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OFFICE OF THE SECRETARIAT

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October 29, 2010

**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 # 10-282: Notification of Administrative Amendment for Eighteen Petroleum Swap Futures 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 an administrative, non-substantive, amendment to the floating price rule for the eighteen petroleum futures contracts listed in the table below.

<u>Contract Name</u>	<u>Code</u>	<u>Rule Chapter</u>
1% Fuel Oil Rdam vs. 1% Fuel Oil NWE (Platts) Swap Futures	33	611
Jet Aviation Fuel (Platts) Cargoes FOB MED vs. ICE Gasoil Swap Futures	1V	417
Gasoil 10ppm (Platts) Cargoes CIF NWE vs. ICE Gasoil BALMO Swap Futures	3V	477
Gasoil 0.1 (Platts) Cargoes CIF NWE vs. ICE Gasoil BALMO Swap Futures	4V	476
Gasoil 0.1 (Platts) Barges FOB Rdam vs. ICE Gasoil BALMO Swap Futures	6V	475
Jet Fuel (Platts) Cargoes CIF NWE vs. ICE Gasoil BALMO Swap Futures	6X	479
ULSD 10ppm (Platts) CIF MED vs. ICE Gasoil BALMO Swap Futures	7V	474
Diesel 10ppm (Platts) Barges FOB Rdam vs. ICE Gasoil BALMO Swap Futures	7X	478
Gasoil 0.1 (Platts) CIF MED vs. ICE Gasoil BALMO Swap Futures	8W	473
Jet Fuel (Platts) Barges FOB Rdam vs. ICE Gasoil BALMO Swap Futures	9Q	480
European 1% Fuel Oil Cargoes FOB MED vs. European 1% Fuel Oil Cargoes FOB NWE Spread (Platts) Swap Futures	ENS	216
Jet Cargoes (Platts) CIF NWE vs. Gasoil Futures Swap	JC	722
Diesel 10ppm NWE Le Havre (Platts) CIF NWE vs. ICE Gasoil Swap Futures	S3	362
Diesel 10ppm NWE Le Havre (Platts) CIF NWE vs. ICE Gasoil BALMO Swap Futures	S5	363
Diesel 10ppm UK (Platts) CIF NWE vs. ICE Gasoil Swap Futures	S8	372
Diesel 10ppm UK (Platts) CIF NWE vs. ICE Gasoil BALMO Swap Futures	T1	373
Gasoil 0.1 (Platts) CIF MED vs. ICE Gasoil Swap Futures	Z5	547
ULSD 10ppm (Platts) CIF MED vs. ICE Gasoil Swap Futures	Z7	549

The amendment to the floating price rules for the above-listed contracts is comprised of the addition of the term "non-common pricing" to the rules. The Exchange currently settles these contracts based on non-common pricing. The addition of the term to the floating price rule is intended to provide clarity to the

marketplace with regard to current settlement methodology. This amendment is administrative in nature and has no impact on the value of the contracts.

The amendment to the floating price rules for the eighteen petroleum futures contracts is provided in Appendix A below.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the amendment to the floating price rules for the eighteen petroleum futures contracts complies with the Act, including regulations under the Act. The amendment to the rules will be effective on trade date Tuesday, November 2, 2010.

Should you have any questions concerning the above, please contact at Daniel Brusstar at (212) 299-2604 or me at (312) 648-5422.

Sincerely,

/s/ Stephen M. Szarmack  
Regulatory Counsel

(UNDERSCORE denotes addition; ~~Strikethrough~~ denotes deletion)

#### 611.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the high and low quotations from Platts European Marketscan for 1% Fuel Oil under the heading "Barges FOB Rotterdam" minus "Cargoes FOB NWE" assessment for each business day that both are determined during the contract month (using Non-common pricing).

#### 417.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Jet Aviation Fuel under the heading "Cargoes FOB Med Basis Italy" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (B) below.

(B) The settlement prices of the first nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the second nearby Gasoil contract will be used.

#### 477.02 FLOATING PRICE

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Gasoil 10ppm under the heading "Cargoes CIF NWE Basis ARA" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### 476.02 FLOATING PRICE

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Gasoil 0.1% under the heading "Cargoes CIF NWE Basis ARA" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### 475.02 FLOATING PRICE

(A) The Floating Price for each contract month is equal to the arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Gasoil 0.1% under the heading "Barges FOB Rotterdam" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### **479.02. FLOATING PRICE**

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Jet Kerosene under the heading "Cargoes CIF NWE Basis ARA" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (**using Non-common pricing**), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### **474.02 FLOATING PRICE**

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for ULSD 10ppm under the heading "Cargoes CIF Med Basis Genoa/Lavera" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (**using Non-common pricing**), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### **478.02 FLOATING PRICE**

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Diesel 10ppm under the heading "Barges FOB Rotterdam" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (**using Non-common pricing**), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### **473.02 FLOATING PRICE**

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Gasoil 0.1% under the heading "Cargoes CIF Med Basis Genoa/Lavera" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (**using Non-common pricing**), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### 480.02. FLOATING PRICE

(A) The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point between the high and low quotations from the Platts European Marketscan for Jet Kerosene under the heading "Barges FOB Rotterdam" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), starting from the selected start date through the end of the contract month, inclusive, except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### 216.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the high and low quotations from the Platts Oilgram for 1% Fuel Oil under the heading "Cargoes FOB Med Basis Italy" minus the arithmetic average of the high and low quotations from the Platts Oilgram for 1% Fuel Oil under the heading "Cargoes FOB NWE" for each business day that it is determined during the contract month (using Non-common pricing).

#### 722.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the mid-point between the high and low quotations from the Platts *European Marketscan* for Jet Kerosene under the heading "Cargoes CIF NWE Basis ARA" minus the first line Gasoil (ICE) Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### 362.02. FLOATING PRICE

The Floating Price for each contract month is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Diesel 10ppm NWE under the heading "Cargoes CIF NWE Basis ARA" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (A) below.

(A) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring ICE Gasoil Futures contract when the settlement prices of the 2nd nearby ICE Gasoil Futures contract will be used.

#### 363.02. FLOATING PRICE

The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Diesel 10ppm NWE under the heading "Cargoes CIF NWE Basis ARA" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing) starting from the selected start date through the end of the month, except as noted in (A) below.

(A) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring ICE Gasoil Futures contract when the settlement prices of the 2nd nearby ICE Gasoil Futures contract will be used.

#### **372.02. FLOATING PRICE**

The Floating Price for each contract month is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Diesel 10ppm UK under the heading "Cargoes CIF NWE Basis ARA" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (A) below.

(A) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring ICE Gasoil Futures contract when the settlement prices of the 2nd nearby ICE Gasoil Futures contract will be used.

#### **373.02. FLOATING PRICE**

The Floating Price for each contract month is equal to the balance-of-month arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Diesel 10ppm UK under the heading "Cargoes CIF NWE Basis ARA" minus the first line ICE Gasoil Futures settlement price for each business day that both are determined during the contract month (using Non-common pricing) starting from the selected start date through the end of the month, except as noted in (A) below.

(A) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring ICE Gasoil Futures contract when the settlement prices of the 2nd nearby ICE Gasoil Futures contract will be used.

#### **547.02 FLOATING PRICE**

The Floating Price for each contract month is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for Gasoil 0.1% under the heading "Cargoes CIF Med Basis Genoa/Lavera" minus the quotation from Platts European Marketscan for first line IPE Gasoil Futures average for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.

#### **549.02 FLOATING PRICE**

The Floating Price for each contract month is equal to the arithmetic average of the mid-point of the high and low quotations from the Platts European Marketscan for ULSD 10ppm under the heading "Cargoes CIF Med Basis Genoa/Lavera" minus the quotation from Platts European Marketscan for first line IPE Gasoil Futures average for each business day that both are determined during the contract month (using Non-common pricing), except as noted in (B) below.

(B) The settlement prices of the 1st nearby contract month will be used except on the last day of trading for the expiring Gasoil Futures contract when the settlement prices of the 2nd nearby Gasoil contract will be used.