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September 25, 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 Certification. New York Mercantile Exchange, Inc. Change in effective date for Submission # 08.89R. Notification of Revision to Previously Submitted Expansion of Listed Months for Regional Greenhouse Gas Initiative (RGGI) CO₂ 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 re-submitting rule certification #08.89 in order to change the effective date in the submission. This submission changes the effective date for listing the December 2010 and December 2011 contract months for the RGGI CO₂ Allowance Futures and Option contracts.

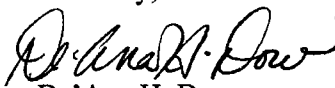
Previously, in Submission #08.89, the Exchange stated that on Sunday evening, September 28, 2008 (for trade date Monday, September 29, 2008), the Exchange would list December 2010 and December 2011 contract months for its RGGI CO₂ Allowance Futures contract. Additionally, the Exchange stated that it would list December 2010 and December 2011 for its RGGI Option contract, effective for trade date Tuesday, September 30, 2008. The effective dates are being revised as follows:

Beginning on Sunday evening, November 23 (for trade date Monday, November 24, 2008), the Exchange will list December 2010 and December 2011 contract months for its RGGI CO₂ Allowance Futures Contract; beginning on November 25, the Exchange will list for trading the December 2010 and 2011 contract months for the RGGI CO₂ Option contract.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the new effective dates for Rule Certification #08.89 (previously submitted on September 18, 2008) comply 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,

A handwritten signature in black ink, appearing to read "De'Ana H. Dow". The signature is fluid and cursive, with a large initial "D" and a long, sweeping underline.

De'Ana H. Dow
Managing Director
Government Relations