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 **NEW YORK**
BOARD OF TRADE®
World Financial Center
One North End Avenue, 13th Floor
New York, New York 10282

BY ELECTRONIC TRANSMISSION

Amended 04-53
December 3, 2004

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

Re: **Amendments to Rule 6.10 -
Amended Submission Pursuant to Section 5c(c)(1) of the Act and Regulation 40.6**

Dear Ms. Webb:

In a letter dated November 30, 2004, the Board of Trade of the City of New York, Inc. ("Exchange") submitted, by written certification, amendments to Rule 6.10 in accordance with Section 5c(c)(1) of the Commodity Exchange Act, as amended, and Commission Regulation 40.6. The amendments conformed the Exchange's customer type indicators ("CTIs") with the CTIs to be used by all US futures exchanges.

In an e-mail notification from Commission staff dated Friday, December 3, 2004, Commission staff asked that the Exchange make minor word changes. The Exchange is now submitting the corrected amendments to Rule 6.10, attached as Exhibit A

The Exchange certifies that the corrected amendments comply with the requirements of the Commodity Exchange Act and the rules and regulations promulgated thereunder.

If you have any questions or need further information, please contact me at jfassler@nybot.com or 212-748-4084.

Sincerely,

Jill S. Fassler
Vice President
Associate General Counsel

cc: Riva Adriance
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 6.10. Trade Type Indicators

(a) A Type 1 or CTI 1 Trade is a Trade executed by a Floor Broker for his own account, an account which he controls or an account in which he has an ownership or financial interest. It is the only type of trade that does not require a floor order ticket.

(b) A Type 2 or CTI 2 Trade is a Trade executed for the house or proprietary account of ~~[the]~~ a Clearing Member ~~[which clears the trade]~~ or other Member Firm.

(c) A Type 3 or CTI 3 Trade is a Trade executed for the account of ~~[another Floor Broker present on the Trading Floor when the Trade is executed. The account of such Floor Broker includes an account which is controlled by such Floor Broker or an account in which such Floor Broker has a financial interest]~~ another Member who is an individual, an account such individual Member controls or an account in which such individual Member has an ownership or financial interest.

(d) A Type 4 or CTI 4 Trade is a trade executed for any other account that does not meet the requirements of a CTI 1, 2, or 3~~[, or 5]~~ Trade.

~~[(e) A Type 5 or CTI 5 Trade is a Trade executed for the account of another Floor Broker not present on the Trading Floor when the Trade is executed. The account of such Floor Broker includes an account which is controlled by such Floor Broker or an account in which such Floor Broker has a financial interest.]~~

EXHIBIT A