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June 2, 2009

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 Certification. New York Mercantile Exchange, Inc. Submission #09.103: Notification of Amendments to NYMEX Rules 9A.27 and 9A.27A to Establish Hard Expiration Position Limits for Certain Natural Gas Financially-Settled 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 amendments to NYMEX Rules: 9A.27, Expiration Month Position Limit; and 9A.27A, Expiration Position Accountability Levels. These amendments establish hard expiration position limits for certain natural gas financially-settled contracts.

The amendments are being implemented in response to a CFTC rulemaking, anticipated to be in force by September 2009. This CFTC rulemaking will require that exempt commercial markets establish hard position limits for significant price discovery contracts ("SPDCs") comparable to those in place for contracts listed on designated contract markets from which the SPDCs derive their settlement prices. As such, these amendments are being implemented to establish hard expiration position limits for certain natural gas financially-settled contracts similar to those required to be established for SPDCs in September 2009. In conjunction with the implementation of CFTC's final rulemaking, the amendments, reflected in Appendix A of this submission, will be made effective for the October 2009 expiration of the natural gas financially-settled contracts. Should implementation of the CFTC's final rulemaking be deferred, the Exchange requests that it be allowed to defer its implementation of the proposed hard position limits.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendments comply with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Thomas LaSala, Managing Director, NYMEX Chief Regulatory Officer, at (212) 299-2897, Anthony V. Densieski, Director, Market Surveillance, at (212) 299-2881, or me at (312) 648-5422.

Sincerely,

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

Attachment

APPENDIX A

**NOTIFICATION OF AMENDMENTS TO NYMEX RULES
9A.27 and 9A.27A**

(bold/underline indicates additions; strikethrough indicates deletions)

| <u>Contract Name</u> | <u>Rule Chapter</u> | <u>Commodity Code</u> | <u>All Month Accountability Level</u> | <u>Any One Month Accountability Level</u> | <u>Expiration Month Limit</u> | <u>Expiration Accountability Level- Penultimate and Metals Contracts</u> | <u>Expiration Accountability Level Last Day Contract</u> | <u>Reporting Level</u> | <u>Aggregate Into (1)</u> | <u>Aggregate Into (2)</u> |
|---|---------------------|-----------------------|---------------------------------------|---|-------------------------------|--|--|------------------------|---------------------------|---------------------------|
| | | | <u>Rule 9A.26</u> | <u>Rule 9A.26</u> | <u>Rule 9A.27</u> | <u>Rule 9A.27A</u> | <u>Rule 9A.27A</u> | <u>Rule 9A.34</u> | | |
| <i>Natural Gas</i> | | | | | | | | | | |
| <i>United Kingdom</i> | | | | | | | | | | |
| <i>USA</i> | | | | | | | | | | |
| Henry Hub Penultimate Financial Futures Contract | 824 | HP | 12,000 | 12,000 | <u>1,000</u> | 1,000 | | 100 | HP | |
| Natural Gas Look-Alike Option | 560 | LN | 12,000 | 12,000 | <u>1,000</u> | 1,000 | | 100 | HP | |
| Henry Hub Natural Gas Penultimate Swap Futures Contract | 529 | NP | 12,000 | 12,000 | <u>1,000</u> | 1,000 | | 100 | HP | |
| NYMEX Natural Gas miNY Futures Contract | 402 | QG | 12,000 | 12,000 | <u>1,000</u> | 1,000 | | 175 | HP | |
| Henry Hub Financial Last Day Futures Contract | 823 | HH | 12,000 | 12,000 | <u>1,000</u> | | -1,000 | 100 | HH | |
| Henry Hub Swap Futures Contract | 508 | NN | 12,000 | 12,000 | <u>1,000</u> | | -1,000 | 175 | HH | |
| Henry Hub Financial Last Day Option Contract | 375 | E7 | 12,000 | 12,000 | <u>1,000</u> | | -1,000 | 100 | HH | |