

September 18, 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

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**Re: Rule Certification. New York Mercantile Exchange, Inc. Submission #08.89-  
Expansion of Listed Months for Regional Greenhouse Gas Initiative (RGGI)  
CO<sub>2</sub> Allowance Futures and Option contracts**

Dear Mr. Stawick:

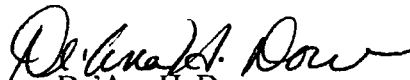
The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is expanding the listed contract months for the Exchange's Regional Greenhouse Gas Initiative (RGGI) CO<sub>2</sub> Allowance Futures and Option contracts. The Exchange intends to list December 2010 and December 2011 contract months for both Regional Greenhouse Gas Initiative (RGGI) CO<sub>2</sub> Allowance Futures and Option contracts.

Beginning on Sunday evening, September 28, 2008 (for trade date Monday, September 29, 2008), the Exchange will list December 2010 and December 2011 contract months for its Regional Greenhouse Gas Initiative (RGGI) CO<sub>2</sub> Allowance Futures. The Exchange will list December 2010 and December 2011 for its Regional Greenhouse Gas Initiative (RGGI) Option contract for trade date Tuesday, September 30, 2008.

NYMEX Rules 873.05 and 874.03 provide the Board with the discretion to amend the listed months for the RGGI Futures and Option contracts, and this expansion is being done in accordance with those Rules. Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the expansion of months complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Brad Leach at 212-299-2609 or the undersigned at (202) 715-8517.

Sincerely,

  
De'Ana H. Dow  
Managing Director