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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 #08.97:
Notification of Amendments to NYMEX Rules 9.26, 9.27, and 9.34 for 17
New BALMO Swap 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 17 new BALMO Swap Contracts.

These amendments include the addition of accountability levels, position limits, and reportable levels for the 17 new contracts.

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. These changes will be made effective on trade date October 27, 2008.

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

Sincerely,



De'Ana H. Dow
Managing Director
Government Relations

Attachment

Amendments to Submission #08.97
Chapter 9 – Appendix A

(Bold/underline indicates additions.)

Contract Name	Rule Chapter	Commodity Code	All Month Accountability Level	Any One Month Accountability Level	Expiration Month Limit	Reporting Level	Aggregate Info (1)	Aggregate Info (2)
			Rule 9.26	Rule 9.26	Rule 9.27	Rule 9.34		
<i>Petroleum</i>								
<i>Europe</i>								
<i>Northwest Europe</i>								
<u>Brent Crude Oil BALMO Swap Contract</u>	481	J9	20,000	20,000	2,000	25	BZ	
<u>Argus Gasoline NWE BALMO Swap Contract</u>	492	B9	1,500	1,500	500	25	AR	
<u>1.5% Fuel Oil Rdam Barges BALMO Swap Contract</u>	483	J5	1,500	1,500	150	25	Z3	
<u>ICE Gasoil BALMO Swap Contract</u>	482	U9	7,000	7,000	1,000	25	GX	
<u>Diesel 10ppm Barges FOB Rdam BALMO Swap Contract</u>	489	U7	5,000	5,000	500	25	GT	
<u>Jet Fuel Cargoes CIF NWE BALMO Swap Contract</u>	484	F3	1,500	1,500	150	25	UI	
<u>Gasoil 0.1 Barges FOB Rdam BALMO Swap Contract</u>	488	B8	1,000	500	150	25	VL	
<u>ULSD 10ppm Cargoes CIF NWE BALMO Swap Contract</u>	487	B1	1,000	500	150	25	TY	
<u>Gasoil 0.1 Cargoes CIF NWE BALMO Swap Contract</u>	486	B7	1,000	500	150	25	TW	
<u>1.5% Fuel Oil Barges FOB Rdam Swap Contract</u>	736	Z3	1,500	1,500	150	25	Z3	
<u>Jet Fuel Barges FOB Rdam BALMO Swap Contract</u>	485	X9	1,500	1,500	150	25	UR	
<i>Mediterranean</i>								
<u>ULSD 10ppm CIF Med vs. ICE Gasoil Swap Contract</u>	549	Z7	5,000/7,000	5,000/7,000	500/1,000	25	Z6	GX
<u>ULSD 10ppm Cargoes CIF Med Swap Contract</u>	548	Z6	5,000	5,000	500	25	Z6	
<u>Gasoil 0.1 Cargoes CIF Med Swap Contract</u>	546	Z4	5,000	5,000	500	25	Z4	
<u>Gasoil 0.1 CIF Med vs. ICE Gasoil Swap Contract</u>	547	Z5	5,000/7,000	5,000/7,000	500/1,000	25	Z4	GX
<u>Gasoil 0.1 CIF Med BALMO Swap Contract</u>	490	X6	5,000	⁴ 5,000	500	25	Z4	
<u>ULSD 10ppm CIF Med BALMO Swap Contract</u>	491	X7	5,000	5,000	500	25	Z6	