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COMMENT

May 12, 1998

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for anything.*

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COMMODITY FUTURES
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Ms. Jean A. Webb
Secretary
Commodity Futures Trading Commission
Three Lafayette Centre
1155 21st Street, N.W.
Washington, D.C. 20581

Re: Proposed Amendments to Commission Regulation § 1.41(k)
Regarding Review of Changes in Trading Hours
63 FR 24142 (May 1, 1998)

Dear Ms. Webb:

The New York Mercantile Exchange ("NYMEX" or the "Exchange") appreciates the opportunity to comment, on its own behalf and on behalf of its wholly-owned subsidiary, Commodity Exchange, Inc., on the above-referenced Commodity Futures Trading Commission's ("CFTC" or the "Commission") rule amendment proposal.

Under Commission Regulation § 1.41(k), certain changes in a contract market's trading hours are deemed approved by the CFTC at the close of business one business day after properly labeled written notice of the change is received by the CFTC, so long as the change is not inconsistent with the Commodity Exchange Act or the CFTC's regulations. Trading hour changes that are eligible for this treatment do not permit trading to open before 7:00 a.m. or close after 6:00 p.m. local time in the city where the contract market is located. All other proposed changes in trading hours must be approved by the Commission pursuant to Regulation § 1.41(b).

As part of the CFTC's efforts to modernize and to streamline its regulatory framework, it is proposing to amend Regulation § 1.41(k) to allow additional trading hour changes to be deemed approved one business day after receipt of proper notice. Specifically, under the proposal, if a contract market had previously received CFTC approval for pit trading between 6:00 p.m. and 7:00 a.m. in at least one of its designated contracts, it could submit all subsequent changes in trading hours for pit trading pursuant to Regulation § 1.41(k). With respect to electronic trading, the CFTC indicated in the Federal Register release that neither the initial establishment of an electronic trading system nor the subsequent listing of additional contracts would be eligible for treatment under Regulation § 1.41(k). However, changes in the trading

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The New York Mercantile Exchange is composed of two divisions. The NYMEX Division offers trading in crude oil, heating oil, unleaded gasoline, natural gas, electricity, propane, platinum, and palladium. The COMEX Division offers trading in gold, silver, copper, and the Eurotop 100[®] index.

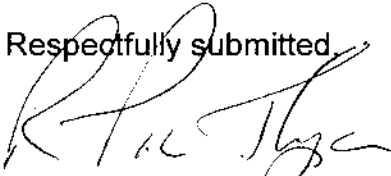
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hours of a contract that was already listed on an electronic system would be eligible for treatment under revised Regulation § 1.41(k).

The CFTC is proposing to amend Regulation § 1.41(k) to adapt its regulatory structure to various developments that have altered financial markets in recent years, including changes in technology and the implementation of around-the-clock trading in global markets. NYMEX supports the Commission's efforts to streamline its regulatory procedures and recommends that it approve the proposed amendments to Regulation § 1.41(k).

* * * *

NYMEX thanks the Commission for the opportunity to submit comments concerning this proposed rule amendment and would be pleased to furnish additional information in this regard. If you have any questions, please do not hesitate to contact the undersigned.

Respectfully submitted,

R. Patrick Thompson
President

cc: Chairperson Brooksley Born
Commissioner Barbara P. Holum
Commissioner David D. Spears
Commissioner John E. Tull, Jr.