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New York, New York 10282

BY ELECTRONIC TRANSMISSION

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April 12, 2007

OFFICE OF THE SECRETARIAT
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RECEIVED

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

Re: **Rules 8.12 and 8.13 and Coffee Resolution No. 1 and Cocoa Resolution No. 5 -
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 Rules 8.12 and 8.13 and Coffee Resolution No. 1 and Cocoa Resolution No. 5, attached as Exhibit A.

The amendments to Rule 8.12 make it clear that, when a Lot of coffee in a delivery is being weighed after the delivery date and, at the time the bags are weighed one or more of the bags require repair, the Deliverer who requested that the Lot be weighed will be responsible for such repair.

The amendment to Rule 8.13 provides that, when a Lot for delivery is found to be underweight after the deadline has passed for the Deliverer to substitute a new Lot, the Deliverer may add bags to the Lot as long as the bags are from the same original Exchange identification.

The amendments to Coffee Resolution No. 1 and Cocoa Resolution No. 5 require a warehouse to accept only an eCOPS[®] generated electronic delivery order from a titleholder for any coffee or cocoa for which an electronic warehouse receipt ("EWR") has been issued.

The amendments were adopted by the Exchange's Board of Directors at its meeting on April 11, 2007 and will go into effect on April 16, 2007. The Exchange certifies that the amendments comply with the requirements of the Commodity Exchange Act and the rules

and regulations promulgated thereunder. 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 212-748-4084 or at jfassler@nybot.com.

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 8.12. Delivery and Payment

* * *

(g) If the final Delivery Worksheet does not contain one (1) or more Weight Notes with respect to a given Lot on the Date of Delivery:

(1) the Exchange Invoice shall be designated a pro forma Exchange Invoice and the Receiver's account shall be debited and the Deliverer's account credited by the Clearing Organization the amount specified in the pro forma Exchange Invoice; ~~and~~

(2) the Deliverer must have the Weight Note(s) issued to the Receiver no later than the fifth (5th) Business Day following the last permissible delivery day of the delivery month, at which time the Receiver and Deliverer shall settle directly between them any amounts due and owing based upon the weight specified in such Weight Note(s)[-]; and

(3) the Deliverer issuing the request for weighing shall be liable for the repair of bags which, as a result of the weighing process, become, or are discovered to be, torn or bursting.

Rule 8.13. Substitution

(a) In the event the coffee specified in a Delivery Notice is not deliverable for any reason under the Coffee "C" Futures Contract, the issuer of such Delivery Notice must substitute and deliver other Coffee "C", which need not be of the same growth or quality.

(1) The Coffee "C" to be substituted must be stored in the same port as the coffee originally specified in the Delivery Notice.

(2) A Certificate of Grade must have already been issued with respect to the Coffee "C" to be substituted which signifies that such coffee meets the minimum standards for delivery under the Coffee "C" Futures Contract.

(3) There must not have been any previous attempt at substitution with respect to the coffee originally specified in the Delivery Notice.

(4) Substitution may be made no later than 5:00 p.m. of the second (2nd) Business Day prior to the Date of Delivery.

(b) In the event of a substitution pursuant to subparagraph (a) hereof, settlement shall be made on the basis of the substituted coffee.

(c) Notwithstanding paragraphs (a) and (b) of this Rule, if a Deliverer is notified by a licensed Weigher that a Lot to be delivered is too light and, therefore, does not meet the weight requirements for delivery and at the time of such notification, the time for Substitution, as specified in subparagraph (a)(4) above, has passed and the Date of Delivery has not occurred, the Deliverer may add bags to the Lot as long as the added bags are from the same original Exchange identification.

EXHIBIT A

**COFFEE RESOLUTION No. 1 WAREHOUSE PROCEDURES AND
RECORDKEEPING REQUIREMENTS FOR THE STORAGE OF EXCHANGE
COFFEE**

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VIII. REQUIREMENTS

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16. The warehouse shall only accept an electronic delivery order for any Lot for which an EWR has been issued.

[REMAINDER OF RESOLUTION UNCHANGED]

**COCOA RESOLUTION No. 5 WAREHOUSE PROCEDURES AND
RECORDKEEPING REQUIREMENTS FOR THE STORAGE OF EXCHANGE COCOA**

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VIII. REQUIREMENTS

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15. The warehouse shall only accept an electronic delivery order for any Lot for which an EWR has been issued.

[REMAINDER OF RESOLUTION UNCHANGED]