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**BY EMAIL AND AIR BORNE EXPRESS**

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 05-139: Notification of Approved Amendment to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract.**

Dear CFTC Commissioners:

The New York Mercantile Exchange, Inc. ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of approved amendments to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract to be implemented effective Friday, August 12, 2005. The approved amendments change the production status of the following copper brands produced by BHP Copper Inc. to no longer produced: (1) BHP Copper; and (2) BHP Copper/SXEW. These brands will be marked with an asterisk (\*) to indicate that they are no longer produced. The BHP Copper and the BHP Copper/SXEW brands will continue to remain acceptable for delivery against the Grade 1 Copper Futures Contract since there are copper cathodes bearing these brands in Exchange Licensed Warehouses for Copper.

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. This approved amendment will go into effect on Friday, August 12, 2005.

Should you have any questions concerning the above, please contact Albert J. Getz at (212) 299-2608.

Very truly yours,

Robert A. Levin  
Senior Vice President - Research

cc: Christopher K. Bowen

Attachment: Approved Amendment to Supplement No. 1, "Official List of Approved Brands and Markings" of the Grade 1 Copper Futures Contract.

Approved Amendment. Underlining indicated additions.

Copper Supplement  
No. 1

COMMODITY EXCHANGE, INC.  
GRADE 1 COPPER CATHODES

OFFICIAL LIST OF APPROVED BRANDS AND MARKINGS

	<u>COMPUTER CODE</u>	<u>BRAND NAME(1)</u>
ASARCO Incorporated-----	ATR	ATR
ASARCO Incorporated Ray Unit -----	RAY	ASARCO RAY GRADE 1
Atlantic Copper S.A. -----	FMS	FMS
BHP Billiton Tintaya S.A. -----	TINT	TINTAYA
BHP Copper Inc.-----	PINT	*PINTO
BHP Copper Inc.-----	BHPC	* BHPC Copper
BHP Copper Inc.-----	BHPX	* BHPC Copper/SXEW
BHP Copper Inc.-----	BHPP	BHP Copper/Pinto
Cobre de Mexico, S.A.-----	CDM	CDM
Codelco-Chile---Corporacion Nacional del-----	AE	AE
Cobre de Chile	CCC	CCC
	ASXW	AE SX-EW
	CSBL	cCc SBL
	CHUI	CHUQUI-P
	NAMI	ENM
	RT	RT
Compania Minera Cerro Colorado Ltda-----	CMCC	CMCC
Compania Minera Dona Ines de Collahuasi SCM----	COLL	COLL
Compania Minera Falconbridge Lomas Bayas -----	MFLB	LBF
Compania Minera Zaldivar-----	ZALD	ZALDIVAR
Dowa Mining Co. Ltd.-----	DOWA	DOWA

**Approved Amendment. Underlining indicated additions.**

COMMODITY EXCHANGE, INC.  
COPPER BRANDS AND MARKINGS  
PAGE 2  
GRADE 1 CATHODE COPPER (Cont.)

<u>PRODUCER</u>	<u>COMPUTER CODE</u>	<u>BRAND NAME (1)</u>
Falconbridge Limited, Kidd Creek Division-----	FKA	FKA
INCO Limited-----	ORCO	ORC
Kennecott Utah Copper Corporation-----	KUCU	KUC
LG-Nikko Copper Inc. -----	ONSN	ONSAN
Metallo-Chimique International N.V.-----	SME	SME
Minera El Tesoro-----	MELT	MET
Minera Escondida Limitada -----	ESOX	ESOX
Mitsubishi Materials Corporation-----	MTSB	MITSUBISHI
Mitsui Mining & Smelting Co. Ltd.-----	MITS TAMA	MITSUI TAMANO
Nippon Mining & Metals Co., Ltd-----	HM SR	HM SR
Noranda Inc. -----	NORA	NORANDA
Norddeutsche Affinerie AG-----	NAEN	NA-ESN
Norddeutsche Affinerie AG -----	HKAG	HK
Onahama Smelting & Refining CO. Ltd.-----	OSR	OSR

**Approved Amendment. Underlining indicated additions.**

COMMODITY EXCHANGE, INC.  
 COPPER BRANDS AND MARKINGS  
 PAGE 3  
 GRADE 1 CATHODE COPPER (Cont.)

<u>PRODUCER</u>	<u>COMPUTER CODE</u>	<u>BRAND NAME (1)</u>
Phelps Dodge Corporation-----	PD	P*D
	PDSR	SANTA RITA
	PDSS	PDSS
	BCCC	BCCC ("BURRO CHIEF")
	PDMI	PDMI
	CBCC	CBCC
	CMMC	CMMC ER
	TWIN	CTB
	PDGO	PD*GO
Philippine Associated Smelting & Refining Corp.--	PSAR	PASAR
Sociedad Contractual Minera El Abra-----	ABRA	ABRA
Sociedad Minera Cerro Verde S.A.-----	SMCV	SMCV
Southern Peru Copper Corp.-----	SPCC	SPCC-ILO
Southern Peru Copper Corporation/ Southern Peru Copper Ltd.-----	SPLX	SPCC-SXEW
Sumitomo Metal Mining Co. Ltd.-----	SUMI	SUMIKO
White Pine Copper Refinery, Inc.-----	WPCR	White Pine Copper
Zambia Consolidated Copper Mines		
Mufulira Copper Refining-----	MCM	MCM
Nkana Copper Refinery-----	REC	REC

(1) Copper Cathodes do not bear a brand marking. Accordingly, a written declaration of brand pursuant to Rule 111.45(f) of the Comex By-Laws must accompany all deliveries.

\*No Longer Produced