

UNITED STATES OF AMERICA

Before the

COMMODITY FUTURES TRADING COMMISSION

**In the Matter of the Notice of
New York Mercantile Exchange, Inc.,
Requesting Vacation of Registration
as a Derivatives Clearing Organization**

ORDER OF VACATION

On May 4, 2012, New York Mercantile Exchange, Inc. (“NYMEX”) submitted a notice to the Commodity Futures Trading Commission (the “Commission”) requesting the vacation of its registration as a derivatives clearing organization (“DCO”) pursuant to Commission Regulation 39.3(e), which incorporates by reference the requirements of Section 7 of the Commodity Exchange Act (the “Act”), 7 U.S.C. § 11.

WHEREAS, Section 7 of the Act provides that “any person that has been designated or registered as a registered entity in the manner herein provided may have such designation or registration vacated and set aside by giving notice in writing to the Commission requesting that its designation or registration as a registered entity be vacated, which notice shall be served at least ninety days prior to the date named therein as the date when the vacation of designation or registration shall take effect;”

WHEREAS, Section 7 of the Act further provides that “upon receipt of such notice the Commission shall forthwith order the vacation;”

WHEREAS, NYMEX became a registered DCO on December 21, 2000 by operation of law upon enactment of the Commodity Futures Modernization Act of 2000 and Section 5b(d) of the Act, 7 U.S.C. § 7a-1(d);

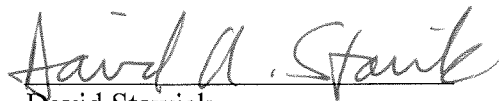
WHEREAS, NYMEX served notice to the Commission on May 4, 2012 requesting that the Commission vacate NYMEX's registration as a DCO; and

WHEREAS, CME Group, Inc., the parent company of NYMEX and the Chicago Mercantile Exchange, Inc. ("CME") represented that CME will maintain NYMEX books and records for the requisite statutory retention periods. CME shall make all such books and records available for inspection by any representative of the Commission or the United States Department of Justice, as set forth in Commission Regulation 1.31;

NOW THEREFORE, IT IS ORDERED, that the registration of NYMEX as a DCO be and hereby is vacated and set aside, effective August 6, 2012.

Issued in Washington, D.C., this 3rd day of August 2012.

By the Commission

A handwritten signature in cursive script that reads "David A. Stawick". The signature is written in black ink and is positioned above the printed name and title.

David Stawick
Secretary of the Commission