



C.F.T.C.
OFFICE OF THE SECRETARIAT

July 28, 2009

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

**RE: Certification of Amendments to S&P GSCI ER™ Swap
Contracts Pursuant to Regulation 40.6
CME Submission No. 09-135R**

Dear Mr. Stawick,

By letter dated July 22, 2009 Chicago Mercantile Exchange Inc. ("CME"), pursuant to Regulation 40.6, informed the Commodity Futures Trading Commission ("Commission") that the Rules for S&P GSCI ER Swap Contracts will be renumbered and that current Rule 415x07-Payment of Daily Interest Rate Pass Through, will be amended, both to be effective August 2, 2009. CME now informs the Commission of a further amendment to Rule 415x07, to be effective on August 2. The amended rule is attached, with additions underlined and deletions bracketed.

CME certifies that this action complies with the Commodity Exchange Act and regulations thereunder.

If you require any additional information regarding this action, please contact Jack Cook at 312-930-3295 or via e-mail at jack.cook@cmegroup.com or me at 312-648-5422. Please reference Submission No. 09-135R in any related correspondence.

Sincerely,

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

415Ax07. **PAYMENT OF FEE DAILY INTEREST RATE PASS THROUGH**

The Daily ~~Fee Interest Rate Pass Through~~ for a cleared S&P GSCI™ ER Swaps contract must be paid on a daily basis in full to the Clearing House by each long and each short Clearing Member. On every business day, the holder of each long and short position in S&P GSCI™ ER Swaps will be charged one day's worth of an annual fee of ~~7.5~~ 5 basis points. For every calendar day, each long and short position holder will be charged an embedded fee calculated using the following formula:

$$[\text{Number of Contracts}] \times \$100 \times [\text{S\&P GSCI}^{\text{TM}} \text{ ER Swaps Settlement Price}] \times [\frac{.00075}{365}] \times \text{Days}$$

where "Days" is calculated as the number of calendar days from the current S&P GSCI™ ER Swaps clearing date to the next S&P GSCI™ ER Swaps clearing date.