

SUBMISSION COVER SHEET

IMPORTANT: Check box if Confidential Treatment is requested

Registered Entity Identifier Code (optional): 23-136

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): 02/24/23 **Filing Description:** Administrative Amendments to Four (4) Energy Average Price Option Contracts

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:

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: See filing.

Rule Numbers: See filing.

February 24, 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, D.C. 20581

**Re: CFTC Regulation 40.6(a) Certification. Administrative Amendments to Four (4) Energy Average Price Option Contracts.
 NYMEX Submission No. 23-136**

Dear Mr. Kirkpatrick:

New York Mercantile Exchange, Inc. (“NYMEX” or “Exchange”) is certifying to the Commodity Futures Trading Commission (“CFTC” or “Commission”) administrative amendments to four (4) energy average price option contracts listed in Table 1. below (the “Contracts”) effective on Monday, March 13, 2023.
 Table 1.

Contract Title	Rulebook Chapter	CME ClearPort Code	CME Globex Code
NY Harbor ULSD Crack Spread Average Price Option	523A	3W	A3W
RBOB Gasoline Crack Spread Average Price Option	559A	3Y	A3Y
Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Average Price Option	252	SCO	
3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures-Style Margined Average Price Option	253	BCO	

Specifically, the Exchange is implementing harmonization amendments to the Contracts to mirror the format with other NYMEX product rulebook chapters (collectively, the “Rule Amendments”). The Rule Amendments are administrative in nature and there is no economic impact as a result of these changes.

The Rule Amendments are provided in Exhibit A below in blackline format.

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

- **Availability of General Information:** The Exchange shall continue to publish on its website information in regard to contract specifications, terms, and conditions, as well as daily trading volume, open interest, and price information for the Contracts. In addition, the Exchange will advise the marketplace of the Rule Amendments by releasing a Special Executive Report (“SER”). The SER will also be posted on CME Group’s website.

- **Daily Publication of Trading Information:** The Exchange shall continue to make public daily information on settlement prices, volume, open interest, and opening and closing ranges for 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 this proposal.

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>.

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 NYMEX Rulebook Chapters (blackline format)

Exhibit A

NYMEX Rulebook

(additions underscored; deletions ~~struck through~~)

Chapter 523A

NY Harbor ULSD Crack Spread Average Price Option

523A100. SCOPE OF CHAPTER

This chapter is limited in application to put and call average price options on NY Harbor ULSD Crack Spread Futures contract. In addition to the rules of this chapter, transactions in options on NY Harbor ULSD Crack Spread Futures shall be subject to the general rules of the Exchange insofar as applicable.

523A101. OPTION CHARACTERISTICS

The number of contract months open for trading at a given time shall be determined by the Exchange.

523A101.A. Trading Schedule

The hours of trading for this contract shall be determined by the Exchange.

523A101.B. Trading Units

A NY Harbor ULSD Crack Spread Average Price put option traded on the Exchange represents the cash difference between the exercise price and the settlement price of the NY Harbor ULSD Crack Spread Futures multiplied by 1,000, or zero, whichever is greater. A NY Harbor ULSD Crack Spread Average Price call option traded on the Exchange represents the cash difference between the settlement price of the NY Harbor ULSD Crack Spread Futures and the exercise price multiplied by 1,000, or zero, whichever is greater.

523A101.C. Price Increments

Prices shall be quoted in U.S dollar and cents per barrel. The minimum price fluctuation shall be \$0.01 per barrel.

523A101D. Position Limits, Exemptions, Position Accountability and Reportable Levels

The applicable position limits and/or accountability levels, in addition to the reportable levels, are set forth in the Position Limit, Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5.

A Person seeking an exemption from position limits for bona fide commercial purposes shall apply to the Market Regulation Department on forms provided by the Exchange, and the Market Regulation Department may grant qualified exemptions in its sole discretion.

Refer to Rule 559 for requirements concerning the aggregation of positions and allowable exemptions from the specified position limits.

523A101.E. Termination of Trading

A NY Harbor ULSD Crack Spread Average Price Option contract shall expire on the last business day of the delivery month

523A101.F. Type of Option

The option is a European-style option cash settled on expiration day. The option cannot be exercised prior to expiration.

523A102. EXERCISE PRICES AND CHARACTERISTICS

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

Chapter 559A
RBOB Gasoline Crack Spread Average Price Option

559A100. SCOPE OF CHAPTER

This chapter is limited in application to put and call average price options on the RBOB Gasoline Crack Spread Futures contract. In addition to the rules of this chapter, transactions in options on RBOB Gasoline Crack Spread Futures shall be subject to the general rules of the Exchange insofar as applicable.

559A101. OPTION CHARACTERISTICS

The number of contract months open for trading at a given time shall be determined by the Exchange.

559A101.A. Trading Schedule

The hours of trading for this contract shall be determined by the Exchange.

559A101.B. Trading Units

A RBOB Gasoline Crack Spread Average Price put option traded on the Exchange represents the cash difference between the exercise price and the settlement price of the RBOB Gasoline Crack Spread Futures multiplied by 1,000, or zero, whichever is greater. A RBOB Gasoline Crack Spread Average Price call option traded on the Exchange represents the cash difference between the settlement price of the RBOB Gasoline Crack Spread Futures and the exercise price multiplied by 1,000, or zero, whichever is greater.

559A101.C. Price Increments

Prices shall be quoted in U.S dollar and cents per barrel. The minimum price fluctuation price fluctuation shall be \$0.01 per barrel.

559A101D. Position Limits, Exemptions, Position Accountability and Reportable Levels

The applicable position limits and/or accountability levels, in addition to the reportable levels, are set forth in the Position Limit, Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5.

A Person seeking an exemption from position limits for bona fide commercial purposes shall apply to the Market Regulation Department on forms provided by the Exchange, and the Market Regulation Department may grant qualified exemptions in its sole discretion.

Refer to Rule 559 for requirements concerning the aggregation of positions and allowable exemptions from the specified position limits.

559A101.E. Termination of Trading

An RBOB Gasoline Crack Spread Average Price Option contract shall expire on the last business day of the delivery month.

559A101.F. Type of Option

The option is a European-style option cash settled on expiration day. The option cannot be exercised prior to expiration.

559A102. EXERCISE PRICES AND CHARACTERISTICS

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

Chapter 252

Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Average Price Option

252100. SCOPE OF CHAPTER

The provisions of these rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price. The procedures for trading, clearing and cash settlement of this contract, and any other matters not specifically covered herein shall be governed by the general rules of the Exchange.

This chapter is limited in application to put and call average price options on the Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Futures contract. In addition to the rules of this chapter, transactions in options on the Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Futures shall be subject to the general rules of the Exchange insofar as applicable.

252101. OPTION CHARACTERISTICS

The number of months open for trading at a given time shall be determined by the Exchange.

252101.A. Trading Schedule

The hours of trading for this contract shall be determined by the Exchange.

252101.B. Trading Unit

A Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Average Price call option traded on the Exchange represents the differential between the final settlement price of the Floating Price and the strike price, multiplied by 6,350 barrels, or zero, whichever is greater. A Singapore Fuel Oil 380cst (Platts) Brent Crack Spread (1000mt) Average Price put option traded on the Exchange represents the differential between the strike price and the Floating Price, multiplied by 6,350 barrels, or zero, whichever is greater.

The Floating Price is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts Asia-Pacific Marketscan for HSFO 380cst (High-Sulfur Fuel Oil) under the heading "Singapore Physical Cargoes" minus the ICE Brent Crude Oil Futures first nearby contract settlement price for each business day during the contract month.

The settlement price of the first nearby Brent Crude Oil Futures contract month will be used except on the last day of trading for the expiring Brent Crude Oil Futures contract when the settlement price of the second nearby contract month will be used.

For purposes of determining the Floating Price, the Platts Fuel Oil assessment price will be converted each day to U.S. dollars and cents per barrel, rounded to the nearest cent. The conversion factor will be 6.35 barrels per metric ton.

The Floating Price is calculated using the non-common pricing convention. In calculating the spread differential, the monthly average for each component leg of the spread shall be calculated by using all trading days in the month for each component leg of the spread, followed by the calculation of the spread differential between the two averages.

252101.C. Price Increments

Prices shall be quoted in U.S. dollars and cents per barrel. The minimum price fluctuation shall be \$0.001 per barrel.

252101.D. Position Limits, Exemptions, Position Accountability and Reportable Levels

The applicable position limits and/or accountability levels, in addition to the reportable levels, are set forth in the Position Limit, Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5.

A Person seeking an exemption from position limits for bona fide commercial purposes shall apply to the Market Regulation Department on forms provided by the Exchange, and the Market Regulation Department may grant qualified exemptions in its sole discretion.

Refer to Rule 559 for requirements concerning the aggregation of positions and allowable exemptions from the specified position limits.

252101.E. Termination of Trading

Trading terminates on the last business day of the contract month.

252101.F. Type of Option

The option is a European-style option cash settled on expiration day. The option cannot be exercised prior to expiration.

252102. EXERCISE PRICES

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

252103. DISCLAIMER

See [NYMEX/COMEX Chapter iv. \("DISCLAIMERS"\)](#) incorporated herein by reference.

Chapter 253

3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures-Style Margined Average Price Option

253100. SCOPE OF CHAPTER

~~The provisions of these rules shall apply to all contracts bought or sold on the Exchange for cash settlement based on the Floating Price. The procedures for trading, clearing and cash settlement of this contract, and any other matters not specifically covered herein shall be governed by the general rules of the Exchange.~~

This chapter is limited in application to put and call average price options on the 3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures contract. In addition to the rules of this chapter, transactions in options on the 3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures shall be subject to the general rules of the Exchange insofar as applicable.

253101. OPTION CHARACTERISTICS

The number of months open for trading at a given time shall be determined by the Exchange.

253101.A. Trading Schedule

The hours of trading for this contract shall be determined by the Exchange.

253101.B. Trading Unit

A 3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures-Style Margined Average Price Call Option traded on the Exchange represents the differential between the final settlement price of the Floating Price and the strike price, multiplied by 6,350 barrels, or zero, whichever is greater. A 3.5 % Fuel Oil Barges FOB Rdam (Platts) Crack Spread (1000mt) Futures-Style Margined Average Price Put Option traded on the Exchange represents the differential between the strike price and the Floating Price, multiplied by 6,350 barrels, or zero, whichever is greater.

The Floating Price is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for 3.5% Fuel Oil under the heading "Barges FOB Rotterdam" minus the ICE Brent Crude Oil Futures first nearby contract settlement price for each business day during the contract month (using Non-common pricing).

The settlement price of the first nearby Brent Crude Oil Futures contract month will be used except on the last day of trading for the expiring Brent Crude Oil Futures contract when the settlement price of the second nearby contract month will be used.

For purposes of determining the Floating Price, the Platts Fuel Oil assessment price will be converted each day to U.S. dollars and cents per barrel, rounded to the nearest cent. The conversion factor will be 6.35 barrels per metric ton.

The Floating Price is calculated using the non-common pricing convention. In calculating the spread differential, the monthly average for each component leg of the spread shall be calculated by using all trading days in the month for each component leg of the spread, followed by the calculation of the spread differential between the two averages

253101.C. Price Increments

Prices shall be quoted in U.S. dollars and cents per barrel. The minimum price fluctuation shall be \$0.001 per barrel.

253101.D. Position Limits, Exemptions, Position Accountability and Reportable Levels

The applicable position limits and/or accountability levels, in addition to the reportable levels, are set forth in the Position Limit, Position Accountability and Reportable Level Table in the Interpretations & Special Notices Section of Chapter 5.

A Person seeking an exemption from position limits for bona fide commercial purposes shall apply to the Market Regulation Department on forms provided by the Exchange, and the Market Regulation Department may grant qualified exemptions in its sole discretion.

Refer to Rule 559 for requirements concerning the aggregation of positions and allowable exemptions from the specified position limits.

253101.E. Termination of Trading

Trading terminates on the last business day of the contract month.

253101.F. Type of Option

The option is a European-style option cash settled on expiration day. The option cannot be exercised prior to expiration.

253101.G. Settlement Variation and Option Value

This contract is a futures-style margin option. Settlement variation rules for futures-style margin options conform to those set forth for non-options stipulated in NYMEX Rule 814. As such, when a clearing member or its customers is long or short any amount of any commodity for a settlement cycle, as indicated by Clearing House records, settlement for any outstanding exposure shall be made with the Clearing House based on the settlement price for that settlement cycle. For futures-style margin options, each clearing member and its customers shall pay to, or collect from, the Clearing House any loss or profit, as the case may be, represented by the difference between (x) the settlement price of the futures-style margin option for such settlement cycle and (y) the settlement price of the futures-style margin option for the prior settlement cycle (or, for the first settlement cycle after the purchase/sale of such option, the price at which the option was purchased or sold).

253102. EXERCISE PRICES

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

253103. DISCLAIMER

See [NYMEX/COMEX Chapter iv. \("DISCLAIMERS"\)](#) incorporated herein by reference.

NY Harbor ULSD Crack Spread Average Price Option

523A.01 TYPE OPTION

A NY Harbor ULSD Crack Spread Average Price Option contract is a financially settled average price option.

523A.02 EXPIRATION

A NY Harbor ULSD Crack Spread Average Price Option contract shall expire on the last business day of the delivery month. The option cannot be exercised prior to expiration.

523A.03 TRADING UNIT

On expiration of a call option, the option will be financially settled by subtracting the strike price from the underlying settlement price of the NY Harbor ULSD Crack Calendar Swap futures contract times \$1,000, or zero, whichever is greater. On expiration of a put option, the option will be financially settled by subtracting the underlying settlement price of the NY Harbor ULSD Crack Calendar Swap futures contract from the strike price times \$1,000, or zero, whichever is greater.

523A.04 HOURS OF TRADING

The hours of trading for this contract shall be determined by the Exchange.

523A.05 STRIKE PRICES

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

523A.06 TRADING MONTHS

Trading in NY Harbor ULSD Crack Spread Average Price Option contract shall be conducted in the months determined by the Exchange. Trading shall commence on the day fixed by resolution of the Exchange.

523A.07 PRICES

Prices shall be quoted in dollars and cents per barrel. A cabinet trade may occur at the price of \$.001 per barrel or \$1.00, however, if it results in the liquidation of positions of both parties to the trade.

523A.08 ABSENCE OF PRICE FLUCTUATION LIMITATIONS

Trading in NY Harbor ULSD Crack Spread Average Price Option shall not be subject to price fluctuation limitations.

Chapter 559A

RBOB Gasoline Crack Spread Average Price Option

559A.01 TYPE OPTION

An RBOB Gasoline Crack Spread Average Price Option contract is a financially settled average price option.

559A.02 EXPIRATION

An RBOB Gasoline Crack Spread Average Price Option contract shall expire on the last business day of the delivery month. The option cannot be exercised prior to expiration.

559A.03 TRADING UNIT

On expiration of a call option, the option will be financially settled by subtracting the strike price from the underlying settlement price of the RBOB Gasoline Crack Spread Swap futures contract times \$1,000, or zero, whichever is greater. On expiration of a put option, the option will be financially settled by subtracting the underlying settlement price of the RBOB Gasoline Crack Spread Swap futures contract from the strike price times \$1,000, or zero, whichever is greater.

559A.04 HOURS OF TRADING

The hours of trading for this contract shall be determined by the Exchange.

559A.05 STRIKE PRICES

Transactions shall be conducted for option contracts as set forth in Rule 300.20.

559A.06 TRADING MONTHS

Trading in RBOB Gasoline Crack Spread Average Price Option contract shall be conducted in the months determined by the Exchange. Trading shall commence on the day fixed by resolution of the Exchange.

559A.07 PRICES

Prices shall be quoted in dollars and cents per barrel. A cabinet trade may occur at the price of \$.001 per barrel or \$1.00, however, if it results in the liquidation of positions of both parties to the trade.

559A.08 ABSENCE OF PRICE FLUCTUATION LIMITATIONS

Trading in RBOB Gasoline Crack Spread Average Price Option shall not be subject to price fluctuation limitations.