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C.F.C. OF THE SECRETARIAT May 22, 2008

**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 Amendment Certification. New York Mercantile Exchange, Inc. Submission #08.59: Notification Regarding the Expanded Listing of Contract Months for the NYMEX Crude Oil Calendar Spread Options 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 expanding the listed contract months for the Exchange's Crude Oil Calendar Spread Options Contract. The Exchange will list a six month calendar spread option for every month starting from July 2008 through May 2009. The Exchange is listing ten (10) six-month Calendar Spread options beginning with the July 2008 - January 2009 spread, consecutively through the May 2009 - November 2009 spread, with the exception of the December 2008 spread. The Exchange has previously listed six month Crude Oil Calendar Spread Option Contracts for June 2008, December 2008, June 2009, December 2009, and June 2010.

These expanded contract months are being implemented under the terms of NYMEX Rule 390.03, which states that, "trading in Crude Oil Calendar Spread Option contracts shall be conducted in the months determined by the Exchange's Board of Directors." The draft Notice to Members informing NYMEX Members, Member Firms, Clearing Firms and Operations Managers of the expanded listed spread contract months is attached.

Pursuant to Section 5c(e) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the listing of additional contract months for the Crude Oil Calendar Spread Option complies with the Act, including regulations under the Act. This expansion of contract months in the listed Calendar Spread Option contracts will be made effective on May 27, 2008.

Should you have any questions concerning the above, please contact Bob Biolsi at 212-299-2610 or the undersigned at (202) 715-8517.

Sincerely,

A handwritten signature in black ink that reads "De'Ana H. Dow". The signature is written in a cursive style with a large initial "D".

De'Ana H. Dow  
Senior Vice President and  
Chief Legislative Counsel

Attachment: Notice to Members

DRAFT NOTICE TO MEMBERS

Notice No. 08-245  
May 22, 2008

TO: ALL NYMEX MEMBERS AND MEMBER FIRMS  
ALL NYMEX CLEARING FIRMS  
ALL NYMEX OPERATIONS MANAGERS

FROM: James Newsome, President and CEO

SUBJECT: **Expansion of Listing Months for Crude Oil Calendar Spread  
Options Contract**

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Please be advised that, the Exchange will expand the listing of its Crude Oil Calendar Spread Options Contract. Beginning Monday, May 27, 2008, the Exchange intends to list a six-month calendar spread option for every month starting from July 2008 through May 2009. Therefore, the Exchange is listing ten (10) six-month Crude Oil Calendar Spread Options beginning with the July 2008 - January 2009 spread, consecutively through the May 2009 - November 2009 spread, with the exception of the December 2008 spread which has already been listed.

Should you have any questions regarding these changes, please contact Bob Biolsi at (212) 299-2610 or Adila Mchich at (212) 299-2270.