



Sean M. Downey  
Associate Director and Assistant General Counsel  
Legal Department

January 27, 2012

**VIA E-MAIL**

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

**Re: Rule 40.6(a) Certification. New York Mercantile Exchange, Inc. Submission # 12-033: Notification Regarding Expansion of Contract Months for ARGUS-McCloskey Coal Futures and Option Contracts**

Dear Mr. Stawick:

The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying the expansion of listing schedule for each of the four financially settled coal futures and option contracts listed below, pursuant to Rules 926.04 ("Contract Months – Coal (API2) CIF ARA (ARGUS-McCloskey) Swap Futures"), 927.05 ("Trading Months – Coal (API2) CIF ARA (ARGUS-McCloskey) Option"), 928.04 ("Contract Months – Coal (API4) FOB Richards Bay (ARGUS-McCloskey) Swap Futures") and 929.05 ("Trading Months – Coal (API4) FOB Richards Bay (ARGUS-McCloskey) Option"). Under the new listing schedules, the four contracts will be available for trading and clearing in the balance of the current year plus the next four consecutive years, with a new calendar year added following the termination of trading in the December contract of the current year.

The current listing schedule is current year plus two consecutive calendar years. The effective date of the expansion of the listing schedule for the four contracts is trade date February 13, 2012. These contracts are currently listed on CME ClearPort and the NYMEX trading floor.

The contract titles, commodity codes and rule chapters are as follows:

Contract	Code	Rule Chapter
Coal (API2) CIF ARA (ARGUS-McCloskey) Swap Futures	MTF	926
Coal (API2) CIF ARA (ARGUS-McCloskey) Option	MTO	927
Coal (API4) FOB Richards Bay (ARGUS-McCloskey) Swap Futures	MFF	928
Coal (API4) FOB Richards Bay (ARGUS-McCloskey) Option	MFO	929

NYMEX business staff responsible for the rule amendments and the Exchange legal department collectively reviewed the designated contract market core principles ("Core Principles") as set forth in the Commodity Exchange Act ("CEA"). During the review, Exchange staff identified that the expansion of listing schedule for these contracts may have some bearing on the following Core Principle:

- **Daily Publication of Trading Information** — The board of trade shall make public daily information on settlement prices, volume, open interest, and opening and closing ranges for actively traded contracts on the contract market.

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Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Regulation 40.6 (a), the Exchange hereby certifies that the contract month expansion complies with the Act, including regulations under the Act. There were no substantive opposing views to this proposal. These amendments shall become effective on February 13, 2012.

The Exchange certifies that this submission has been concurrently posted on the Exchange's website at <http://www.cmegroup.com/market-regulation/rule-filings.html>.

Should you have any questions concerning the above, please contact the undersigned at (312) 930-8167 or [Sean.Downey@cmegroup.com](mailto:Sean.Downey@cmegroup.com).

Sincerely,

/s/Sean M. Downey  
Assoc Dir & Asst General Counsel