SUBMISSION COVER SHEET

Registered Entity Identifier Code **(optional)** **13-255** **Date: June 20, 2013**

***IMPORTANT*: CHECK BOX IF CONFIDENTIAL TREATMENT IS REQUESTED.** ☐

ORGANIZATION	New York Mercantile Exchange, Inc./Commodity Exchange, Inc.

FILING AS A: ☒ **DCM** ☐ **SEF** ☐ **DCO** ☐ **SDR** ☐ **ECM/SPDC**

TYPE OF FILING

- **Rules and Rule Amendments**
  - ☒ Certification under § 40.6 (a) or § 41.24 (a)
  - ☐ "Non-Material Agricultural Rule Change" under § 40.4 (b)(5)
  - ☐ Notification under § 40.6 (d)
  - ☐ Request for Approval under § 40.4 (a) or § 40.5 (a)
  - ☐ Advance Notice of SIDCO Rule Change under § 40.10 (a)
- **Products**
  - ☐ Certification under § 39.5(b), § 40.2 (a), or § 41.23 (a)
  - ☐ Swap Class Certification under § 40.2 (d)
  - ☐ Request for Approval under § 40.3 (a)
  - ☐ Novel Derivative Product Notification under § 40.12 (a)

RULE NUMBERS

Rule 994, Chapters 7, 105, 106, 111, 112, 113 and 120

DESCRIPTION

Deletion of Rule 994, revisions to NYMEX and COMEX Chapters 7A and 7B and revisions to two (2) NYMEX and four (4) COMEX physically-delivered Metals futures product chapters in connection with CFTC Core Principle 7 ("Availability of General Information") compliance.

CME Group

Christopher Bowen
Managing Director and Chief Regulatory Counsel
Legal Department

June 20, 2013

VIA E-MAIL

Ms. Melissa Jurgens
Office of the Secretariat
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, DC 20581

RE: Regulation 40.6(a) Rule Certification. New York Mercantile Exchange, Inc. and Commodity Exchange, Inc.
Submission # 13-255: Deletion of Rule 994, Revisions to NYMEX and COMEX Chapters 7A and 7B and Revisions to Two (2) NYMEX and Four (4) COMEX Physically-Delivered Metals Product Chapters

Dear Ms. Jurgens:

New York Mercantile Exchange, Inc. ("NYMEX") and Commodity Exchange, Inc. ("COMEX") (collectively, the "Exchanges") are notifying the Commodity Futures Trading Commission ("CFTC" or "Commission") that they are self-certifying revisions to NYMEX and COMEX Chapters 7A ("Metals Rules for Electronic Warrants") and 7B ("Delivery Facilities and Procedures") and the following six (6) physically-delivered Metals futures product chapters:

- Chapter 105 ("Platinum Futures")
- Chapter 106 ("Palladium Futures")
- Chapter 111 ("Copper Futures")
- Chapter 112 ("Silver Futures")
- Chapter 113 ("Gold Futures")
- Chapter 120 ("E-micro Gold Futures")

Additionally, as a result of the adoption of Rule 718 ("Customer Substitution in the Event of Clearing Member Bankruptcy") in Chapter 7, we are deleting Rule 994 from Chapter 9 which contains the exact same text as new Rule 718.

The revisions will become effective on July 8, 2013, and are being adopted to ensure the Exchanges' rules remain in compliance with CFTC Core Principle 7 ("Availability of General Information") which requires that DCMs make available to the public accurate information concerning the contract market's rules and regulations, contracts and operations. In connection with CFTC Core Principle 7, the Exchanges launched a Rulebook Harmonization Project with the goal of eliminating old, erroneous and obsolete language, ensuring the accuracy of all listed numerical values (e.g., trading units, tick sizes, etc.) and harmonizing the language and structure of the NYMEX and COMEX product chapters with the product chapters of Chicago Mercantile Exchange Inc. ("CME") and Board of Trade of the City of Chicago, Inc. ("CBOT") to the best extent possible. This exercise was already completed for the CBOT product chapters in 2008, in connection with the CME/CBOT merger, and a similar review was recently completed for the CME product chapters. Revisions to additional NYMEX and COMEX product chapters will be forthcoming later this year.

In addition to the changes to the product chapters, NYMEX and COMEX are adopting revisions to Chapters 7A and 7B and conflating them into single Chapter 7, titled Delivery Facilities and Procedures. As a result of the revisions, Chapters 7A and 7B will cease to exist concurrent with the revisions becoming effective on July 8, 2013.

Revisions to Physically-Delivered Metals Product Chapters

While the majority of the revisions are stylistic in nature, the substantive revisions include the following changes:

- Clarification and, in certain instances, corrections in references to clearing member and position holder;
- Insertion of references to position limits and accountability levels;
- Removal of certain references to warrants, brands, delivery procedures and storage which overlap with the newly redesigned NYMEX and COMEX Chapter 7; and
- Addition of an EFRP transaction period, for liquidation purposes only, through 12:00 p.m. on the business day following termination of trading in the expired futures contract.

Adoption of New Chapter 7 and Deletion of Chapters 7A and 7B

NYMEX and COMEX will adopt new Chapter 7, revising and replacing the rules currently set forth in Chapters 7A and 7B. A summary of the most significant changes include the following:

- Incorporation of certain governing metals delivery terms and conditions which were previously contained in the metals delivery point agreements that were executed between the metals delivery facilities and the Exchanges, including the requirement that a facility approved for regularity consent to the disciplinary jurisdiction of the Exchange during the approval period;
- Requiring that a facility approved for regularity consent to the disciplinary jurisdiction of the Exchange for five (5) years after such approval lapses with respect to any conduct which occurred during the approval period;
- Where applicable, the removal of references to metals paper warrants and the replacement of the references to electronic warrants;
- Elimination of unnecessary metals-related definitions;
- Removal of obsolete references to required metals documentation;
- Removal of references to product terms and conditions from Chapter 7 and the insertion of the references into the specific metals product chapters;
- The addition of NY Harbor ULSD and RBOB delivery facilities obligations;
- The adoption of unintentionally omitted clauses relating to the "failure to accept delivery or remit full payment," "customer substitution in the event of clearing member bankruptcy" and "delivery procedures in other commodities" such that these rules are harmonized with existing language in CME and CBOT Chapter 7; and
- The addition of the lists of all Exchange-approved depositories, warehouses, weighmasters, assayers, carriers, metals brands and ULSD and RBOB delivery facilities in the Special Interpretations & Notices section of Chapter 7.

The Market Regulation Department and the Legal Department collectively reviewed the DCM Core Principles as set forth in the Commodity Exchange Act ("Act"). During the review, the Exchanges have identified that the changes described above may have some bearing on the following Core Principles:

> Compliance with Rules: The changes resulted from a comprehensive review of the existing product chapters and Chapters 7A and 7B, with the goal that the product chapters and new Chapter 7 be completely accurate and, to the greatest extent possible, harmonized across products and CME Group Inc. subsidiary exchanges as a result of the revisions. Product terms and conditions were reviewed to ensure accuracy and obsolete and inaccurate information was modified or removed.
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> Availability of General Information: The revised product chapters are part of a larger Core Principle 7 project undertaken to ensure that the product chapters are accurate and remain in compliance with Core Principle 7. Notice regarding the revised product chapters will be disseminated to the marketplace via the issuance of a Special Executive Report and will highlight any changes deemed material.

The Exchanges certify that the revisions comply with Act and regulations thereunder. The revisions are shown in Exhibits A through G, with additions underscored and deletions overstruck. There were no opposing views to the revisions.

The Exchanges certify that this submission has been concurrently posted on the CME Group website at http://www.cmegroup.com/market-regulation/rule-filings.html.

If you have any questions regarding this submission, please contact Robert Sniegowski, Market Regulation, at 312.341.5991 or via email at Robert.Sniegowski@cmegroup.com. Alternatively, you may contact me at 212.299.2200 or via email at Christopher.Bowen@cmegroup.com. Please reference NYMEX/COMEX Submission No. 13-255 in any related correspondence.

Sincerely,

/s/ Christopher Bowen
Managing Director and Chief Regulatory Counsel

Attachments: Exhibit A – Deletion of Rule 994 and Adoption of Chapter 7 (as a result of revisions to Chapters 7A and 7B)
Exhibit B – Revisions to Chapter 105
Exhibit C – Revisions to Chapter 106
Exhibit D – Revisions to Chapter 111
Exhibit E – Revisions to Chapter 112
Exhibit F – Revisions to Chapter 113
Exhibit G – Revisions to Chapter 120