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February 5, 2004

**VIA FACSIMILE**

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

**Re: Certification: New York Mercantile Exchange, Inc.  
Submission #04.10 (Listing of Additional Strike Prices for the  
Gold, Silver, Copper, Natural Gas and Related Calendar Spread  
Option Contracts)**

Dear CFTC Commissioners:

Pursuant to COMEX Rule 15.03(c), COMEX Rule 16.03, COMEX Rule 17.04 and NYMEX Rule 300.20, the President of the New York Mercantile Exchange, Inc. ("Exchange") has directed that additional strike prices be added for certain contract months in the Gold, Silver, Copper, Natural Gas and related Calendar Spread option contracts as detailed below:

- (A) On February 2, 2004, the Exchange added a call and a put:
- (1) at the strike prices of 125 and 145 for the March 2004 contract month of the WTI One month Calendar Spread option contract;
  - (2) at the strike prices of 560 and 570 for the April 2004 contract month of the Silver option contract;
  - (3) at the strike prices of 134 and 136 for the May 2004 contract month of the Copper option contract;
  - (4) at the strike price of 6350 for the September 2004 contract month of the Natural Gas option contract;
  - (5) at the strike price of 530 for the December 2004 contract month of the Gold option contract;
  - (6) at the strike price of 500 for the February 2005 contract month of the Gold option contract;

(B) On February 3, 2004, the Exchange added a call and a put:

(7) at the strike prices of 150,165, 170 and 180 for the March 2004 contract month of the Crude Oil One month Calendar Spread option contract;

(8) at the strike price of 132 for the June 2004 contract month of the Copper option contract;

(9) at the strike price of 7350 for the June 2004 contract month of the Natural Gas option contract;

(10) at the strike price of 6900 for the July 2004 contract month of the Natural Gas option contract;

(11) at the strike price of 7100 for the September 2004 contract month of the Natural Gas option contract;

(12) at the strike prices of 7100 and 10000 for the October 2004 contract month of the Natural Gas option contract;

(13) at the strike price of 126 for the December 2004 contract month of the Copper option contract;

(14) at the strike price of 1300 for the July 2005 contract month of the Silver option contract;

(C) On February 4, 2004, the Exchange added a call and a put:

(15) at the strike price of 310 for the March 2004 contract month of the Gold option contract;

(16) at the strike prices of 5800 and 6800 for the June 2004 contract month of the Natural Gas option contract;

(17) at the strike price of 825 for the July 2005 contract month of the Silver option contract;

(D) On February 5, 2004, the Exchange added a call and a put:

(18) at the strike price of 95 for the March 2004 contract month of the Crude Oil One month Calendar Spread option contract;

(19) at the strike price of 760 for the May 2004 contract month of the Silver option contract;

(20) at the strike price of 134 for the June 2004 contract month of the Copper option contract; and

(21) at the strike price of 5100 for the March 2006 contract month of the Natural Gas option contract.

Pursuant to the terms of COMEX Rule 15.03(c), COMEX Rule 16.03, COMEX Rule 17.04 and NYMEX Rule 300.20, the strike prices noted above are in increments that are consistent with the pricing for the underlying futures contract. COMEX Rule 15.03(c), COMEX Rule 16.03, COMEX Rule 17.04 and NYMEX Rule 300.20 permit such directed strike prices to be effective upon adoption, provided that notice to the CFTC is given within three business days of the strike price listing.

Should you have any questions concerning the above, please contact the undersigned at (212) 299-2207.

Very truly yours,

Brian Regan  
Vice President & Counsel

cc: Christopher K. Bowen  
George Henderson  
Michael Campanelli