

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 23-208 (1 of 2)

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): 05/31/23 **Filing Description:** Expansion of the Listing Schedule of the Platinum and Palladium Futures Option Contracts/Expansion of TAS Eligibility and Implementation of TAS Spread Eligibility of the Palladium Futures Contract

SPECIFY FILING TYPE

Please note only ONE choice allowed per Submission.

Organization Rules and Rule Amendments

- | | | |
|--------------------------|-------------------------------------|------------|
| <input type="checkbox"/> | Certification | § 40.6(a) |
| <input type="checkbox"/> | Approval | § 40.5(a) |
| <input type="checkbox"/> | Notification | § 40.6(d) |
| <input type="checkbox"/> | Advance Notice of SIDCO Rule Change | § 40.10(a) |
| <input type="checkbox"/> | SIDCO Emergency Rule Change | § 40.10(h) |

Rule Numbers:

New Product

Please note only ONE product per Submission.

- | | | |
|--------------------------|---------------------------------------|------------|
| <input type="checkbox"/> | Certification | § 40.2(a) |
| <input type="checkbox"/> | Certification Security Futures | § 41.23(a) |
| <input type="checkbox"/> | Certification Swap Class | § 40.2(d) |
| <input type="checkbox"/> | Approval | § 40.3(a) |
| <input type="checkbox"/> | Approval Security Futures | § 41.23(b) |
| <input type="checkbox"/> | Novel Derivative Product Notification | § 40.12(a) |
| <input type="checkbox"/> | Swap Submission | § 39.5 |

Official Product Name:

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

- | | | |
|-------------------------------------|---|----------------------|
| <input checked="" type="checkbox"/> | Certification | § 40.6(a) |
| <input type="checkbox"/> | Certification Made Available to Trade Determination | § 40.6(a) |
| <input type="checkbox"/> | Certification Security Futures | § 41.24(a) |
| <input type="checkbox"/> | Delisting (No Open Interest) | § 40.6(a) |
| <input type="checkbox"/> | Approval | § 40.5(a) |
| <input type="checkbox"/> | Approval Made Available to Trade Determination | § 40.5(a) |
| <input type="checkbox"/> | Approval Security Futures | § 41.24(c) |
| <input type="checkbox"/> | Approval Amendments to enumerated agricultural products | § 40.4(a), § 40.5(a) |
| <input type="checkbox"/> | “Non-Material Agricultural Rule Change” | § 40.4(b)(5) |
| <input type="checkbox"/> | Notification | § 40.6(d) |

Official Name(s) of Product(s) Affected: See filing.

Rule Numbers: See filing.

May 31, 2023

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. Expansion of the Listing Schedule of the Platinum and Palladium Futures Option Contracts / Expansion of TAS Eligibility on and Implementation of TAS Spread Eligibility of the Palladium Futures Contract. NYMEX Submission No. 23-208 (1 of 2)

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) is certifying to the Commodity Futures Trading Commission (“CFTC” or “Commission”) effective Sunday, July 16, 2023 for trade date Monday, July 17, 2023, the Exchange will:

1. Expand the listing schedule of the Platinum and Palladium Futures and Option contracts (the “Contracts”) for trading on the CME Globex electronic trading platform (“CME Globex”) and for submission for clearing on CME ClearPort as noted in Table 1. below;
2. Amend the Trading at Settlement (“TAS”) and Trading at Marker table located in NYMEX Chapter 5 (“Trading Qualifications and Practices”) (the “Table”) to expand eligibility for the Palladium Futures contract as also noted in Table 1. below; and
3. Further amend the Table to enable TAS spread eligibility of the Palladium Futures contract for all TAS eligible contract months (collectively, the “Rule Amendments”).

Table 1.

| Contract Title | CME Globex and CME ClearPort Codes | Rulebook Chapter | Current Listing Schedule | Expanded Listing Schedule |
|-----------------------|---|-------------------------|---|--|
| Platinum Futures | PL | 105 | Monthly contracts listed for 3 consecutive months and any Jan, Apr, Jul, Oct in the nearest 15 months | Monthly contracts listed for 3 consecutive months and any Jan, Apr, Jul, Oct in the nearest 36 months |

| | | | | |
|-------------------|-------------------------|-----|--|--|
| Platinum Option | PO | 360 | Monthly contracts listed for 3 consecutive months and any Jan, Apr, Jul, Oct in the nearest 3 months | Monthly contracts listed for 3 consecutive months and any Jan, Apr, Jul, Oct in the nearest 36 months |
| Palladium Futures | PA TAS Code: PAT* | 105 | Monthly contracts listed for 3 consecutive months and any Mar, Jun, Sep, Dec listed for 15 months | Monthly contracts listed for 3 consecutive months and any Mar, Jun, Sep, Dec in the nearest 36 months |
| Palladium Option | PAO | 119 | Monthly contracts listed for 3 consecutive months and the next 3 contracts in the Mar, Jul, Sep, Dec cycle | Monthly contracts listed for 3 consecutive months and any Mar, Jun, Sep, Dec in the nearest 36 months |

*TAS eligibility expanded from first active month to first and second active month (March, June, September, December)

The Exchange conducted an analysis of liquidity of the affected contract month and determined that the expansion of TAS eligibility for the Palladium Futures contract is appropriate at this time.

Amendments to the Table are provided as Exhibit A in blackline format.

The Exchange reviewed the designated contract market core principles (“Core Principles”) as set forth in the Commodity Exchange Act (“CEA” or “Act”) and identified that the Rule Amendments may have some bearing on the following Core Principles:

- **Availability of General Information:** NYMEX will issue a Special Executive Report (“SER”) to the marketplace regarding these amendments. The SER will also be posted on the CME Group website.
- **Contracts Not Readily Subject to Manipulation:** A review of the Palladium Futures contract shows that there is sufficient liquidity on CME Globex to support pricing at TAS. The Exchange continues to believe that the contract is not subject to manipulation.
- **Daily Publication of Trading Information:** NYMEX will continue to comply with this Core Principle by making public daily information on settlement prices, volume, open interest, and opening and closing ranges for the Contracts which will be published daily on the Exchange’s website.
- **Compliance with Rules:** The Exchange shall continue its normal practice to establish, monitor, and enforce compliance with the rules of the Contracts, including the expansion of the listing schedules of the Contracts.
- **Execution of Transactions:** The Exchange will continue its current practice of providing a competitive, open, and efficient market mechanism for executing transactions in the Contracts.

Pursuant to Section 5c(c) of the Act and CFTC Regulation 40.6(a), the Exchange hereby certifies that the Rule Amendments comply with the Act, including regulations under the Act. There were no substantive opposing views to the proposal.

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

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2200 or via e-mail at CMEGSubmissionInquiry@cmegroup.com.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachment: Exhibit A – Amendments to the NYMEX Trading at Settlement (“TAS”) and Trading at ` Marker (“TAM”) Table Located in Chapter 5 (“Trading Qualifications and Practices”) (blackline format)

Exhibit A

**NYMEX Rulebook
Chapter 5
("Trading Qualifications and Practices")
Trading at Settlement ("TAS") and Trading at Marker ("TAM") Table**

(additions underscored)

| Palladium (PAT)* | | | | | | | | | | | |
|-------------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|-----------------------|
| JAN | FEB | MAR | APR | MAY | JUN | JUL | AUG | SEP | OCT | NOV | DEC |
| <i>Mar</i> | <i>Mar</i> | <i>Jun</i> | <i>Jun</i> | <i>Jun</i> | <i>Sep</i> | <i>Sep</i> | <i>Sep</i> | <i>Dec</i> | <i>Dec</i> | <i>Dec</i> | <i>Mar</i> |
| <u><i>Jun</i></u> | <u><i>Jun</i></u> | <u><i>Sep</i></u> | <u><i>Sep</i></u> | <u><i>Sep</i></u> | <u><i>Dec</i></u> | <u><i>Dec</i></u> | <u><i>Dec</i></u> | <u><i>Mar</i></u> | <u><i>Mar</i></u> | <u><i>Mar</i></u> | <u><i>Jun</i></u> |
| <u><i>Mar-Jun</i></u> | <u><i>Mar-Jun</i></u> | <u><i>Jun-Sep</i></u> | <u><i>Jun-Sep</i></u> | <u><i>Jun-Sep</i></u> | <u><i>Sep-Dec</i></u> | <u><i>Sep-Dec</i></u> | <u><i>Sep-Dec</i></u> | <u><i>Dec-Mar</i></u> | <u><i>Dec-Mar</i></u> | <u><i>Dec-Mar</i></u> | <u><i>Mar-Jun</i></u> |

Palladium Futures: Trading at Settlement (TAS) is allowed in the first and second nearby active contract months (Mar, Jun, Sep, Dec)