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December 3, 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. Submission #08.120R: Notification of Trade Execution Vehicle for Listing of Existing Platinum and Palladium Futures Contracts on ClearPort® Clearing**

Dear Mr. Stawick:

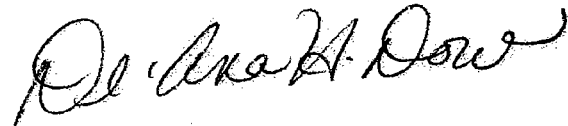
The New York Mercantile Exchange, Inc. ("NYMEX" or "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that it is submitting a clarification to submission #08-120 previously filed on November 25, 2008, which certified the listing of the Exchange's existing Platinum (PL) and Palladium (PA) futures contracts on ClearPort® clearing. This submission clarifies that the listing of existing Platinum and Palladium futures contracts will be for submission of Exchange of Futures for Physicals ("EFP") and Exchange of Futures for Swaps ("EFS") through ClearPort® clearing. The EFP and EFS transactions in these futures contracts will be governed by the provisions of Rules 6.21 and 6.21A, respectively.

This clarification of the EFP/EFS trade execution vehicle, along with the certification of the listing of the Platinum and Palladium futures contracts on ClearPort® clearing certified in submission #08.120, will be made effective on Sunday, December 7, 2008 for trade date Monday, December 8, 2008.

Pursuant to Section 5c(c) of the Commodity Exchange Act ("Act") and CFTC Rule 40.6, the Exchange hereby certifies that the listing of the existing Platinum and Palladium futures contracts for submission of EFP and EFS trades through ClearPort® clearing complies with the Act, including regulations under the Act.

Should you have any questions concerning the above, please contact Joann Arena at (212) 299-2356 or the undersigned at (202) 715-8517.

Sincerely,

A handwritten signature in black ink, reading "De'Ana H. Dow". The signature is written in a cursive style with a large initial "D".

De'Ana H. Dow  
Managing Director  
Government Relations