

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 17-012

Organization: New York Mercantile Exchange, Inc. ("NYMEX")

Filing as a: DCM SEF DCO SDR

Please note - only ONE choice allowed.

Filing Date (mm/dd/yy): 01/9/2017 Filing Description: Amended and Restated Certificate of Incorporation of New York Mercantile Exchange, Inc.

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- Certification § 40.6(a)
- Approval § 40.5(a)
- Notification § 40.6(d)
- Advance Notice of SIDCO Rule Change § 40.10(a)
- SIDCO Emergency Rule Change § 40.10(h)

Rule Numbers: See filing.

New Product

Please note only ONE product per Submission.

- Certification § 40.2(a)
- Certification Security Futures § 41.23(a)
- Certification Swap Class § 40.2(d)
- Approval § 40.3(a)
- Approval Security Futures § 41.23(b)
- Novel Derivative Product Notification § 40.12(a)
- Swap Submission § 39.5

Product Terms and Conditions (product related Rules and Rule Amendments)

- Certification § 40.6(a)
- Certification Made Available to Trade Determination § 40.6(a)
- Certification Security Futures § 41.24(a)
- Delisting (No Open Interest) § 40.6(a)
- Approval § 40.5(a)
- Approval Made Available to Trade Determination § 40.5(a)
- Approval Security Futures § 41.24(c)
- Approval Amendments to enumerated agricultural products § 40.4(a), § 40.5(a)
- "Non-Material Agricultural Rule Change" § 40.4(b)(5)
- Notification § 40.6(d)

Official Name(s) of Product(s) Affected:

Rule Numbers:

January 9, 2017

VIA ELECTRONIC PORTAL

Mr. Christopher J. Kirkpatrick
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

Re: CFTC Regulation 40.6(a) Certification. Amended and Restated Certificate of Incorporation of New York Mercantile Exchange, Inc. NYMEX Submission No. 17-012

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) is notifying the Commodity Futures Trading Commission (“CFTC” or “Commission”) that it is self-certifying amendments to the Amended and Restated Certificate of Incorporation of NYMEX (the “NYMEX Certificate of Incorporation”) effective on January 25, 2017.

As a result of the Exchange’s elimination of open outcry trading effective on January 3, 2017, NYMEX is deleting obsolete references to open outcry trading and the related open outcry trading facility from the NYMEX Certificate of Incorporation. These amendments were approved by the Exchange’s Board of Directors.

For your convenience, the NYMEX Certificate of Incorporation in its entirety is provided in Appendix A in blackline format.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA”) and identified the following Core Principle as potentially being impacted by the amendments:

- **Availability of General Information:** The amendments to the NYMEX Certificate of Incorporation clarify public-facing materials relevant to the activities, procedures, requirements, and governance of the Exchange.

The Exchange certifies that this submission has been concurrently posted on the Exchange’s website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

The Exchange certifies that these amendments to the NYMEX Certificate of Incorporation comply with the CEA and regulations promulgated thereunder. No substantive opposing views regarding the proposed amendments were expressed to the Exchange.

If you have any questions regarding this submission, please contact Meg Wright, Assistant Corporate Secretary, at 312-930-3305 or via e-mail at Meg.Wright@cmegroup.com. Alternatively, you may contact me at 212-299-2200 or via e-mail at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Appendix A – Amended and Restated Certificate of Incorporation of New York Mercantile Exchange, Inc. (attached under separate cover)

APPENDIX A

**AMENDED AND RESTATED CERTIFICATE OF INCORPORATION
OF
NEW YORK MERCANTILE EXCHANGE, INC.**

(attached under separate cover)