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OFFICE OF THE SECRETARIAT  
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April 27, 2009

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

**RE: NYMEX Rule 985 ("Cash Disbursements to Customers Prohibited")  
NYMEX Submission No. 09-083**

Dear Mr. Stawick:

New York Mercantile Exchange, Inc. ("NYMEX") hereby notifies the Commission that it has adopted Rule 985 ("Cash Disbursements to Customers Prohibited") effective immediately. During the recent harmonization of the NYMEX clearing-related rules with those of CME and CBOT, former NYMEX Rule 4.07 ("Cash Disbursements to Customers") was unintentionally eliminated. NYMEX is re-adopting the prohibition set forth in former Rule 4.07 as NYMEX Rule 985.

The rule is set forth below.

**Rule 985. Cash Disbursements to Customers Prohibited**

Clearing members are prohibited from disbursing cash to any of their customers. For the purpose of this rule, "customer" is deemed to include any person or entity maintaining a trading account with the clearing member.

NYMEX certifies that the rule complies with the Act and regulations thereunder.

If you have any questions regarding this matter, please contact Arthur McCoy, Managing Director, NYMEX Clearing, at (212) 299-2928 or contact me at (312) 648-5422. Please reference NYMEX Submission No. 09-083 in any related correspondence.

Sincerely,

/s/ Stephen M. Szarmack  
Director and Associate General Counsel