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May 12, 2005

**Via E-Mail**

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

**Re: Rule Certification. NYMEX Submission 05.84: Notification of  
Amendments to NYMEX Rules 9.26, 9.27, and 9.34.**

Dear Ms. Jean Webb:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") 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 May 15, 2005, for trade date May 16, 2005, these amendments include the addition of position limits, accountability levels and reporting levels for three new financially-settled Freight Futures Contracts. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Dan Brusstar, Director, Research, at (212) 299-2604, Thomas LaSala, Senior Vice President, Compliance and Risk Management, at (212) 299-2897, or contact the undersigned at (212) 299-2207.

Very truly yours,

Nancy M. Minett  
Vice President  
Compliance Department

cc: Al Cooper, CFTC New York Regional Office  
Marvin Jackson, CFTC New York Regional Office  
Brian Regan

(Underlining in bold represents an addition, and strikethrough in bold a deletion)

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

Sections (A) through (D) III remain unchanged.

**Net Futures or Futures-  
Equivalent Position  
Accountability Levels**

**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.

Dated Brent Calendar Swap	5,000 contracts
Dubai Crude Oil Calendar Swap	10,000 contracts
U.S. Gulf Coast Unl 87 Crack Spread Calendar	10,000 contracts
U.S. Gulf Coast No. 2 Crack Spread Calendar	10,000 contracts
Unl 87 Up-Down Spread Calendar Swap	10,000 contracts
No. 2 Up-Down Spread Calendar Swap	10,000 contracts
WTI-Bow River Swap	10,000 contracts

New York Harbor Gasoline Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Unleaded Gasoline futures as indicated in Subsection I. above.

New York Harbor Heating Oil Calendar Swap

Note: For purposes of this rule, positions in this contract are aggregated with positions in the New York Harbor Heating Oil futures contract as indicated in Subsection I. above.

**Freight Route TC1 Swap**

**10,000 contracts**

**Freight Route TC4 Swap**

**5,000 contracts**

**Freight Route TC5 Swap**

**10,000 contracts**

Remainder of the rule is unchanged.

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

Sections (A) through (B) III remain unchanged.

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

**Net Futures or Futures-Equivalent Expiration Position Limits**

**Cash-Settled Contracts**

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

**Freight Route TC1 Swap**

**1,000 contracts**

**Freight Route TC4 Swap**

**500 contracts**

**Freight Route TC5 Swap**

**1,000 contracts**

(Inserted at the end of Crude Oil list of products.)

Remainder of the rule is unchanged.

**Rule 9.34, Reporting Levels**

Section (A) Commodity remains unchanged.

**Futures Contracts listed for Trading Only on NYMEX ClearPort(sm) Trading and also Listed for Clearing of Off-Exchange Transactions Through NYMEX ClearPort(sm) Clearing**

**Freight Route TC1 Swap**

**25 contracts**

**Freight Route TC4 Swap**

**25 contracts**

**Freight Route TC5 Swap**

**25 contracts**

(Inserted at the end of the European products list)

Remainder of the rule is unchanged.