

September 22, 2005

**VIA FACSIMILE TRANSMISSION AND 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

OFFICE OF THE SECRETARIAT

2005 SEP 22 PM 4:13

RECEIVED  
OFFICE

**RE: Rule Certification. NYMEX Submission 05.170: Implementation of  
Temporary Change in Listed Hours for Certain NYMEX Products**

Dear Ms. Webb:

The New York Mercantile Exchange, Inc. ("NYMEX") is notifying the Commodity Futures Trading Commission ("CFTC") of a self-certification filing involving a temporary change in listed hours for certain NYMEX products as further detailed in the attached NYMEX notice to members. As a note, although this notice by its terms refers to Eastern Standard Time, consistent with a related press release also distributed today, this reference should be interpreted as a more general reference to currently applicable Eastern time.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that these temporary changes in listed hours, which constitute "rule" changes for purposes of CFTC submission requirements, comply with the Act, including regulations under the Act. These temporary rule changes will be effective only for September 25, 2005 (for trade date September 26, 2005). Should you have any questions concerning the above, please contact the undersigned at (212) 299-2207.

Very truly yours,

Brian Regan  
Vice President and Counsel

Att.

RECEIVED  
C.F.T.C.

2005 SEP 22 PM 4: 15

Notice No. 05-426  
September 22, 2005

OFFICE OF THE SECRETARIAT

**TO:** NYMEX Division Members  
**FROM:** James E. Newsome, President  
**RE:** **URGENT: Notice of Temporary Change in Trading Hours on Sunday, September 25, 2005, for Specified NYMEX Products**

---

Please be advised that, **FOR THIS WEEKEND ONLY**, due to Hurricane Rita, the Exchange has determined to implement the following temporary changes in listed hours for the NYMEX ACCESS®, NYMEX ClearPort® Trading and NYMEX ClearPort® Clearing systems and for the NYMEX e-miNY(sm) products listed on the CME® Globex® trading system:

- The trading sessions for NYMEX **energy** products listed on NYMEX ACCESS® will commence at **10:00 a.m. EST** (with a market pre-open at 9:40 a.m. EST) on Sunday, September 25, 2005, and continue through to the end of the regular overnight sessions for these products;
- Similarly, the trading sessions for **all** listed products on NYMEX ClearPort® Trading will commence at **10:00 a.m. EST** (with a market pre-open at 9:40 a.m. EST) on Sunday, September 25, 2005, and continue through to the end of the regular overnight sessions for these products;
- Furthermore, the Sunday session for **all** listed products on NYMEX ClearPort® Clearing will commence at **10:00 a.m. EST** on Sunday, September 25, 2005, and continue through to the end of the regular overnight sessions for these products; and
- Finally, the trading session for **both** NYMEX e-miNY(sm) products listed on the CME® Globex® trading system will commence at **5:00 p.m. EST** on Sunday, September 25, 2005, and continue through to the end of the regular overnight sessions for these products.

By comparison, please note that **all** NYMEX and COMEX Division **metals** products will maintain the **usual** listed trading hours for the Sunday evening trading session. Also, all NYMEX Europe Limited products listed for trading on NYMEX ACCESS® similarly will maintain the **usual** listed trading hours for the Sunday evening trading session

Aside from this temporary change in listed hours, all other rules, policies and procedures concerning these systems will remain the same.

If you have any questions or require any further information, please contact [exchangeinfo@nymex.com](mailto:exchangeinfo@nymex.com)