

RECEIVED  
2008

August 20, 2008

9:21 AM 9:56

**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

OFFICE OF THE SECRETARIAT

**Re: Rule Certification. New York Mercantile Exchange, Inc. Submission #08.82: Notification of Amendments to NYMEX Rules 9.26, 9.27 and 9.34 for New Regional Greenhouse Gas Initiative (RGGI) CO<sub>2</sub> Allowance Futures and Option Contracts.**

Dear Mr. Stawick:

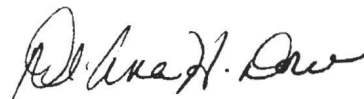
The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is self-certifying amendments to NYMEX Rules 9.26, All Month/Any One Month Accountability Levels, 9.27, Expiration Month Limit, and 9.34 Reporting Levels, in relation to the listing of the new Regional Greenhouse Gas Initiative (RGGI) CO<sub>2</sub> Allowance Futures and Option Contracts.

These amendments include the addition of accountability levels, position limits, and reportable levels for the RGGI CO<sub>2</sub> Allowance Futures contract ("RJ"), and the RGGI CO<sub>2</sub> Allowance Option contract ("OR").

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the attached rule amendment complies with the Act, including regulations under the Act. These changes will be made effective on trade date August 25, 2008 for the RJ contract, and on trade date August 26, 2008 for the OR contract.

Should you have any questions concerning the above, please contact Anthony V. Densicski, Vice President, Market Surveillance, at (212) 299-2881, or the undersigned at (202) 715-8517.

Sincerely,



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

**NOTIFICATION OF AMENDMENTS TO NYMEX RULES 9.26, 9.27 and 9.34**  
 (Addition of two new contracts)

<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>Reporting Level</u>	<u>Aggregate Into (1)</u>	<u>Aggregate Into (2)</u>
			<u>Rule 9.26</u>	<u>Rule 9.26</u>	<u>Rule 9.27</u>	<u>Rule 9.27</u>	<u>Rule 9.34</u>		
<i>Emissions</i>									
Regional Greenhouse Gas Initiative (RGGI) CO <sub>2</sub> Allowance Futures Contract	873	RJ	5,000	2,500	1,000		25	RJ	
Regional Greenhouse Gas Initiative (RGGI) CO <sub>2</sub> Allowance Option Contract	874	OR	5,000	2,500	1,000		25	RJ	