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February 10, 2005

**Via E-Mail**

Office of the Secretariat  
Commodity Futures Trading Commission  
Three Lafayette Centre  
1155 21<sup>st</sup> Street, N.W.  
Washington, D.C. 20581

**Re: Revised Rule Certification. NYMEX Submission 05.22 – Notification  
of Amendments to NYMEX Division Rules 9.26, 9.27 and 9.34.**

Dear Ms. Jean Webb:

The New York Mercantile Exchange, Inc. (“NYMEX” or the “Exchange”) hereby notifies the Commodity Futures Trading Commission (“CFTC”) of amendments to NYMEX Rules 9.26, All Month/Any One Month Position Accountability; 9.27, Expiration and Current Delivery Month Position Limits or Position Accountability; and 9.34, Reporting Levels.

Effective February 13, 2005, for trade date February 14, 2005, these amendments include the addition of position limits, accountability levels and reportable levels for the NYMEX WTI-Brent Spread Calendar Swap, and the NYMEX Brent Calendar Swap contracts. Pursuant to Section 5c(c) of the Commodity Exchange Act (“Act”) and CFTC Rule 40.6, the Exchange hereby certifies that the new amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact the undersigned at 212-299-2940.

Very truly yours,

Nancy M. Minett  
Vice President  
Compliance Department

**Attachments**

cc: Thomas LaSala  
Brian Regan

(Bold and underlined indicates additions; strikethroughs indicate deletions.)

#### **NYMEX Rule 9.26, All Month/Any One Month Position Accountability**

Sections (A) through (C) remain unchanged.

#### **(D) I. Futures Contracts Listed for Open Outcry Trading** **Net Futures or Futures-Equivalent Position Accountability Level**

Light Sweet Crude Oil (also includes WTI Calendar Swap, <b><u>NYMEX WTI-Brent Spread Calendar Swap</u></b> , Crude Oil Average Price Options and Crude Oil Look-Alike Options)	20,000 contracts
NYMEX Brent Crude Oil ( <b><u>also includes NYMEX WTI-Brent Spread Calendar Swap and NYMEX Brent Calendar Swap</u></b> )	20,000 contracts
New York Harbor Unleaded Gasoline (also includes Unleaded Gasoline Average Price Options and Unleaded Gasoline Look-Alike Options)	7,000 contracts
New York Heating Oil (also includes NY Harbor Calendar Swap, Heating Oil Average Price Options and Heating Oil Look-Alike Options)	7,000 contracts
Natural Gas (also includes Henry Hub Swap, Henry Hub Natural Gas Penultimate Swap and Natural Gas Look-Alike Options)	12,000 contracts
Liquefied Propane Gas	1,500 contracts
Palladium	1,000 contracts
Platinum	1,500 contracts
Central Appalachian Coal	5,000 contracts

The Position Accountability levels for the PJM Calendar Month LMP Swap, PJM Calendar Week LMP Swap and the PJM Calendar Day Ahead LMP Swap shall be 5,000 contracts in the aggregate.

Section (D) II and III remain unchanged.

#### **IV. Futures Contracts Listed for Trading Only on NYMEX ClearPort<sup>sm</sup> Trading and also Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPort<sup>sm</sup> Clearing**

##### **Cash-Settled Crude Oil and Crude Products**

WTI Calendar

Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract as indicated in Subsection I. above.

##### **NYMEX WTI-Brent Spread Calendar Swap**

**Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract as indicated in Subsection I. above.**

##### **NYMEX Brent Calendar Swap**

**Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract as indicated in Subsection I. above.**

**NYMEX Rule 9.27, Expiration and Current Delivery Month Position Limits or Position Accountability**

Sections (A) through (B) remain unchanged.

**(B) I. Futures Contracts Listed for Open Outcry Trading      Net Futures or Futures-Equivalent  
Expiration Position Limits**

Light Sweet Crude Oil (also includes WTI Calendar Swap,  
**NYMEX WTI-Brent Spread Calendar Swap**, Crude Oil      1,500 contracts  
Average Price Options and Crude Oil Look-Alike Options)

Section (B) II through III remain unchanged.

**(B) IV Cash-Settled Crude Oil and Crude Oil Products**

WTI Calendar

Note: For purposes of this rule, positions in this contract are aggregated with positions in the Light Sweet Crude Oil contract.

**NYMEX WTI-Brent Spread Calendar Swap**

**Note: For purposes of this rule, positions in this contract are aggregated with positions in The Light Sweet Crude Oil contract.**

Remainder of the Rule is unchanged.

**NYMEX Rule 9.34, Reporting Levels**

Section (A), Commodity remains unchanged.

**(A)**

**Futures Contracts listed for Trading Only on NYMEX ClearPort<sup>sm</sup> Trading  
and also Listed for Clearing of Off-Exchange Transactions Through NYMEX  
ClearPort<sup>sm</sup> Clearing**

Henry Hub Swap	175 contracts
Henry Hub Natural Gas Penultimate Swap	100 contracts
WTI Calendar Swap	350 contracts
<b><u>NYMEX-WTI-Brent Spread Calendar Swap</u></b>	<b><u>350 contracts</u></b>
<b><u>NYMEX Brent Calendar Swap</u></b>	<b><u>350 contracts</u></b>
Louisiana Light Sweet Crude Oil	350 contracts

Remainder of the Rule is unchanged.