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December 20, 2007

OFFICE OF THE SECRETARIAT

Via E-Mail

Office of the Acting Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

**Re: Rule Certification. NYMEX Submission 07.146: Notification
of Amendments to Exchange Rules 9.26, 9.27, and 9.27A.**

Dear Ms. Eileen A. Donovan:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") is notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") of rule amendments to Exchange Rules 9.26, All Month/Any One Month Position Accountability; 9.27, Expiration and Current Delivery Month Position Limits or Position Accountability; and 9.27A, Expiration Position Accountability Levels.

Effective Friday, December 21, 2007, the amendments include the following:

- Correct Exchange Rule 9.26 to reflect that energy NYMEX miNY^(sm) contracts exercise into *financially settled* futures contracts;
- Clarify that the expiration position limits are effective as of the open of trading on the last three trading days for *all* energy contracts set forth in Appendix A, Chapter 9 for which expiration position limits have been designated (and conforming changes in Exchange Rule 9.27A with respect to position accountability levels);
- Remove references to miNY contracts in Exchange Rule 9.27 in light of the fact that such contracts are subject to position accountability levels rather than hard position limits;
- Provide information regarding the size of various metals miNY contracts (as compared with full-sized futures equivalents) for purposes of calculating position accountability levels on a futures-equivalent basis.
- Amend Exchange Rule 9.27A such that the reference to the aggregation requirement of Appendix A, Chapter 9 is consistent with the reference to aggregation in Exchange Rule 9.27.
- Provide for various non-substantive, housekeeping related amendments.

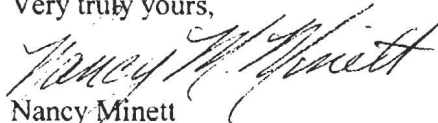
New York Mercantile Exchange, Inc.
World Financial Center
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The New York Mercantile Exchange, Inc. offers trading in crude oil, heating oil, unleaded gasoline, natural gas, electricity, coal, propane, freight rates, emissions, gold, silver, platinum, palladium, copper, and aluminum.

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.

Should you have any questions concerning the above, please contact Anthony V. Densieski, Senior Director, Market Surveillance, at (212) 299-2881, and R. Stephen Painter, Jr., Director and Counsel, Market Surveillance, at (212) 299-2920.

Very truly yours,

A handwritten signature in black ink, appearing to read "Nancy Minett", written in a cursive style.

Nancy Minett
Vice President, Compliance

cc: Thomas LaSala
Brian Regan

(Stricken text indicates deletions, and bold underlined text indicates additions.)

Rule 9.26 – All Month/Any One Month Position Accountability

(A) Any person, as defined in Rule 1.26, who owns or controls positions in excess of the levels cited in Chapter 9, Appendix (A) below, under heading 9.26 All Month/Any One Month Position Accountability shall be subject to the following provisions pursuant to position accountability levels:

(1) promptly supply to the Exchange such information as the Exchange may request pertaining to the nature and size of the position, the trading strategy employed with respect to the position, and the position owner's or controller's hedging requirements, provided, however, that if the position owner or controller fails to supply such information as and when requested, the President or his designee may order the reduction of such position;

(2) agree, upon request by the President or his designee, not to increase the position owned or controlled as of the time the request was received; and

(3) agree to comply with any prospective limit prescribed by the President or his designee which exceeds the size of the position owned or controlled.

(B) For the purposes of this Rule 9.26, the futures-equivalent of an option contract and spread option contract is the previous day's NYMEX Risk Factor for that option. Further, long calls, short puts and long futures are on the same side of the market; short calls, long puts and short futures are on the same side of the market.

With respect to crack spread option contracts, a call option is the equivalent of a long product futures contract and a short crude oil futures contract; a put option is the equivalent of a short product futures contract and a long crude oil futures contract. Therefore, long crack spread option calls and short crack spread option puts are on the same side of the market; short crack spread option calls and long crack spread option puts are on the same side of the market.

With respect to calendar spread option contracts, a call option is the equivalent of a long futures contract in the first underlying futures in the spread and a short futures contract in the second underlying futures in the spread; a put option is the equivalent of a short futures contract in the first underlying futures in the spread and a long futures contract in the second underlying futures in the spread.

(C) **The any one month/all month position accountability levels shall be calculated on a net futures-equivalent basis.** For purposes of this rule, ~~A~~ NYMEX Light Sweet Crude Oil miNY Futures Contract shall be deemed equivalent to .50 of a ~~Light "Sweet" Crude Oil future~~ **Crude Oil Financial Contract**, a NYMEX Natural Gas miNY Futures Contract shall be deemed equivalent to .25 of a ~~Natural Gas future~~ **Henry Hub Penultimate Financial Futures Contract**, a NYMEX miNY ~~Unleaded Gasoline Futures Contract~~ shall be deemed equivalent to .50 of a ~~Petroleum Product – New York Harbor future~~ **Gasoline Financial Contract**, and a NYMEX miNY Heating Oil Futures Contract shall be deemed equivalent to .50 of a ~~New York Harbor No. 2 Heating Oil future~~ **Heating Oil Financial Futures Contract**; a COMEX miNY Gold Futures Contract shall be deemed equivalent to .50 of a Gold future, a COMEX miNY Silver Futures Contract shall be deemed equivalent to a .50 Silver future, **and** a COMEX miNY Copper Futures Contract shall be deemed equivalent to a .50 Copper Future. ~~br />~~ **[insert line break]**

(D) Except as provided in Rule 9.27, the any one month/all month position accountability levels for each

futures contract traded on the Exchange are listed in Chapter 9, Appendix (A) below.

Note: Specific reference to contract aggregation requirements prescribed in Chapter 9, Appendix (A). Further, the Exchange may apply Accountability Compliance on a Futures Only basis to the base contracts which others "aggregate into" as per Appendix (A).

Option Contract Gross Option Quadrant Position Accountability Levels

Accountability levels for options cited in Appendix (A) are per quadrant (long call, long put, short call, short put) on a gross basis.

* * * *

Rule 9.27 – Expiration and Current Delivery Month Position Limits or Position Accountability

(A) No person may own or control a net long position or a net short position in the expiration or current delivery month (as defined in this Rule 9.27 for energy, metals and soft contracts respectively) in excess of the levels set forth in Chapter 9, Appendix (A) below under 9.27 Expiration and Current Delivery Month Position Limits or Position Accountability.

Note: Specific reference to contract aggregation requirements prescribed in Chapter 9, Appendix (A).

(B) The expiration position limits for energy contracts ~~set forth below, for those contracts enumerated in Appendix (A), Chapter 9 for which expiration month position limits are designated,~~ are effective on the open of trading of the last three trading days of the futures contract. The expiration position limits shall be calculated on a net futures-equivalent basis. ~~For purposes of this rule, NYMEX Light Sweet Crude Oil miNY Futures Contract shall be deemed equivalent to .50 of a Light "Sweet" Crude Oil future, a NYMEX Natural Gas miNY Futures Contract shall be deemed equivalent to .25 of a Natural Gas future, a NYMEX miNY Unleaded Gasoline Futures Contract shall be deemed equivalent to .50 of a Petroleum Product – New York Harbor future and a NYMEX miNY Heating Oil Futures Contract shall be deemed equivalent to .50 of a New York Harbor No. 2 Heating Oil future; a COMEX miNY Gold Futures Contract shall be deemed equivalent to .50 of a Gold future, a COMEX miNY Silver Futures Contract shall be deemed equivalent to a .50 Silver future, a COMEX miNY Copper Futures Contract shall be deemed equivalent to a .50 Copper Future.~~

(C) The expiration month position limits for the PJM and the Uranium contracts are effective on the opening of trading on all business days when a contract month becomes the first nearby month (or spot month) and continues on an intra-day basis thereafter until the conclusion of trading in the expiring contract. The expiration month position limit shall be calculated on a net futures-equivalent basis for the PJM contracts.

(D) The current delivery month position limits metals contracts are effective on the business day prior to the first notice day for any delivery month. No person shall maintain any position which, when combined with the number of contracts for which a delivery notice has been tendered or accepted during the delivery month, exceeds the maximum permissible current delivery month position limit for such contract.

(E) The current delivery month position limits for soft commodities shall be in effect as of the open of trading on the last three trading days of the expiring contracts. Further, the current delivery month position limit in Orange Juice shall be applied on a gross basis.

* * * *

Rule 9.27A – Expiration Position Accountability Levels

(A) Any person who owns or controls positions in excess of the levels cited in Chapter 9, Appendix (A) below, under heading 9.27A Expiration Position Accountability Levels, shall be subject to the following provisions pursuant to position accountability levels:

(1) promptly supply to the Exchange such information as the Exchange may request pertaining to the nature and size of the position, the trading strategy employed with respect to the position, and the hedging requirements (if any), provided, however, that if the principal or controller fails to supply such information as and when requested, the President or his designee may order the reduction of such position;

(2) agrees, upon request by the President or his designee, not to increase the position owned or controlled as of the time the request was received;

(3) agrees to comply with any limit prescribed by the President or his designee, and to decrease any open position if directed upon review of the information cited in item 1 above.

~~(4)~~**(B)** The Expiration Position Accountability Levels for ~~designated~~ energy contracts, **for those contracts enumerated in Appendix (A), Chapter 9 for which expiration accountability levels are designated**, are effective on the open of trading of the last three ~~(3)~~ trading days of the Penultimate and Last Day cash settled futures contracts. The expiration position **accountability levels** shall be calculated on a net futures-equivalent basis ~~and will aggregate appropriate related contracts as identified in Chapter 9, Appendix A.~~ **A NYMEX Light Sweet Crude Oil miNY Futures Contract shall be deemed equivalent to .50 of a Crude Oil Financial Contract, a NYMEX Natural Gas miNY Futures Contract shall be deemed equivalent to .25 of a Henry Hub Penultimate Financial Futures Contract, a NYMEX miNY Gasoline Futures Contract shall be deemed equivalent to .50 of a Gasoline Financial Contract, and a NYMEX miNY Heating Oil Futures Contract shall be deemed equivalent to .50 of a New York Harbor No. 2 Heating Oil future Heating Oil Financial Futures Contract.**

~~(5)~~**(C)** The Expiration **Position** Accountability Levels for ~~designated~~ metals contracts, **for those contracts enumerated in Appendix (A), Chapter 9 for which expiration accountability levels are designated**, are effective on the open of trading on the last three ~~(3)~~ trading days of such contracts. **The expiration position accountability levels shall be calculated on a net futures-equivalent basis. A COMEX miNY Gold Futures Contract shall be deemed equivalent to .50 of a Gold future, a COMEX miNY Silver Futures Contract shall be deemed equivalent to a .50 Silver future, and a COMEX miNY Copper Futures Contract shall be deemed equivalent to a .50 Copper Future.**

~~(6)~~**(D)** Trading in the underlying physically delivered contract that is the basis for the settlement prices for all contracts subject to this rule shall additionally be subject to NYMEX Interpretive Notices 01-06 and 01-07.

Note: Specific reference to contract aggregation requirements prescribed in Chapter 9, Appendix (A).