printed and issued by the Exchange. The Exchange shall maintain a record of all trading cards issued to such Floor Member. Each member shall be accountable for maintaining the original soft ply of all trading cards issued to such member in exact numerical sequence, including soft plies which are not used by the Floor Member or collected by the Exchange. Where the transaction is an EFP EFS, EFM, EFB, or IXA, not executed by the Floor Member, the Floor Member's clerk may record the transaction on a separate trading card, provided that the trading card is clearly marked "EFP/EFS/EFM/EFB/IXA only."

(B) All trading cards shall show the Member's symbol, the date, price differential or premium, quantity, commodity, delivery month or expiration date, the opposite Floor Member, and, for options, the strike price, and whether the transaction involved a put or a call. With the exception of trades executed during the opening or closing ranges, members shall record the exact time of execution to the minute of the first trade made on each trading card. Members shall identify on their trading cards all trades executed during the opening and closing ranges by marking a line across the card below all transactions executed during the opening and above all transactions executed during the closing range. All transactions must be recorded in exact chronological order of execution on sequential lines of the trading card without skipping lines between trades. **A member who executes trades both at open outcry and on an electronic tablet from the ring is not required to, but may elect to record any or all of the electronic executions on the trading card, under the following circumstances: the trade must be clearly designated with an E in the opposite broker column, and must indicate at a minimum side of market, quantity, month and price. The trade must be sequentially recorded and, the trade must indicate whether it is for the account of the member, another member or for a customer. Members may also choose to record electronic executions on a separate area of the trading card by marking a line across the card, labeling the line "electronic" and recording electronic executions below the line. If a Member chooses this option, no open outcry trades may be recorded below the line.** If any lines remain after the final transaction has been recorded on a trading card, **including lines either above or below the "electronic" line designation,** they shall be marked through by the Floor Member. EFP/EFS/EFM/EFB/IXA transactions may be recorded on a separate non-sequentially numbered trading card.

(Remainder of the Rule is unchanged.)