

THE NATIONAL ARCHIVES
LITTERA
SCRIPTA
MANET
FEDERAL REGISTER
OF THE UNITED STATES
1934
VOLUME 13 NUMBER 72

Washington, Tuesday, April 13, 1948

**TITLE 3—THE PRESIDENT
EXECUTIVE ORDER 9943**

**PROVIDING FOR CARRYING OUT THE FOREIGN
ASSISTANCE ACT OF 1948**

By virtue of the authority vested in me by the Foreign Assistance Act of 1948, approved April 3, 1948 (hereinafter referred to as the Act), and as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

1. The Administrator for Economic Cooperation is hereby authorized and directed to make appropriate allocations, for the purposes of Titles I and IV of the Act except section 404 (b) of Title IV, to any department, agency, or establishment of the Government, from such funds as shall be made available to the Economic Cooperation Administration by the President out of funds advanced by the Reconstruction Finance Corporation and out of appropriated funds.

2. It is hereby determined, pursuant to sections 119 and 403 of the Act, that the performance of the functions authorized under Titles I and IV of the Act without regard to the following laws will further the purposes of the said Titles I and IV:

- 15 U. S. C. 616a (49 Stat. 500)
- 31 U. S. C. 529 (sec. 3648, Revised Statutes, as amended)
- 41 U. S. C. 5 (sec. 3709, Revised Statutes, as amended)
- 41 U. S. C. 8 (sec. 3710, Revised Statutes)
- 41 U. S. C. 10a (47 Stat. 1520)
- 41 U. S. C. 13 (sec. 3735, Revised Statutes)
- 46 U. S. C. 1241 (49 Stat. 2015)

HARRY S. TRUMAN

THE WHITE HOUSE,
April 9, 1948.

[F. R. Doc. 48-3272; Filed, Apr. 9, 1948;
4:19 p. m.]

EXECUTIVE ORDER 9944

**AUTHORIZING THE DEPARTMENT OF STATE TO
ADMINISTER CERTAIN FUNCTIONS UNDER
THE FOREIGN ASSISTANCE ACT OF 1948**

By virtue of the authority vested in me by the Foreign Assistance Act of 1948,

approved April 3, 1948, and by section 202 of the Revised Statutes, and as President of the United States, it is hereby ordered, in the interest of the internal management of the Government, as follows:

The Secretary of State is hereby authorized and directed to perform the functions of the President under the International Children's Emergency Fund Assistance Act of 1948 and under the Greek-Turkish Assistance Act of 1948 (being Titles II and III of the Foreign Assistance Act of 1948, respectively). The said Title III shall be administered in accordance with the provisions of Executive Order No. 9857 of May 22, 1947, entitled "Regulations for Carrying out the Provisions of the Act Entitled 'An Act to provide for assistance to Greece and Turkey'".

HARRY S. TRUMAN

THE WHITE HOUSE,
April 9, 1948.

[F. R. Doc. 48-3271; Filed, Apr. 9, 1948;
4:19 p. m.]

EXECUTIVE ORDER 9945

**FURTHER AMENDING EXECUTIVE ORDER NO.
9154 OF MAY 1, 1942, AUTHORIZING CER-
TAIN EXCLUSIONS FROM THE OPERATION
OF THE CIVIL SERVICE RETIREMENT ACT
OF MAY 29, 1930, AS AMENDED**

By virtue of and pursuant to the authority vested in me by section 3 (b) of the Civil Service Retirement Act of May 29, 1930, 46 Stat. 470, as amended, and in the interest of the internal management of the Government, section 1 of Executive Order No. 9154 of May 1, 1942, as amended by Executive Order No. 9824 of January 28, 1947, is hereby further amended by the addition thereto of a new paragraph (1) reading as follows:

(1) Employees serving under emergency-indefinite appointments not exceeding 5 years.

HARRY S. TRUMAN

THE WHITE HOUSE,
April 9, 1948.

[F. R. Doc. 48-3307; Filed, Apr. 12, 1948;
10:39 a. m.]

CONTENTS

THE PRESIDENT

Executive Orders	Page
Allowances for actual transportation expenses in excess of lowest first-class rate in certain cases	1977
Authorization of certain exclusions from operation of Civil Service Retirement Act; further amendment of E. O. 9154	1975
Creation of emergency boards to investigate disputes: Aliquippa and Southern Railroad Co. and employees	1977
Pennsylvania Railroad and employees	1977
Foreign Assistance Act: Authorization of Department of State to administer certain functions	1975
Provision for carrying out	1975

EXECUTIVE AGENCIES

**Alien Property, Office of
Notices:**

Vesting orders, etc.: Japan Electric Generation and Transmission Co., Ltd.	1989
Siedentopf, Pauline A.	1990
Societe Rhodiaceta	1989

Civil Service Commission

Rules and regulations: Appointment: Competitive system	1978
Positions excepted	1978
Scientific, technical, and professional positions; formal education requirements	1978

Customs Bureau

Rules and regulations: Liability for duties, entry of imported merchandise; carrier's certificate and release order	1979
---	------

Federal Communications Commission

Notices: Hearings, etc.: Baltimore, Louis G., and Wyoming Valley Broadcasting Co.	1985
---	------



Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Division of the Federal Register, the National Archives, pursuant to the authority contained in the Federal Register Act, approved July 26, 1935 (49 Stat. 500, as amended; 44 U. S. C., ch. 8B), under regulations prescribed by the Administrative Committee, approved by the President. Distribution is made only by the Superintendent of Documents, Government Printing Office, Washington 25, D. C.

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended June 19, 1937.

The FEDERAL REGISTER will be furnished by mail to subscribers, free of postage, for \$1.50 per month or \$15.00 per year, payable in advance. The charge for individual copies (minimum 15¢) varies in proportion to the size of the issue. Remit check or money order, made payable to the Superintendent of Documents, directly to the Government Printing Office, Washington 25, D. C.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER.

1947 SUPPLEMENT to the CODE OF FEDERAL REGULATIONS

The following book is now available:

Book 1: Titles 1 through 7, including, in Title 3, Presidential documents in full text with appropriate reference tables and index.

This book may be obtained from the Superintendent of Documents, Government Printing Office, Washington 25, D. C., at \$3.50 per copy.

A limited sales stock of the 1946 Supplement (6 books) is still available at \$3.50 a book.

CONTENTS—Continued

Federal Communications Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Don Lee Broadcasting System et al.	1983
Foundation Company of Washington	1984
Frequency Broadcasting System, Inc.	1983
Grand Haven Broadcasting Co. and Greater Muskegon Broadcasters, Inc. (WMUS)	1985
Grimwood, Fred O. (WTOM)	1984
KRGV, Inc.	1984
KXRO, Inc.	1984
Lamar, Charles Wilbur, Jr.	1984

RULES AND REGULATIONS

CONTENTS—Continued

Federal Communications Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Parish Broadcasting Corp.	1984
Rochester Broadcasting Co.	1983
Suffolk Broadcasting Corp.	1984
Western Washington Broadcasting Co.	1985
WGAR Broadcasting Co. et al.	1985

Federal Crop Insurance Corporation

Rules and regulations:	
Multiple crop insurance; miscellaneous amendments	1978

Federal Housing Administration

Rules and regulations:	
General; field organization	1979

Federal Power Commission

Notices:	
Hearings, etc.:	
California-Pacific Co.	1985
Cooperative Service Assn.	1986
Fitchburg Gas and Electric Light Co.	1986
Hope Natural Gas Co. and Tennessee Gas Transmission Co.	1986
Wisconsin Michigan Power Co.	1986

Food and Drug Administration

Rules and regulations:	
Penicillin- or streptomycin-containing drugs; certification of batches; miscellaneous amendments	1979

Indian Affairs, Office of

Rules and regulations:	
Attorney contracts with Indian tribes; admission to practice	1979

Interior Department

See also Indian Affairs, Office of;	
Land Management, Bureau of.	
Rules and regulations:	
Organization and procedure; re-delegations of authority, contracts	1980

Interstate Commerce Commission

Rules and regulations:	
Car service:	
Railroad freight cars stopped to complete loading	1980
Refrigerator cars for containers to Rio Grande Valley	1981
Commercial zones and terminal areas	1981
Reports, quarterly, of Class I motor carriers of property	1983

Land Management, Bureau of

Rules and regulations:	
Organization and procedure; delegations of authority, contracts	1980

Securities and Exchange Commission

Notices:	
Hearings, etc.:	
Cities Service Co.	1986
Carolina Power & Light Co.	1988
Consolidated Natural Gas Co.	1987

CONTENTS—Continued

Securities and Exchange Commission—Continued	Page
Notices—Continued	
Hearings, etc.—Continued	
Electric Bond and Share Co. et al.	1986
Michigan Consolidated Gas Co.	1987
New York State Electric & Gas Corp.	1989
Utah Power & Light Co. and Western Colorado Power Co.	1988
Rules and regulations:	
Forms prescribed; annual reports	1978

State Department

Rules and regulations:	
Aid to war-devastated countries	1979

Veterans' Administration

Rules and regulations:	
Board of Veterans' Appeals; employees authorized to file administrative appeals	1980
Insurance; assignment of armed forces leave bonds for insurance purposes	1979

CODIFICATION GUIDE

A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.

Title 3—The President	Page
Chapter II—Executive orders:	
9154 (see E. O. 9945)	1975
9943	1975
9944	1975
9945	1975
9946	1977
9947	1977
9948	1977

Title 5—Administrative Personnel

Chapter I—Civil Service Commission:	
Part 2—Appointment through the competitive system	1978
Part 21—Appointment to positions excepted from the competitive service	1978
Part 24—Formal education requirements for appointment to certain scientific, technical, and professional positions	1978

Title 7—Agriculture

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture:	
Part 420—Multiple crop insurance	1978

Title 17—Commodity and Securities Exchanges

Chapter II—Securities and Exchange Commission:	
Part 249—Forms prescribed under the Securities Exchange Act of 1934	1978

Title 19—Customs Duties

Chapter I—Bureau of Customs, Department of the Treasury:	
Part 8—Liability for duties, entry of imported merchandise	1979

CODIFICATION GUIDE—Con.

Title 21—Food and Drugs	Page
Chapter I—Food and Drug Administration, Federal Security Agency:	
Part 146—Certification of batches of penicillin- or streptomycin-containing drugs----	1979
Title 22—Foreign Relations	
Chapter I—Department of State:	
Part 401—Aid to war-devastated countries-----	1979
Title 24—Housing Credit	
Chapter V—Federal Housing Administration:	
Part 500—General-----	1979
Title 25—Indians	
Chapter I—Office of Indian Affairs, Department of the Interior:	
Part 15—Attorney contracts with Indian tribes-----	1979
Title 38—Pensions, Bonuses, and Veterans' Relief	
Chapter I—Veterans' Administration:	
Part 10—Insurance-----	1979
Part 30—Board of Veterans' Appeals-----	1980
Title 43—Public Lands: Interior	
Chapter I—Bureau of Land Management, Department of the Interior:	
Part 50—Organization and procedure-----	1980
Title 48—Territories and Insular Possessions	
Chapter IV—The Alaska Railroad, Department of the Interior:	
Part 400—Organization and procedure-----	1980
Title 49—Transportation and Railroads	
Chapter I—Interstate Commerce Commission:	
Part 95—Car service (2 documents)-----	1980, 1981
Part 170—Commercial zones----	1981
Part 205—Reports-----	1983

EXECUTIVE ORDER 9946

REGULATIONS GOVERNING ALLOWANCES FOR ACTUAL TRANSPORTATION EXPENSES IN EXCESS OF THE LOWEST FIRST-CLASS RATE IN CERTAIN CASES

By virtue of and pursuant to the authority vested in me by section 10 of the act of March 3, 1933, as amended by section 6 of the act of August 2, 1946, 60 Stat. 808 (5 U. S. C. 73b), and in the interest of the internal management of the Government, I hereby prescribe the following regulations governing allowances for actual transportation expenses in excess of the lowest first-class rate in certain cases as hereinafter defined:

1. Except as to (1) military officers traveling in a mileage status and (2) civilian officers or employees and their dependents, these regulations shall be applicable to persons for whom the Department of the Army, the Department of the Air Force, the Department of the Navy, the Marine Corps, the Coast Guard, the Coast and Geodetic Survey, and the

Public Health Service are authorized to furnish transportation.

2. Whenever under authority of law actual expenses for transportation may be allowed, allowances therefor shall not exceed the lowest first-class rate in effect on the facility used in such transportation except as follows:

(a) Allowances may be made for transportation, including sleeping accommodations, in excess of the lowest first-class rate in effect on the facility used in such transportation upon certification by the person issuing the procuring instrument for transportation and making reservation therefor, on the procuring instrument and such other documents as may be required in support of travel-expense vouchers under regulations prescribed by the head of the agency concerned, that at the time the reservation was made accommodations of the lowest first-class rate in effect on the facility used were not available, and that the accommodations used were at the lowest first-class rate then available.

(b) Whenever persons to which this order is applicable purchase from personal funds their own transportation, including sleeping accommodations, in whole or in part, and such transportation is at a rate in excess of the lowest first-class rate in effect on the facility used, they shall make on their travel expense voucher the applicable certification required by paragraph 2 (a) hereof.

3. In either of the cases described in paragraph 2 hereof, the certification shall be accepted as prima facie evidence of the facts to which certification is made.

4. The use of a compartment or such other accommodations as may be authorized or approved by the head of the agency concerned or such subordinates as he may designate may be allowed when required for purposes of security.

HARRY S. TRUMAN

THE WHITE HOUSE,

April 10, 1948.

[F. R. Doc. 48-3308; Filed, Apr. 12, 1948; 10:40 a. m.]

EXECUTIVE ORDER 9947

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE PENNSYLVANIA RAILROAD AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Pennsylvania Railroad, a carrier, and certain of its employees represented by the Brotherhood of Locomotive Firemen and Enginemen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce to a degree such as to deprive a large portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45

U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Pennsylvania Railroad or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,

April 10, 1948.

[F. R. Doc. 48-3305; Filed, Apr. 12, 1948; 10:38 a. m.]

EXECUTIVE ORDER 9948

CREATING AN EMERGENCY BOARD TO INVESTIGATE A DISPUTE BETWEEN THE ALIQUIPPA AND SOUTHERN RAILROAD COMPANY AND CERTAIN OF ITS EMPLOYEES

WHEREAS a dispute exists between the Aliquippa and Southern Railroad Company, a carrier, and certain of its employees represented by the Brotherhood of Railroad Trainmen, a labor organization; and

WHEREAS this dispute has not heretofore been adjusted under the provisions of the Railway Labor Act, as amended; and

WHEREAS this dispute, in the judgment of the National Mediation Board, threatens substantially to interrupt interstate commerce within the State of Pennsylvania to a degree such as to deprive that portion of the country of essential transportation service:

NOW, THEREFORE, by virtue of the authority vested in me by section 10 of the Railway Labor Act, as amended (45 U. S. C. 160), I hereby create a board of three members, to be appointed by me, to investigate the said dispute. No member of the said board shall be pecuniarily or otherwise interested in any organization of railway employees or any carrier.

The board shall report its findings to the President with respect to the said dispute within thirty days from the date of this order.

As provided by section 10 of the Railway Labor Act, as amended, from this date and for thirty days after the board has made its report to the President, no change, except by agreement, shall be made by the Aliquippa and Southern Railroad Company or its employees in the conditions out of which the said dispute arose.

HARRY S. TRUMAN

THE WHITE HOUSE,

April 10, 1948.

[F. R. Doc. 48-3306; Filed, Apr. 12, 1948; 10:39 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 2—APPOINTMENT THROUGH THE COMPETITIVE SYSTEM

PART 21—APPOINTMENT TO POSITIONS EXCEPTED FROM THE COMPETITIVE SYSTEM

PART 24—FORMAL EDUCATION REQUIREMENTS FOR APPOINTMENT TO CERTAIN SCIENTIFIC, TECHNICAL, AND PROFESSIONAL POSITIONS

MISCELLANEOUS AMENDMENTS

1. Section 2.104 (a) (7) is amended to read as follows:

§ 2.104 *Disqualifications of applicants.* (a) * * *

(7) On all the evidence, reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States.

(R. S. 1753; sec. 2, 22 Stat. 403; 5 U. S. C. 631, 633)

2. The parenthetical clause at the end of § 2.114 (e) (2) (1) is revoked. A new paragraph (g) is added to § 2.114 as follows:

§ 2.114 *Temporary appointment.* * * *

(g) *Removal in case of improper appointment.* Upon establishment before the Commission that the Commission's regulations or instructions relating to temporary appointment have not been followed in any case, the person appointed may be removed.

(R. S. 1753; sec. 2, 22 Stat. 402; 5 U. S. C. 631, 633)

3. The second sentence in § 21.4 (b) is amended in pertinent part as follows:

§ 21.4 *Qualifications of applicants.*

(b) *Disqualifications.* * * * These may include among others, the following: * * * (5) on all the evidence, reasonable grounds exist for belief that the person involved is disloyal to the Government of the United States.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860)

4. Section 24.68 is hereby added as follows:

§ 24.68 *Training Instructor (Superintendent of Education)*, P-220-3, U. S. Disciplinary Barracks, Camp Gordon, Augusta, Georgia, Department of the Army—(a) *Educational requirement.* Completion of a full four-year course in a college or university of recognized standing, which must have included or have been supplemented by major study in education.

(b) *Duties.* The Training Instructor (Superintendent of Education) is responsible for carrying out the academic program for teaching general prisoners confined within the institution and performs the following duties: coordinates and directs the work of 2 civilian instructors, 22 prisoner instructors, and 4 prisoner clerks who are engaged in teaching general prisoners in Literacy School (including elementary reading, writing, arithmetic, and spelling) and Commercial School (including typing,

shorthand, secretarial practice, book-keeping, etc.); coordinates and approves all courses of study outlined by supervisors and approves all daily lesson plans, seeing that visual aids and supplementary material are being used; determines whether lesson plans are being carried out, whether the courses of study are being followed, and whether the instructor is accomplishing and fulfilling the aims of the Academic Training School; conducts instructor training program, using training manuals; instructs prisoner teachers in proper educational methods, such as class room procedure, fundamentals of teaching, lesson plans, etc.; supervises the Visual Aids Section where general prisoners diagram and design visual educational charts for the Academic Training Branch, as well as other activities on the post; prepares charts, maps, and illustrations from current magazines and other publications to be used as training aids; directs the weekly publication of the "DB News" which is published by and for the inmates.

(c) *Knowledge and training requisite for performance of duties.*

(d) *Method of obtaining basic knowledge and training.*

NOTE: The provisions of § 24.12 (a) (2) and (3) are applicable to paragraphs (c) and (d) of this section.

(Sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] H. B. MITCHELL,
President.

[F. R. Doc. 48-3232; Filed, Apr. 12, 1948; 8:58 a. m.]

TITLE 7—AGRICULTURE

Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 1]

PART 420—MULTIPLE CROP INSURANCE

MISCELLANEOUS AMENDMENTS

The Multiple Crop Insurance Regulations for Annual Contracts Covering the 1948 Crop Year (Dollar Coverage Insurance) (13 F. R. 847) are hereby amended in the following respects:

1. Section 420.13 is amended by changing paragraph (a) to read as follows:

§ 420.13 *Manner of payment of premium.* (a) By executing the application for multiple crop insurance, the applicant executes a premium note. This note represents a promise to pay to the Corporation, on or before the applicable maturity date specified in § 420.40, the premium for all insurance units covered by the contract. A discount of five per centum shall be allowed on any premium paid in full on or before March 31, 1948, in the case of Goodhue County, Minnesota and April 17, 1948, in the case of Gratiot County, Michigan. Any premium note not paid at maturity shall bear interest computed not on a per annum basis but as follows: three per centum on the principal amount not paid on or before December 31, 1948, and an additional three per centum on the prin-

cipal amount owing at the end of each six-month period thereafter.

2. Section 420.39 is amended to read as follows:

§ 420.39 *Closing date.* The closing date for submission of applications shall be the earlier of (a) the date of the beginning of planting of any insured crop other than winter wheat on any insurance unit to be covered by the contract, or (b) March 31, 1948, in the case of Goodhue County, Minnesota, and April 17, 1948, in the case of Gratiot County, Michigan.

3. Section 420.41 is amended by changing paragraph (g) to read as follows:

§ 420.41 *Meaning of terms.* * * *

(g) "Insurance unit" means (1) all the insurable acreage of the insured crops in the county in which the insured has 100 per centum interest at the time of planting, or (2) all the insurable acreage of the insured crops in the county which is owned by one person and is operated by the insured as a share tenant, or (3) all the insurable acreage of the insured crops in the county which is owned by the insured and is rented to one share tenant. However, if an applicant so elects on his acreage report on or before March 31, 1948 in the case of Goodhue County, Minnesota and April 17, 1948 in the case of Gratiot County, Michigan, any two or more insurance units may be combined into one insurance unit. Land rented for cash or for a fixed commodity payment shall be considered to be owned by the lessee. Adopted by the Board of Directors on March 30, 1948.

(Secs. 506 (e), 507 (c), 508, 509, 516 (b), 52 Stat. 73-75-77, 835, as amended, Pub. Law 320, 80th Cong.; 7 U. S. C. and Sup. 1506 (e), 1507 (c), 1508, 1509, 1516 (b))

[SEAL]

E. D. BARKOW,

Secretary,

Federal Crop Insurance Corporation.

Approved: April 8, 1948.

CLINTON P. ANDERSON,
Secretary of Agriculture.

[F. R. Doc. 48-3198; Filed, Apr. 12, 1948; 8:58 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 249—FORMS PRESCRIBED UNDER THE SECURITIES EXCHANGE ACT OF 1934

ANNUAL REPORTS

Amendment to the instruction books for forms 12-K (17 CFR 249.312) and 12A-K (17 CFR 249.312a) for companies making certain annual reports.

The Securities and Exchange Commission, acting pursuant to authority conferred upon it by the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, and deeming such action necessary and appropriate in the public interest and for the protection of investors, and necessary for the execution of the functions vested in it by the

said act, hereby amends paragraph 3 under the caption "Instructions as to Exhibits" in the instruction books for Forms 12-K (17 CFR 249.312) and 12A-K (17 CFR 249.312a) to read as follows:

3. Notwithstanding the provisions of paragraph 1, above, any registrant filing a copy of Form A may, if it so desires, file a copy of Form A leaving blank any or all pages, schedules or items except the following:

Schedules 102; 103; 104A; 104B; 108; 109; 110; 200A; 200L; 200A (System); 200L (System); lines 40, 48, 56, 57, 58 and 59 of 211; 211B; 211C; 211D; 211E; 211F; 212; 213; 213A; 213B; 215; 217; 218; 222; 224; 251; 251A; 252; 261E; 261I; 261M; 261P; 263; 287; 291; 292; 293; 295; 300I; 300P; 300D; 300I (System); 300P (System); 310; lines 67, 68, 69, 100, 101, 102, 115, 168, 176, 178, 191, 192, 193 of 320; 321; 350; 371; 371A; 383; 383A; 396; 411; 412; classes 900, 910, 920, 930, 940, 950, 960, 970 and 980 of 541; divisions 1, 2 and 801 of 561; group I of 561C; 562; 563; 581; paragraphs 3 and 4 of 591; and verification.

If this privilege is exercised, all applicable instructions of the Interstate Commerce Commission should be followed in filling out the various schedules subject to the provisions of paragraph 4 below.

Since the foregoing amendments merely continue a privilege heretofore granted to issuers reporting on Forms 12K (17 CFR 249.312) and 12A-K (17 CFR 249.312a) and such issuers are already familiar with the substance of such amendments and are not materially or adversely affected thereby, the Commission finds that the giving of notice and the institution of public rule-making procedure pursuant to section 4 of the Administrative Procedure Act are unnecessary. Since the adoption of the amendments is for the benefit of such issuers, and as they may desire to avail themselves of the privilege granted thereby, the amendment shall become effective April 8, 1948.

(Secs. 13, 23 (a), 48 Stat. 894, 901; 15 U. S. C. 78m, 78w)

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

APRIL 5, 1948.

[F. R. Doc. 48-3197; Filed, Apr. 12, 1948; 8:58 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 51882]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

CARRIER'S CERTIFICATE; RELEASE ORDER

Sections 8.6 (a) and 8.23 (a), Customs Regulations of 1943, amended to permit the use, in appropriate cases, of a combined carrier's certificate and release order with one signature, as a rubber-stamped or typewritten endorsement on certain documents, in lieu of the filing of customs Form 7529.

1. Paragraph (e) of § 8.6, Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.6 (e)), is amended to read as follows:

(e) When a carrier's certificate is used in making entry, pursuant to the provisions of section 484 (h), Tariff Act of 1930, it shall be prepared on customs

Form 7529, except that, in lieu of the filing of that form, an endorsement, in substantially the form set forth below, to serve as a combined carrier's certificate and release order with one signature, may, in appropriate cases, be rubber-stamped or typewritten on a copy of the bill of lading, a copy of the airwaybill, or other document containing the required descriptive information (see § 8.23 (a)).

Date.....

The undersigned carrier, to whom or upon whose order the articles described herein or in the attached document must be released, hereby certifies that the consignee named in this document is the owner or consignee of such articles within the purview of section 484 (h), Tariff Act of 1930. In accordance with the provisions of section 484 (j), Tariff Act of 1930, authority is hereby given to release the articles covered by the aforementioned statement to such consignee.

(Name of carrier)

(Agent)

(Sec. 484, 624, 46 Stat. 722, 759, sec. 12, 52 Stat. 1083; 19 U. S. C. 1484, 1624)

2. Paragraph (a) of § 8.23, Customs Regulations of 1943 (19 CFR, Cum. Supp., 8.23 (a)), is amended by substituting a comma for the period at the end of the first sentence and adding the following: "except as provided for in section 8.6 (e)."

(Sec. 484, 624, 46 Stat. 722, 759, sec. 12, 52 Stat. 1083; 19 U. S. C. 1484, 1624)

[SEAL] W. R. JOHNSON,
Acting Commissioner of Customs.

Approved: April 5, 1948.

E. H. FOLEY, Jr.,
Acting Secretary of the Treasury.

[F. R. Doc. 48-3205; Filed, Apr. 12, 1948; 9:00 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Federal Security Agency

PART 146—CERTIFICATION OF BATCHES OF PENICILLIN- OR STREPTOMYCIN-CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

Correction

In Federal Register Document 48-3025, appearing at page 1899 of the issue for Wednesday, April 7, 1948, the phrase "shall be capable to" in the fifth line of § 146.40 (b) should read "shall be capable of".

TITLE 22—FOREIGN RELATIONS

Chapter I—Department of State

PART 401—AID TO WAR-DEVASTATED COUNTRIES

SUBPART A—REGULATIONS OF THE PRESIDENT

CROSS REFERENCE: For Executive Orders entitled "Authorizing the Department of State to Administer Certain Functions Under the Foreign Assistance Act of 1948" and "Providing for Carrying Out the Foreign Assistance Act of 1948" see Executive Orders 9943 and 9944 under Title 3, *supra*.

TITLE 24—HOUSING CREDIT

Chapter V—Federal Housing Administration

PART 500—GENERAL

FIELD ORGANIZATION

Section 500.22 *Field organization* (13 F. R. 633) of Subpart C is amended, effective April 15, 1948, by:

1. Deleting opposite "Idaho," Boise, and under the Column heading "Jurisdiction," the following: "Entire State except Counties of Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Nez Perce and Shoshone (see Spokane, Washington); and Counties of Baker, Malheur, Union and Wallowa in Oregon" and substituting therefor the following: "Entire State except Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone (see Spokane, Washington); and Counties of Baker, Malheur, Union and Wallowa in Oregon."

2. Deleting opposite "Washington," Spokane and under the Column heading "Jurisdiction," the following: "Counties east of Okanogan, Douglas, Kittitas and Yakima; and Counties of Benewah, Bonner, Boundary, Clearwater, Kootenai, Latah, Nez Perce, and Shoshone in Idaho" and substituting therefor the following: "Counties east of Okanogan, Douglas, Kittitas and Yakima; and Counties of Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce, and Shoshone in Idaho."

(Sec. 1, 48 Stat. 1246, as amended; 12 U. S. C. and Sup. 1702; Reorg. Plan No. 3 of 1947, 12 F. R. 4981)

[SEAL] R. WINTON ELLIOTT,
Assistant Commissioner.

APRIL 6, 1948.

[F. R. Doc. 48-3210; Filed, Apr. 12, 1948; 9:03 a. m.]

TITLE 25—INDIANS

Chapter I—Office of Indian Affairs, Department of the Interior

[Order 2417]

PART 15—ATTORNEY CONTRACTS WITH INDIAN TRIBES

ADMISSION TO PRACTICE

Section 15.23 is repealed.

J. A. KRUG,
Secretary of the Interior.

APRIL 6, 1948.

[F. R. Doc. 48-3187; Filed, Apr. 12, 1948; 8:58 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 10—INSURANCE

ASSIGNMENT OF ARMED FORCES LEAVE BONDS FOR INSURANCE PURPOSES

In § 10.3156, paragraphs (a), (c), (d), (e), and (f) are amended and paragraphs (g) and (h) are canceled.

RULES AND REGULATIONS

§ 10.3156 *Assignment of armed forces leave bonds for insurance purposes.* (a) Pursuant to authority contained in the Armed Forces Leave Act of 1946, approved August 9, 1946 (Public Law 704, 79th Congress), as amended by Public Law 254, 80th Congress, approved July 26, 1947, any bond issued thereunder to a person holding United States Government life insurance (or National Service Life Insurance) may be assigned by such person to the Veterans' Administration for the purpose of making payments on such insurance, as follows:

(4) Payment of the difference in reserve when converting term insurance or when changing from one permanent plan to another having a higher reserve value.

(c) The proceeds of the bond will be used to make payment on the insurance as directed by the insured, subject to the provisions of paragraph (a) of this section, and any balance over the amount necessary to make such payment will be refunded to the insured if living, otherwise to his estate, provided there will be no escheat.

(d) Provisions of the regulations and of the policy for cash value, paid-up insurance and extended term insurance, as well as those relating to policy loans, shall be applicable to any insurance on which payments have been made by assignment of Armed Forces Leave Bonds.

(e) The assignment may be made by the veteran's agent when acting under a special power of attorney or letter of authority containing definite and specific instructions regarding the use of the proceeds of the bond. If the veteran is incompetent the assignment may be made by his legal guardian or if there be no legal guardian and such veteran is hospitalized or receiving domiciliary care at a field station of the Veterans' Administration, or a State hospital or other institution, the assignment may be made by the manager of the field station or head of the State hospital or institution, as would be appropriate in the particular case, provided there are no other funds available for payment of the premiums. The manager of the field station or head of a State hospital or other institution may make such assignment only for the purpose of paying premiums on the existing insurance. The guardian may make the assignment for the purpose of paying premiums on the existing insurance, repaying a loan with interest on such insurance, and if authorized to do so by the court, when converting to a permanent plan.

(f) This section shall be effective as of September 2, 1947.

(61 Stat. 510)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-3208; Filed, Apr. 12, 1948;
9:01 a. m.]

PART 30—BOARD OF VETERANS' APPEALS

ADMINISTRATIVE APPEALS; EMPLOYEES
AUTHORIZED TO FILE APPEALS

Section 30.9807 (38 CFR, 1946 Supp.) is amended to read as follows:

§ 30.9807 *Administrative appeals; employees authorized to file appeals.* Pursuant to the authority contained in § 35.022 (f) of this chapter, an assistant administrator, the solicitor, or a deputy administrator is hereby authorized to file an appeal from any decision within one year from the date of such decision, or within one year from the date of mailing of notice of such decision, whichever is the later date. The directors of the various services and chiefs of divisions of the central office, and the directors of the corresponding services of the branch offices, and the chief, veterans claims division, the chief, dependents and beneficiaries claims division, claims service, and the chief, disability insurance claims division, insurance service, branch office, are authorized to file an appeal from any decision originating within their established jurisdiction within six months of the date of such decision, or within six months from the date of mailing of notice of such decision, whichever is the later date. The manager of a regional office, the adjudication officer, and the chief, vocational rehabilitation and education division, are authorized to file an appeal from any decision within sixty days from the date of such decision, or within sixty days from the date of mailing of notice of such decision, whichever is the later date. (48 Stat. 8; 38 U. S. C. 701)

[SEAL] CARL R. GRAY, Jr.,
Administrator of Veterans' Affairs.
By O. W. CLARK.

[F. R. Doc. 48-3209; Filed, Apr. 12, 1948;
9:01 a. m.]

TITLE 43—PUBLIC LANDS:
INTERIORChapter I—Bureau of Land Management,
Department of the Interior

[Order 304]

PART 50—ORGANIZATION AND PROCEDURE
DELEGATIONS OF AUTHORITY; CONTRACTS

APRIL 7, 1948.

The following § 50.401 is added:

§ 50.401 *Contracts for supplies and services.* The Chief of the Division of Administration and the Procurement and Supply Officer of the Bureau of Land Management are severally authorized to enter into contracts for supplies and services in amounts not to exceed \$1,000, in conformity with the applicable regulations and statutory requirements and subject to the availability of appropriations. (43 CFR 4.100). (Secs. 3, 12, 60 Stat. 238, 244; 5 U. S. C. 1002, 1011)

MARION CLAWSON,
Director.

[F. R. Doc. 48-3188; Filed, Apr. 12, 1948;
9:02 a. m.]

TITLE 48—TERRITORIES AND
INSULAR POSSESSIONSChapter IV—The Alaska Railroad,
Department of the InteriorPART 400—ORGANIZATION AND PROCEDURE
REDELEGATIONS OF AUTHORITY; CONTRACTS

Section 400.100 (12 F. R. 4909) is amended by changing subparagraph (5) of paragraph (b), thereof, and adding new subparagraphs (11), (12), (13), and (14) to paragraph (b), thereof, as follows:

§ 400.100 *Redelegations of authority; contracts.* * * *

(b) * * *

(5) The Assistant to The General Manager (Traffic and Development), The Alaska Railroad.

(11) The Assistant to The General Manager (Finance and Administration), The Alaska Railroad.

(12) The Administrative Officer, The Alaska Railroad.

(13) The Superintendent, Communications, The Alaska Railroad.

(14) The Superintendent, Hotels, Commissary, and Housing, The Alaska Railroad.

(Secs. 3, 12, 60 Stat. 238, 244; 5 U. S. C. 1002, 1011)

J. P. JOHNSON,
General Manager.

JANUARY 23, 1948.

[F. R. Doc. 48-3189; Filed, Apr. 12, 1948;
8:58 a. m.]

TITLE 49—TRANSPORTATION
AND RAILROADSChapter I—Interstate Commerce
CommissionSubchapter A—General Rules and Regulations
[S. O. 780 Amdt. 1]

PART 95—CAR SERVICE

RAILROAD FREIGHT CARS BE STOPPED TO
COMPLETE LOADING

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of April A. D. 1948.

Upon further consideration of Service Order No. 780 (12 F. R. 6833), and good cause appearing therefor: It is ordered, that:

Section 95.780 *Railroad freight cars be stopped to complete loading*, of Service Order No. 780, be, and it is hereby, amended by substituting the following paragraph (g) for paragraph (g) thereof:

(g) *Expiration date.* This section shall expire at 11:59 p. m., October 15, 1948, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 11:59 p. m., April 15, 1948; that a copy of this amendment be served upon the Asso-

ciation of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3201; Filed, April, 12, 1948;
8:59 a. m.]

[S. O. 793, Amdt. 2]

PART 95—CAR SERVICE

REFRIGERATOR CARS FOR CONTAINERS TO RIO GRANDE VALLEY

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of April A. D. 1948.

Upon further consideration of Service Order No. 793 (12 F. R. 7888; 13 F. R. 779), and good cause appearing therefor: It is ordered, that:

Section 95.793 *Refrigerator cars for containers to Rio Grande Valley*, of Service Order No. 793, be, and it is hereby amended by substituting the following paragraph (d) for paragraph (d) thereof:

(d) *Expiration date.* This section shall expire at 11:59 p. m., May 31, 1948, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 11:59 p. m., April 20, 1948; that a copy of this order and direction be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 1, 24 Stat. 379, as amended; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3200; Filed, Apr. 12, 1948;
8:59 a. m.]

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-37]

PART 170—COMMERCIAL ZONES

COMMERCIAL ZONES AND TERMINAL AREAS

At a session of the Interstate Commerce Commission, Division 5, held at

its office in Washington, D. C., on the 23d day of March A. D. 1948.

Section 203 (b) (8) of the Interstate Commerce Act (49 U. S. C. 303 (b) (8)) and the transportation of passengers and property by motor vehicle, in interstate or foreign commerce, wholly within a municipality, or between contiguous municipalities, or within a zone adjacent to and commercially a part of any such municipality being under consideration, and good cause appearing therefor: It is ordered, that

Section 170.16 *Commercial zones determined generally, with exceptions* (49 CFR, 1946 Supp.) of the order entered in this proceeding on November 26, 1946, be and it is hereby modified by striking therefrom subparagraphs (2) and (3) of the note thereto, which read as follows:

(2) Those in Kings, Queens, New York, Bronx, Richmond, Westchester, Nassau, Albany, and Rensselaer Counties in New York; Bergen, Hudson, Essex, Union, and Middlesex Counties in New Jersey; Allegheny County, Pennsylvania; Oakland, Wayne, and Macomb Counties in Michigan; Baltimore, Howard, and Anne Arundel Counties in Maryland; Jefferson County, Kentucky; Floyd and Clark Counties, Indiana; Multnomah County, Oregon; Clark and King Counties, Washington; Cuyahoga County, Ohio; Ramsey, Hennepin, Anoka, Dakota, and Washington Counties, Minnesota; and

(3) Those within 10 miles of the corporate limits of New Orleans, La., including New Orleans.

And that the application of the said order of November 26, 1946, (49 CFR, 1946 Supp., 170.16) is hereby extended to all points in the counties and areas set forth in the said notes (2) and (3) to § 170.16, except the following municipalities the commercial zones of which are defined in §§ 170.21 to 170.30, inclusive, viz, Baltimore, Md., Cleveland, Ohio, Detroit, Mich., Seattle, Wash., Albany, N. Y., Minneapolis, and St. Paul, Minn., New Orleans, La., Pittsburgh, Pa., Portland, Oreg., and Vancouver, Wash.

§ 170.21 *Baltimore, Md.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Baltimore, Maryland, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

(a) The municipality of Baltimore itself.

(b) All points within a line drawn 5 miles beyond the boundaries of Baltimore;

(c) All points in that area east of the line described in (b) bounded on the southwest and south by Dark Head Creek and on the east by Wilson Point Road and on the north by Pennsylvania Railroad right of way.

(d) All points in that area south of the line described in (b) above bounded on the west by the right of way of the line of the Pennsylvania Railroad extending between Stony Run and Severn, Md., and on the south by that part of Maryland Highway 176 extending easterly from the said railroad to its junction with the line described in (b) above.

(e) All of any municipality any part of which is within the limits of the combined areas defined in (b), (c), and (d) above.

(f) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the city of Baltimore or by any municipality included under the terms of (e) above.

§ 170.22 *Cleveland, Ohio.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Cleveland, Ohio, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

(a) All points in Cuyahoga County, Ohio, and in addition thereto:

(b) All points in Willoughby Township, Lake County, Ohio.

§ 170.23 *Detroit, Mich.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Detroit, Michigan, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, all that area within a line as follows:

Beginning at a point on Lake St. Clair opposite the intersection of Fifteen Mile Road and Michigan Highway 29 and extending south and southwest along the shore of Lake St. Clair, to the Detroit River, thence along such River (east of Belle Isle) and Trenton Channel to a point opposite Sibley Road, thence west to and along Sibley Road to Waltz Road, thence north along Waltz Road to Wick Road, thence west along Wick Road to Cogswell Road, thence north along Cogswell Road to Van Born Road, thence east along Van Born Road to Newburgh Road, thence north along Newburgh Road to its junction with Halsted Road, thence north along Halsted Road to West Maple Road, thence east along West Maple Road to Telegraph Road, thence north along Telegraph Road to Sixteen Mile Road, thence east along Sixteen Mile Road to Utica Road, thence southeasterly along Utica Road to Fifteen Mile Road (also called East Maple Road), thence along Fifteen Mile Road and across Michigan Highway 29 to Lake St. Clair, the point of beginning.

§ 170.24 *Seattle, Wash.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Seattle, Washington, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be

comprised of, all that area within a line as follows:

(a) The municipality of Seattle itself.
(b) All points within a line drawn five miles beyond the municipal limits of Seattle except points and places on Bainbridge Island, Vashon Island, and Blake Island.

(c) All points more than five miles beyond the municipal limits of Seattle within a line as follows: Beginning at that point south of Seattle where the eastern shore of Puget Sound intersects the line described in (a) above, thence southerly along the eastern shore of Puget Sound to S. W. 192nd St., thence easterly along S. W. 192nd St. to the point where it again intersects the line described in (b) above.

(d) All points more than five miles beyond the municipal limits of Seattle within a line as follows: Beginning at that point north of Seattle where the eastern shore of Puget Sound intersects the line described in (b) above, thence northerly along the eastern shore of Puget Sound to the boundary between King and Snohomish Counties, Wash., thence easterly along said boundary to the point where it would be intersected by 55th Ave., N. E., (projected) thence south along 55th Ave., N. E., (projected) to the line described in (b) above.

(e) All of any municipality any part of which is within the limits of the combined areas defined in (b), (c) and (d) above.

(f) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the city of Seattle or by any municipality included under the terms of (b), (c), (d) and (e) above.

§ 170.25 *Albany, N. Y.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Albany, N. Y., in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

(a) The municipality of Albany itself.

(b) All points within a line drawn five miles beyond the municipal limits of Albany.

(c) All points in that area more than five miles beyond the municipal limits of Albany bounded by a line as follows: Beginning at that point on Swatling Road (in the Town of Colonie) where it crosses the line described in (b) above and extending northerly along such road to the municipal limits of Cohoes thence along the western and northern boundary of Cohoes to the Mohawk River thence along such river to the northern boundary of the Town of Waterford thence along the northern and eastern boundaries of the Town of Waterford to the northern boundary of the City of Troy (all of which city is included under the next following provision).

(d) All of any municipality any part of which is within the limits of the combined areas defined in (b) and (c) above, and

(e) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the municipality of Albany or by any other municipality included under the terms of (d) above.

§ 170.26 *Minneapolis-St. Paul, Minn.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zones adjacent to and commercially a part of Minneapolis and St. Paul, Minnesota, in which transportation by motor vehicle in interstate

or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, are hereby determined to be coextensive and to include, to be comprised of, all that area within a line as follows:

Beginning at the southern boundary of Fort Snelling Reservation and the Minnesota River and extending west and north along the southern and western boundaries of Fort Snelling Reservation to the southeast corner of the village of Richfield, thence west along the southern boundary of the village of Richfield and the southern boundary of the village of Edina to the southwest corner of the village of Edina, thence north along the western boundary of the village of Edina to the southern boundary of the village of Hopkins, thence along the southern, western, and northern boundaries of the village of Hopkins to the western boundary of the village of St. Louis Park, thence north along the western boundaries of the villages of St. Louis Park, Golden Valley, and Crystal to the northwestern corner of the village of Crystal, thence east along the northern boundary of the village of Crystal to the western boundary of the village of Brooklyn Center, thence north along the western boundary of the village of Brooklyn Center to its northern boundary, thence east along such northern boundary to the Hennepin County-Anoka County line, thence north along such County line to the northwestern corner of Fridley Township in Anoka County, thence east along the northern boundary of Fridley Township to the northwest corner of Mounds View Township in Ramsey County, thence east and south along the northern and eastern boundaries of Mounds View Township to the northwestern corner of New Canada Township, thence east and south along the northern and eastern boundaries of New Canada Township to the northeastern corner of the village of North St. Paul, thence south along the eastern boundary of the village of North St. Paul to the southeast corner of such village, thence south along the eastern boundary of New Canada Township to the northeastern corner of the village of Newport, thence south and west along the eastern and southern boundaries of the village of Newport to U. S. Highway 61, thence southeasterly along U. S. Highway 61 to the eastern boundary of the village of St. Paul Park, thence along the eastern, southern and western boundaries of the village of St. Paul Park to a point on the Mississippi River opposite the southeast corner of the village of Inver Grove, thence westerly across the river and along the southern, and western boundaries of the village of Inver Grove to the northwest corner of such village thence due north to the southern boundary of Mendota Township in Dakota County, thence west along the southern boundary of Mendota County to the Minnesota River, thence west across the river and southwesterly along the river to the point of beginning.

§ 107.27 *New Orleans, La.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of New Orleans, Louisiana, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include,

and to be comprised of, all that area within a line as follows:

Commencing at a point on the shore of Lake Pontchartrain where it is crossed by the Jefferson Parish-Orleans Parish line, thence easterly along the shore of Lake Pontchartrain to the Rigolets, through the Rigolets in an easterly direction to Lake Borgne; thence, southwesterly along the shore of Lake Borgne to the Bayou Bienvenue; thence in a general westerly direction along the Bayou Bienvenue, (which also constitutes the Orleans-St. Bernard Parish line), to Paris Road; thence, in a southerly direction along Paris Road and beyond it in the same direction to the middle of the Mississippi River; thence along the middle of the Mississippi River in an easterly then a southerly direction on the Orleans Parish-St. Bernard Parish line to the confluence of the Donner Canal on the west bank of the Mississippi River; thence in a north and westerly direction along the course of the Donner Canal to the Orleans-Plaquemines Parish line; thence in a westerly direction along that line to the Jefferson-Plaquemines Parish line thence in a westerly and southerly direction along that line to its intersection with the tracks of the Missouri-Pacific Railroad at a point approximately four miles southeast of Gretna, La.; thence following the tracks of the Missouri-Pacific Railroad in a northwesterly direction to a point approximately two miles south of Gretna where a high tension transmission line crosses the tracks of the Missouri-Pacific Railroad; thence in a southwesterly direction following such transmission line to the Lagrange Canal; thence along the Lagrange Canal in a northeasterly direction to the Mississippi River; thence along the south bank of the Mississippi River to the Huey P. Long bridge, over the bridge to the northern bank of the Mississippi River; thence along the north bank of the Mississippi River in a southwesterly direction to Harahan; thence in a northwesterly direction along the Street of Harahan to the railroad line of the Illinois Central Railroad; thence along the line of the Illinois Central Railroad to the Metairie Bayou; thence in an easterly and northerly direction along the Metairie Bayou to its intersection with the Airline Highway; thence along the Airline Highway in an easterly direction to Clearview Parkway; thence in a northerly direction along the Clearview Parkway to the shore of Lake Pontchartrain; thence along the shore of Lake Pontchartrain in an easterly direction to the Jefferson-Orleans Parish line, the point of beginning.

§ 170.28 *Pittsburgh, Pa.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Pittsburgh, Pennsylvania, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

(a) All points in Allegheny County, Penn., except Forward, Elizabeth, South Versailles, Marshall (including the Borough of Bradford Woods), Pine, Richland, West Deer and Fawn Townships and that part of Frazer Township north of a line made by extending easterly in a straight line the southern boundary of West Deer Township.

(b) Borough of Trafford situated in both Allegheny and Westmoreland Counties;

(c) Borough of Ambridge and Harmony Township located in Beaver County; and

(d) The City of New Kensington and Borough of Arnold in Westmoreland County.

§ 170.29 *Portland, Oreg.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Portland, Oregon in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

- (a) The municipality itself.
- (b) All points in Oregon within a line drawn 5 miles beyond the corporate limits of Portland.
- (c) All of any municipality any part of which is within the line described in (b) above.
- (d) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the city of Portland or by any municipality included under the terms of (c) above.

§ 170.3 *Vancouver, Wash.* For the purpose of administration and enforcement of Part II of the Interstate Commerce Act, the zone adjacent to and commercially a part of Vancouver, Washington, in which transportation by motor vehicle in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond the zone, will be partially exempt under section 203 (b) (8) of the act (49 U. S. C. 303 (b) (8)) from regulation, is hereby determined to include, and to be comprised of, the following:

- (a) The municipality itself.
- (b) All points in Washington within a line drawn 4 miles beyond the corporate limits of Vancouver.
- (c) All of any municipality any part of which is within the line described in (b) above.
- (d) All of any municipality wholly surrounded, or so surrounded except for a water boundary, by the City of Vancouver or by any municipality included under the terms of (c) above.

(49 Stat. 546; 49 U. S. C. 303 (b) (8))

It is further ordered, that this order shall become effective June 1, 1948, and shall continue in effect until the further order of the Commission.

By the Commission, Division 5.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3207; Filed, Apr. 12, 1948;
9:00 a. m.]

PART 205—REPORTS

QUARTERLY REPORTS OF CLASS I MOTOR CARRIERS OF PROPERTY

At a session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D. C., on the 30th day of January A. D. 1948.

The matter of quarterly reports of Class I motor carriers of property being under consideration:

It is ordered, That the order of January 13, 1947, 49 CFR 205.12 (12 F. R. 2201) in the matter of quarterly reports for Class I motor carriers of property be, and it is hereby modified with respect to quarterly reports commencing with

the period January 1, 1948 to March 31, 1948, and subsequent periods as follows:

§ 205.12 *Quarterly Report of Property Revenues, Expenses and Statistics.* Each Class I common and contract motor carrier of property subject to the provisions of section 220 of the Interstate Commerce Act, shall file, under oath, quarterly reports commencing with the period January 1, 1948, to March 31, 1948, (both dates inclusive) in accordance with the Quarterly Report of Revenues, Expenses, and Statistics for Class I Motor Carriers of Property form which is hereby approved and made a part of this section.¹ Quarterly reports shall be forwarded, in triplicate, to the office of the Bureau of Motor Carriers of the Interstate Commerce Commission for the district in which the carrier is domiciled within thirty days after the close of the period to which they relate. (Sec. 220, 49 Stat. 563, sec. 24, 54 Stat. 926; 49 U. S. C. 320)

And it is further ordered, That a copy of this order be served upon all Class I motor carriers of property subject to the act and that notice be given to the public by depositing a copy thereof in the Office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

NOTE: The reporting requirement of this order has been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

By the Commission, Division 1.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 48-3199; Filed, Apr. 12, 1948;
8:59 a. m.]

NOTICES

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 7281, 7283, 8745, 8746, 8845, 8873, 8874]

DON LEE BROADCASTING SYSTEM ET AL.

ORDER CONTINUING HEARING

In re applications of Don Lee Broadcasting System, San Francisco, California, Docket No. 7281, File No. BPCT-22; Television Productions, Inc., San Francisco, California, Docket No. 7283, File No. BPCT-151; S. H. Patterson, San Francisco, California, Docket No. 8745, File No. BPCT-225; KROW, Inc., Oakland, California, Docket No. 8746, File No. BPCT-235; Leland Holzer, San Francisco, California, Docket No. 8845, File No. BPCT-354; Radio Diablo, Inc., San Francisco, California, Docket No. 8873, File No. BPCT-368; Columbia Broadcasting System, Inc., San Francisco, California, Docket No. 8874, File No. BPCT-372; for construction permits.

The Commission having under consideration a petition filed March 26, 1948, by Columbia Broadcasting System, Inc., San Francisco, California, requesting that the Commission continue the hear-

ing on the above-entitled applications from April 5, 1948;

It is ordered, This 29th day of March 1948, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled applications be, and it is hereby, continued to 10:00 a. m., Monday, May 24, 1948, at San Francisco, California.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3224; Filed, Apr. 12, 1948;
8:48 a. m.]

[Docket No. 7876]

ROCHESTER BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of Rochester Broadcasting Company, Rochester, Minnesota, Docket No. 7876, File No. BP-5080; for construction permit.

Whereas, the above-entitled application of Rochester Broadcasting Company, Rochester, Minnesota, is sched-

uled to be heard on April 1, 1948, at Washington, D. C.; and

Whereas, there is pending a petition for reconsideration and grant without hearing filed December 22, 1947, by the said applicant;

It is ordered, This 30th day of March 1948, that the said hearing on the above-entitled application of Rochester Broadcasting Company, Rochester, Minnesota, be, and it is hereby, continued to 10:00 a. m., Thursday, April 15, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3214; Filed, Apr. 12, 1948;
8:46 a. m.]

[Docket No. 8161]

FREQUENCY BROADCASTING SYSTEM, INC.

ORDER CONTINUING HEARING

In re application of Frequency Broadcasting System, Inc., Shreveport, Louisiana,

¹ Filed as part of original document.

NOTICES

ana, Docket No. 8161, File No. BP-5277; for construction permit.

The Commission having under consideration a petition filed March 23, 1948, by Frequency Broadcasting System, Inc., Shreveport, Louisiana, requesting a continuance of the hearing now scheduled for April 1, 1948, on its above-entitled application for construction permit;

It is ordered, This 30th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Wednesday, May 26, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3215; Filed, Apr. 12, 1948;
8:46 a. m.]

[Docket No. 8279]

FOUNDATION COMPANY OF WASHINGTON
ORDER CONTINUING HEARING

In re application of Foundation Company of Washington, Washington, D. C., Docket No. 8279, File No. BP-4997; for construction permit.

Whereas, the proceeding on the above-entitled application is scheduled to be heard separately on March 30, 1948, at Washington, D. C.; and

Whereas, the public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 29th day of March 1948, that the hearing on the above-entitled application of Foundation Company of Washington be, and it is hereby, continued to 10:00 a. m., Thursday, April 29, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3222; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8302]

CHARLES WILBUR LAMAR, JR.

ORDER CONTINUING HEARING

In re application of Charles Wilbur Lamar, Jr., Morgan City, Louisiana, Docket No. 8302, File No. BP-4913; for construction permit.

Whereas, the above-entitled application of Charles Wilbur Lamar, Jr., Morgan City, Louisiana, is scheduled to be heard on March 31, 1948, at Washington, D. C.; and

Whereas, there is pending a petition for reconsideration and grant without hearing filed December 24, 1947, by the said applicant; and counsel for the above-entitled applicant has consented to a continuance of the said hearing pending action on the said petition for reconsideration and grant without hearing;

It is ordered, This 29th day of March 1948, on the Commission's own motion,

that the said hearing on the above-entitled application of Charles Wilbur Lamar, Jr., be, and it is hereby, continued to 10:00 a. m., Monday, April 12, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3221; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8360]

KRGV, INC.

ORDER CONTINUING HEARING

In re application of KRGV, Incorporated (KRGV), Weslaco, Texas, Docket No. 8360, File No. BP-5734; for construction permit.

The Commission having under consideration a petition filed March 26, 1948, by KRGV, Incorporated (KRGV), Weslaco, Texas, requesting a continuance of the hearing now scheduled for April 1, 1948, at Washington, D. C., on the above-entitled application for a construction permit;

It is ordered, This 30th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, May 14, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3219; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8374]

KXRO, INC

ORDER CONTINUING HEARING

In re application of KXRO, Incorporated (KXRO), Aberdeen, Washington, Docket No. 8374, File No. BP-5568; for construction permit.

Whereas, the above-entitled application of KXRO, Incorporated (KXRO), Aberdeen, Washington, is scheduled to be heard on March 31, 1948, at Washington, D. C.; and

Whereas, there is pending a petition for reconsideration and grant without hearing filed June 24, 1947, by the said applicant;

It is ordered, This 29th day of March 1948, on the Commission's own motion, that the said hearing on the above-entitled application of KXRO, Incorporated (KXRO), be, and it is hereby, continued to 10:00 a. m., Monday, April 12, 1948.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3217; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8409]

PARISH BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Parish Broadcasting Corporation, Minden, Louisiana, Docket No. 8409, File No. BP-5749; for construction permit.

The Commission having under consideration a petition filed March 23, 1948, by Parish Broadcasting Corporation, Minden, Louisiana, requesting continuance of the hearing now scheduled for April 2, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 30th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Tuesday, April 27, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3220; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8451]

FRED O. GRIMWOOD (WTOM)

ORDER CONTINUING HEARING

In re application of Fred O. Grimwood (WTOM), Bloomington, Indiana, Docket No. 8451, File No. BMP-2669; for modification of construction permit.

The Commission having under consideration a petition filed March 23, 1948, by Fred O. Grimwood (WTOM), Bloomington, Indiana, requesting a continuance of the hearing now scheduled for April 1, 1948, at Washington, D. C., on his above-entitled application for modification of construction permit;

It is ordered, This 30th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Tuesday, June 1, 1948, at Washington, D. C.

By the Commission.

[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3216; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8485]

SUFFOLK BROADCASTING CORP.

ORDER CONTINUING HEARING

In re application of Suffolk Broadcasting Corporation, Coram, New York, Docket No. 8485, File No. BMPH-409; for modification of construction permit for FM station.

The Commission having under consideration a petition filed March 19, 1948, by Suffolk Broadcasting Corporation, Coram, New York, requesting a 60-day continuance of the hearing now scheduled for March 29, 1948, at Coram, New York, on its above-entitled application for modification of construction permit;

It is ordered, This 26th day of March 1948, that the petition be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, May 31, 1948, at Coram, New York.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3218; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket No. 8518]

WESTERN WASHINGTON BROADCASTING CO.

ORDER CONTINUING HEARING

In re application of F. L. Thornhill and D. R. Johnson, a partnership, d/b as Western Washington Broadcasting Company, Puyallup, Washington, Docket No. 8518, File No. BP-5802; for construction permit.

The Commission having under consideration a telegram received March 30, 1948, from Western Washington Broadcasting Company, Puyallup, Washington, requesting a 30-day continuance in the hearing presently scheduled for April 2, 1948, at Washington, D. C., on its above-entitled application for construction permit;

It is ordered, This 30th day of March 1948, that the telegraphic request be, and it is hereby, granted; and that the said hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Friday, April 30, 1948, at Washington, D. C.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3212; Filed, Apr. 12, 1948;
8:46 a. m.]

[Docket Nos. 7293, 8649, 8650, 8742, 8773]

WGAR BROADCASTING CO. ET AL.

ORDER CONTINUING HEARING

In re applications of the WGAR Broadcasting Company, Cleveland, Ohio, Docket No. 8649, File No. BPCT-214; WJW, Inc., Cleveland, Ohio, Docket No. 8742, File No. BPCT-250; Allen B. Dumont Laboratories, Inc., Cleveland, Ohio, Docket No. 7293, File No. BPCT-161; United Broadcasting Company, Cleveland, Ohio, Docket No. 8650, File No. BPCT-216; Cleveland Broadcasting, Inc., Cleveland, Ohio, Docket No. 8773; File No. BPCT-279; for construction permits.

Whereas, the above-entitled applications are scheduled to be heard in a consolidated proceeding on May 24, 1948, at Cleveland, Ohio; and

Whereas, the public interest, convenience, and necessity would be better served by continuing the said hearing to June 14, 1948;

It is ordered, This 29th day of March 1948, that the said hearing on the above-entitled applications be, and it is hereby,

continued to 10:00 a. m., Monday, June 14, 1948, at Cleveland, Ohio.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3223; Filed, Apr. 12, 1948;
8:47 a. m.]

[Docket Nos. 8656, 8670]

GRAND HAVEN BROADCASTING CO. AND
GREATER MUSKEGON BROADCASTERS, INC.
(WMUS)

ORDER REOPENING PROCEEDINGS AND SETTING DATE FOR FURTHER HEARING ON STATED ISSUES

In re applications of Grand Haven Broadcasting Company, Grand Haven, Michigan, Docket No. 8656, File No. BP-6441; Greater Muskegon Broadcasters, Inc. (WMUS), Muskegon, Michigan, Docket No. 8670; File No. BP-6445; for construction permits.

The Commission having under consideration a petition filed March 19, 1948, by Greater Muskegon Broadcasters, Inc. (WMUS), Muskegon, Michigan, requesting that the Commission enlarge the issues in the consolidated proceeding on the above-entitled applications to include the following issues:

8. To determine the areas and populations which may be expected to gain primary service from the operation of the proposed Grand Haven station on 1240 kilocycles, 250 watts, and the character of other broadcast service available to those areas and populations.

9. To determine whether the operation of the proposed Grand Haven station on 1240 kilocycles, 250 watts, would involve objectionable interference with existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

10. To determine whether the operation of the proposed Grand Haven station on 1240 kilocycles, 250 watts, would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

and further requesting that the record in the said proceeding be reopened to permit introduction of evidence on the said enlarged issues; and an opposition thereto filed March 25, 1948, by Grand Haven Broadcasting Company;

It is ordered, This 30th day of March 1948, that the petition be, and it is hereby, granted; and that the record in the above-entitled proceeding be, and it is hereby, reopened for a further hearing at 10:00 a. m., Monday, April 19, 1948, at Washington, D. C., in the above-entitled proceeding upon the following issues:

8. To determine the areas and populations which may be expected to gain primary service from the operation of

the proposed Grand Haven station on 1240 kilocycles, 250 watts, and the character of other broadcast service available to those areas and populations.

9. To determine whether the operation of the proposed Grand Haven station on 1240 kilocycles, 250 watts, would involve objectionable interference with existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

10. To determine whether the operation of the proposed Grand Haven station on 1240 kilocycles, 250 watts, would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3225; Filed, Apr. 12, 1948;
8:48 a. m.]

[Docket Nos. 8679, 8680]

LOUIS G. BALTIMORE AND WYOMING VALLEY
BROADCASTING CO.

ORDER CONTINUING HEARING

In re applications of Louis G. Baltimore, Wilkes-Barre, Pennsylvania, Docket No. 8679, File No. BPCT-134; Wyoming Valley Broadcasting Company, Wilkes-Barre, Pennsylvania, Docket No. 8680, File No. BPCT-231; for construction permits.

Whereas, a hearing on the above-entitled applications of Louis G. Baltimore and Wyoming Valley Broadcasting Company is now scheduled for April 1, 1948, at Wilkes-Barre, Pennsylvania; and

Whereas, the public interest, convenience and necessity would be served by a continuance of the said hearing;

It is ordered, This 30th day of March 1948, that the hearing be, and it is hereby, continued to 10:00 a. m., Monday, April 19, 1948, at Wilkes-Barre, Pennsylvania.

By the Commission.

[SEAL]

T. J. SLOWIE,
Secretary.

[F. R. Doc. 48-3213; Filed, Apr. 12, 1948;
8:46 a. m.]

FEDERAL POWER COMMISSION

[Docket No. IT-6082]

CALIFORNIA-PACIFIC UTILITIES CO.

NOTICE OF ORDER APPROVING AND DIRECTING
DISPOSITION OF AMOUNTS CLASSIFIED IN
ACCOUNT 100.5, ELECTRIC PLANT ACQUISITION
ADJUSTMENTS, AND ACCOUNT 107,
ELECTRIC PLANT ADJUSTMENTS, AND MODIFYING
ORDER OF JUNE 28, 1946

APRIL 7, 1948.

Notice is hereby given that, on April 6, 1948, the Federal Power Commission issued its order entered April 6, 1948, in

the above-designated matter, approving and directing disposition of certain amounts and modifying order.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3186; Filed, Apr. 12, 1948;
8:50 a. m.]

[Docket Nos. G-977, G-989]

HOPE NATURAL GAS CO. AND TENNESSEE
GAS TRANSMISSION CO.

NOTICE OF FINDINGS AND ORDERS ISSUING
CERTIFICATES OF PUBLIC CONVENIENCE AND
NECESSITY

APRIL 8, 1948.

Notice is hereby given that, on April 7, 1948, the Federal Power Commission issued its orders entered April 6, 1948, issuing certificates of public convenience and necessity in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3202; Filed, Apr. 12, 1948;
8:52 a. m.]

[Project No. 1887]

COOPERATIVE SERVICE ASSN.

NOTICE OF ORDER APPROVING WITHDRAWAL OF
APPLICATION FOR PRELIMINARY PERMIT

APRIL 8, 1948.

Notice is hereby given that, on April 7, 1948, the Federal Power Commission issued its order entered April 6, 1948, approving withdrawal of application for preliminary permit in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3203; Filed, Apr. 12, 1948;
8:52 a. m.]

[Project No. 1980]

WISCONSIN MICHIGAN POWER CO.

NOTICE OF ORDER AUTHORIZING ISSUANCE OF
LICENSE (MAJOR)

APRIL 7, 1948.

Notice is hereby given that, on April 6, 1948, the Federal Power Commission issued its order entered April 6, 1948, authorizing issuance of major license in the above-designated matter.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3185; Filed, Apr. 12, 1948;
8:50 a. m.]

FITCHBURG GAS AND ELECTRIC LIGHT CO.

NOTICE OF ORDER APPROVING AND DIRECTING
DISPOSITION OF AMOUNTS CLASSIFIED IN
ACCOUNT 107, ELECTRIC PLANT ADJUST-
MENTS, AND ACCOUNT 108, OTHER UTILITY
PLANT

APRIL 8, 1948.

Notice is hereby given that, on April 7, 1948, the Federal Power Commission

issued its order entered April 6, 1948, in the above-designated matter, approving and directing disposition of certain amount classified in Accounts Nos. 107 and 108.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 48-3204; Filed, Apr. 12, 1948;
8:52 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File Nos. 54-127, 59-3, 59-12]

ELECTRIC BOND AND SHARE CO. ET AL.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of April A. D. 1948.

In the matter of Electric Bond and Share Company, File No. 54-127; Electric Bond and Share Company and its Subsidiary Companies, respondents, File No. 59-3; Electric Bond and Share Company, American Power & Light Company, National Power & Light Company, Electric Power & Light Corporation, et al. respondents, File No. 59-12.

The Commission by order dated September 6, 1946, having approved Plan II-A filed pursuant to section 11 (e) of the Public Utility Holding Company Act of 1935, by Electric Bond and Share Company ("Bond and Share"), a registered holding company, said plan providing, among other things, that Bond and Share dispose of all of its holdings of the common stocks of American Gas and Electric Company ("American Gas"), Pennsylvania Power & Light Company ("Pennsylvania"), Carolina Power & Light Company ("Carolina"), and Birmingham Electric Company ("Birmingham") not later than October 6, 1947, unless such time be extended by the Commission; and

Bond and Share prior to October 6, 1947, having disposed of all of its holdings of the common stock of Pennsylvania and a major portion of its holdings of the common stock of American Gas, and the Commission by order dated October 10, 1947, having extended until April 8, 1948, the time within which Bond and Share must dispose of its remaining holdings of such securities;

Notice is hereby given that Bond and Share has filed an application requesting that the Commission extend for an additional period of six months from April 8, 1948, the time within which Bond and Share must dispose of its remaining holdings of the common stocks of American Gas, Carolina, and Birmingham.

All interested persons are referred to said application which is on file in the offices of this Commission for details concerning said application.

It appearing to the Commission that it is appropriate in the public interest and in the interests of investors and consumers that a hearing be held upon said application:

It is ordered, That a hearing on said application under the applicable provisions of the Act and Rules of the Commission thereunder be held on the 20th

day of April, 1948, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D. C., in such room as may be designated on that date by the hearing room clerk.

It is further ordered, That Robert P. Reeder or any other officer or officers of the Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of said act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application and that upon the basis thereof, the following matters and questions are presented for consideration without prejudice to its specifying additional matters and questions upon further examination:

1. Whether Bond and Share has exercised due diligence in attempting to dispose of its holdings of American Gas, Carolina and Birmingham;

2. Whether and to what extent a further extension of time for the disposition of such securities is necessary or appropriate in the public interest or for the protection of investors and consumers.

It is further ordered, That at said hearing evidence be adduced with respect to the foregoing matters and questions.

It is further ordered, That any person desiring to be heard or otherwise wishing to participate in this proceeding shall file with the Secretary of the Commission on or before April 16, 1948, a written request relative thereto as provided by Rule XVII in the Commission's rules of practice stating the nature of his interest, which of the foregoing matters and questions he desires to controvert and what additional matters and questions, if any, he deems are raised by the said application.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail on the applicants herein and that notice of said hearing shall be given to all other persons by publication of this notice and order in the FEDERAL REGISTER and by general release of this Commission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 48-3190; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1740]

CITIES SERVICE CO.

SUPPLEMENTAL ORDER RELEASING JURISDICTION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 7th day of April A. D. 1948.

Cities Service Company ("Cities"), a registered holding company having filed a declaration and amendments thereto, pursuant to the Public Utility Holding Company Act of 1935, with respect to, among other things, the sale, pursuant to the competitive bidding provisions of Rule U-50, of its entire holdings of common stock of Public Service of New Mexico ("Public Service") consisting of 339,639 shares; and

The Commission having, by order dated March 24, 1947, permitted the declaration, as amended, to become effective, subject to the condition, among others, that the proposed sale by Cities of its holdings of Public Service shall not be consummated until the results of the competitive bidding shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate, jurisdiction being reserved for this purpose; and

Cities having filed a further amendment herein stating that the common stock of Public Service has been offered for sale pursuant to the competitive bidding requirements of Rule U-50 and that the following bids have been received:

Bidding group headed by—	Price per share to company
Allen & Co.-----	\$12.31
The First Boston Corp. and White, Weld & Co.-----	12.069
Glore, Forgan & Co.-----	11.80
Harriman Ripley & Co., Inc.-----	11.6599
Blyth & Co., Inc.-----	11.60

Said amendment having further stated that Cities has accepted the bid of Allen & Company for the common stock, as set out above, and that the common stock will be offered for sale to the public at a price of \$13.25 per share resulting in an underwriters' spread of \$0.94 per share; and

The record indicating that the total fees and expenses proposed to be paid in connection with the proposed transactions amount to \$47,111 including \$17,500 for counsel for the declarant and \$2,500 for counsel for Public Service and that fees to be paid by the successful bidder to counsel for underwriters amount to \$7,500; and

The Commission having examined said amendment and having considered the record and finding no basis for imposing terms and conditions with respect to the price to be paid for the common stock or the underwriting spread and it appearing that the legal fees and expenses proposed to be paid in connection with the proposed transactions are not unreasonable:

It is ordered, That the jurisdiction heretofore reserved over the results of competitive bidding and over the fees and expenses be, and the same hereby is, released and that the said declaration, as further amended, be, and the same hereby is, permitted to become effective,

subject however, to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3192; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1752]

MICHIGAN CONSOLIDATED GAS CO.

SUPPLEMENTAL ORDER RESERVING JURISDICTION AND GRANTING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1948.

Michigan Consolidated Gas Company ("Michigan Consolidated"), a public utility subsidiary of American Light & Traction Company, a registered holding company which is a subsidiary of The United Light and Railways Company, a registered holding company, having filed an application and amendments thereto under section 6 (b) of the Public Utility Holding Company Act of 1935, with respect to the issue and sale, at competitive bidding pursuant to the provisions of Rule U-50, of \$7,000,000 principal amount of First Mortgage Bonds, --% Series due 1969; and

The Commission having, by order dated March 25, 1948, effective forthwith, granted said application subject to the condition, among others, that the proposed issuance and sale of bonds not be consummated until the results of the competitive bidding pursuant to Rule U-50 have been made a matter of record in the proceeding and a further order entered by the Commission in the light of the record so completed, jurisdiction being reserved for such purpose; and

Michigan Consolidated having filed a further amendment to its application setting forth the action taken to comply with the Commission's Order of March 25, 1948, and the requirements of Rule U-50, said amendment stating that pursuant to the invitation for competitive bids for said bonds, bids were received as follows:

Underwriting group	Coupon rate	Price to company	Cost to company
White, Weld & Co.-----	3 3/4	101.5259	3.2740
Glore, Forgan & Co.-----	3 3/4	101.391	3.2828
W. C. Langley & Co.-----	3 3/4	101.2977	3.2889
Lehman Bros.-----	3 3/4	101.2799	3.2901
Halsey, Stuart & Co., Inc.-----	3 3/4	101.2799	3.2901
Harris, Hall & Company (Inc.)-----	3 3/4	101.2799	3.2901
Harriman, Ripley & Co., Inc.-----	3 3/4	100.1099	3.3677

Said amendment further stating that the bid of the underwriting group headed by White, Weld & Co., as set out above, has been accepted and that the bonds will be offered to the public at a price of 102.25% of the principal amount thereof, resulting in an underwriting spread of .7241% of the principal amount of said bonds; and

The Commission having examined said amendment, and having considered

the entire record, and finding no reason for imposing terms and conditions with respect to the issue and sale of said bonds:

It is ordered, That jurisdiction heretofore reserved with respect to the matters to be determined as a result of competitive bidding for said bonds under Rule U-50 be, and the same hereby is, released, that the application, as amended, be, and the same hereby is, granted, subject to the terms and conditions prescribed in Rule U-24, and that this order become effective forthwith.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3193; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1764]

CONSOLIDATED NATURAL GAS CO.

MEMORANDUM OPINION AND ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C. on the 5th day of April 1948.

Consolidated Natural Gas Company ("Consolidated"), a registered holding company, has filed a declaration pursuant to section 7 of the Public Utility Holding Company Act of 1935, proposing the issuance and sale, at competitive bidding in compliance with Rule U-50, of \$30,000,000 principal amount of --% Debentures due 1968, to be issued under the company's indenture to J. P. Morgan & Co., Inc., dated as of April 1, 1948. The interest rate and price to the company for the debentures will be determined by competitive bidding, except that the invitation for bids will specify that the interest rate shall be a multiple of 1/8 of 1% and that the price to the company shall not be less than 100% nor more than 102.75% of the principal amount plus accrued interest.

Consolidated states that the proceeds to be derived from the sale of debentures will be used to provide funds for the purchase, from time to time (pursuant to further orders of this Commission), of common stocks of the company's subsidiaries to enable such subsidiaries to finance, in part, their construction requirements. The company estimates that its subsidiaries will be required to expend upwards of \$60,000,000 for additional distribution and transmission pipe lines, compressor facilities, gas wells and storage facilities during the next two years, of which approximately one-half will be required during 1948.

Notice of the filing of the declaration, pursuant to Rule U-23, was given on March 15, 1948. No hearing was requested and we do not deem it necessary that a hearing be held. Since, however, the proposed issuance and sale of debentures raises a problem under the standards of section 7 (c) of the act and since our action herein, if taken without opinion, might otherwise be susceptible of the construction that we are estab-

lishing a policy of permitting permanent debt financing at the holding company level through the medium of debentures, we believe the reasons which induce us to permit this declaration to become effective should be set forth.

Consolidated is a registered holding company with five subsidiaries engaged in the production, transmission, distribution and sale of natural gas in the States of West Virginia, Ohio, Pennsylvania and New York. Since Consolidated's organization in 1943, it has been the general system policy to maintain its capital structure as common stock only, and at the present time, the only system securities outstanding are common stock and a nominal amount of purchase obligations. Pursuant to this policy and in order to finance in part the system construction requirements, the company in June of 1947 issued and sold, mainly to its stockholders, 545,672 additional shares of common stock realizing proceeds therefrom of \$20,725,000.

The company now states that it intends to continue this financial policy insofar as practicable, but in view of the short period of time which has elapsed since the previous common stock offering and the uncertain market conditions, it does not believe another common stock offering would be successful at this time.

Additionally, the company points out that the proposed debentures will, on a pro forma basis as at December 31, 1947, represent but 14.45% of net tangible system assets; will be completely paid off in twenty years with possible acceleration, and that the debenture holders will have the benefit of certain indenture provisions with respect to the limitation on additional funded debt, payment of dividends, or other distributions, and the incurring of prior fixed charges.

While the proposed debentures do not fall within the type of securities enumerated in section 7 (c) (1) as permissible, we believe that under all the circumstances of this case we can approve them as being for the purpose specified in section 7 (c) (2) (D).

We see no occasion to make adverse findings under the other applicable provisions of section 7 and deem it appropriate in the public interest and in the interests of investors and consumers to permit the declaration to become effective: wherefore

It is hereby ordered, Pursuant to Rule U-23 and the applicable provisions of the act that the declaration be, and the same hereby is, permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24, and subject to the further condition that the proposed issuance and sale of debentures shall not be consummated until the results of competitive bidding pursuant to Rule U-50 have been made a matter of record herein and a further order shall have been entered with respect thereto, which order shall contain such further terms and conditions as may then be deemed appropriate, for which purpose jurisdiction be, and the same hereby is, reserved.

It is further ordered, That jurisdiction be, and the same hereby is, reserved over all fees and expenses to be paid in connection with the proposed transaction.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 48-3191; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1778]

CAROLINA POWER & LIGHT CO.

NOTICE OF FILING AND REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1948.

Notice is hereby given that a declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Carolina Power & Light Company ("Carolina"), a subsidiary of Electric Bond and Share Company, a registered holding company. Declarant has designated section 6 (a) and 7 of the act and Rules U-62 and U-65 of the rules and regulations promulgated thereunder as applicable to the proposed transactions:

Notice is further given that any interested person may, not later than April 19, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after April 19, 1948, said declaration as filed, or as amended, may be granted as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided by Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Carolina proposes to amend its charter (a) so as to modify the present restriction upon the issuance by the company of unsecured indebtedness (10% of the aggregate of secured indebtedness, capital and surplus) by excluding the principal amount of the company's 3 1/4 % promissory notes due at various dates between 1952 and 1958 from the computation of the amount of such unsecured indebtedness which the company may issue without the approval of the holders of a majority of the preferred stock and (b) so as to authorize offerings of additional common stock of the company by public offering or an offering through underwriters or investment bankers who shall have agreed to make such a public offering, without first offering such stock pro rata to holders of the then outstanding common stock of the company.

Under the provisions of the company's charter, the proposed amendment liberalizing the terms upon which the company may issue unsecured indebtedness cannot be adopted unless the holders of not less than two-thirds of the number of outstanding shares of the \$5 Preferred Stock of the company vote in favor of the adoption thereof. The proposed amendment with reference to the offering of additional common stock will be effected by the company only if such amendment is approved by the holders of a majority of all the company's outstanding stock, including a majority of the company's outstanding common stock other than the common stock held by Electric Bond and Share Company. In order to increase the possibility of the requisite number of votes being obtained, the company proposes to employ Georgeson & Co. to solicit proxies from both the preferred and common stockholders.

The applicant requests that the Commission issue its order permitting the declaration to become effective as promptly as may be practicable in order that it may submit the charter amendments proposed to the company's stockholders for their consideration at the annual meeting of such stockholders to be held on May 19, 1948.

By the Commission.

[SEAL]

ORVAL L. DuBois,
Secretary.

[F. R. Doc. 48-3195; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1791]

UTAH POWER & LIGHT CO. AND WESTERN
COLORADO POWER CO.

NOTICE OF FILING OF APPLICATION AND REQUEST FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 7th day of April A. D. 1948.

Notice is hereby given that a joint application-declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by Utah Power & Light Company ("Utah"), a registered holding company, and its wholly owned subsidiary, The Western Colorado Power Company ("Western Colorado"). Applicants-declarants have designated sections 6 (b), 9 (a), 10, and 12 (f) of the act and Rule U-45 of the rules and regulations promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than April 20, 1948, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed as follows: Secretary, Securities and Exchange Commission, 425 Second Street

NW., Washington 25, D. C. At any time after April 20, 1948, said joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided by Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided by Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed which are summarized as follows:

Western Colorado proposes to issue and deliver to Utah on or before July 1, 1948, its fifteen-year, 4% promissory note in the principal amount of \$2,500,000 in consideration for which Utah will loan to Western Colorado \$500,000 in cash and cancel the existing open-account indebtedness of Western Colorado to Utah in the principal amount of \$2,000,000. The note provides for semiannual payments on account of principal of \$25,000 each and further provides that Western Colorado may prepay any or all of such semiannual payments without payment of any premium. After the transaction is completed, Colorado will have outstanding \$2,500,000 of debt and \$2,000,000 of common stock all owned by Utah. Western Colorado proposes to use the proceeds of such loan for improvements and additions to its properties. The proposed transaction is subject to the approval of the Public Utilities Commission of Colorado.

Applicants-declarants request the Commission to issue its order granting the application and permitting the declaration to become effective as promptly as practicable.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3194; Filed, Apr. 12, 1948;
8:51 a. m.]

[File No. 70-1794]

NEW YORK STATE ELECTRIC & GAS CORP.

NOTICE OF FILING AND ORDER FOR HEARING

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 6th day of April A. D. 1948.

Notice is hereby given that New York State Electric & Gas Corporation ("New York"), a subsidiary of General Public Utilities Corporation, a registered holding company, has filed an application, as amended, with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("act"). Applicant has designated section 6 (b) of the act and Rule U-50 promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to said application, as amended, which is on file in the office of this Commission for a statement of the transactions therein proposed which are summarized as follows:

New York will issue and sell, pursuant to the competitive bidding requirements

of Rule U-50, \$10,500,000 principal amount of First Mortgage Bonds, --% series, due 1978, and 60,000 shares of --% \$100 par value cumulative preferred stock, the interest rate and dividend rate, respectively, to be fixed by competitive bidding. The proceeds from the sale of the bonds and preferred stock will be employed toward meeting the cost of construction and improvements of the company's properties.

Applicant states that the Public Service Commission of the State of New York, in addition to this Commission, has jurisdiction over the proposed transactions.

It is hereby ordered, Pursuant to sections 6 (b) and 18 of the act, that a hearing be held upon said matter on April 22, 1948, at 10:00 a. m., e. s. t., at the offices of the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. On such date the hearing room clerk will advise as to the room in which such hearing will be held. Any person desiring to be heard in connection with this proceeding or proposing to intervene herein shall file with the Secretary of the Commission, on or before April 20, 1948, a written request relative thereto as provided by Rule XVII of the Commission's rules of practice.

It is further ordered, That Robert P. Reeder, or any other officer or officers of this Commission designated by it for that purpose, shall preside at such hearing. The officer so designated to preside at such hearing is hereby authorized to exercise all powers granted to the Commission under section 18 (c) of the act and to a hearing officer under the Commission's rules of practice.

The Public Utilities Division of the Commission having advised the Commission that it has made a preliminary examination of the application, as amended, and that, on the basis thereof, the following matters and questions are presented for consideration without prejudice, however, to the presentation of additional matters and questions upon further examination:

(1) Whether the proposed issue and sale by New York of First Mortgage Bonds and Cumulative Preferred Stock are solely for the purpose of financing its business.

(2) The propriety of the proposed accounting treatment of the transactions on the books of New York.

(3) Whether the fees, commissions, and other expenses to be incurred are for necessary services and reasonable in amount.

(4) What terms and conditions, if any, with respect to the proposed transactions shall be prescribed in the public interest or for the protection of the investors or consumers of New York.

It is further ordered, That at said hearing evidence shall be adduced with respect to the foregoing matters and questions.

It is further ordered, That the Secretary of the Commission shall serve notice of the aforesaid hearing by mailing a copy of this order by registered mail to New York State Electric & Gas Corporation and the Public Service Commission of the State of New York, and that notice of said hearing shall be given to all other persons by general release of this Com-

mission which shall be distributed to the press and mailed to the mailing list for releases issued under the Public Utility Holding Company Act of 1935; and that further notice be given to all persons by publication of this order in the FEDERAL REGISTER.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 48-3196; Filed, Apr. 12, 1948;
8:52 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

AUTHORITY: 40 Stat. 411, 55 Stat. 839, Pub. Laws 322, 671, 79th Cong., 60 Stat. 50, 925; 50 U. S. C. and Supp. App. 1, 616, E. O. 9193, July 6, 1942, 3 CFR, Cum. Supp., E. O. 9567, June 8, 1945, 3 CFR, 1945 Supp., E. O. 9788, Oct. 14, 1946, 11 F. R. 11981.

SOCIETE RHODIACETA

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property located in Washington, D. C., including all royalties accrued thereunder and all damages and profits recoverable for past infringement thereof, after adequate provision for taxes and conservatory expenses:

Claimant, Claim Nos. and Property

Societe Rhodiaceta, Paris, France; 6184 and 6193, Consolidated; Property described in Vesting Order No. 666 (8 F. R. 5047, April 17, 1943), relating to United States Letters Patent Nos. 2,145,076; 2,235,570; and 2,283,035; property described in Vesting Order No. 3420 (9 F. R. 4489, April 27, 1944), relating to United States Letters Patent No. 2,244,281. All interests and rights created in Societe pour la Fabrication de la Soie Rhodiaceta (now known as Societe Rhodiaceta), to the extent owned by claimant immediately prior to the vesting thereof by Vesting Order No. 3420, by virtue of an agreement dated January 1, 1928 and executed on July 27, 1928 (including all modifications of and supplements to such agreement) by and between Societe pour la Fabrication de la Soie Rhodiaceta and Dupont Rayon Company, relating, among other things, to United States Letters Patent No. 2,277,486.

Executed at Washington, D. C., on April 7, 1948.

For the Attorney General.

[SEAL]

DAVID L. BAZELON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 48-3231; Filed, Apr. 12, 1948;
8:49 a. m.]

[Vesting Order 10836]

JAPAN ELECTRIC GENERATION AND
TRANSMISSION CO., LTD.

In re: Debt owing to Japan Electric Generation and Transmission Company, Limited, (Nippon Hatusoden Kabusiki Kaisha), F-39-2071-E-1.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Japan Electric Generation and Transmission Company, Limited, (Nippon Hatusoden Kabusiki Kaisya), the last known address of which is Koisikawa, Tokyo, Japan, is a corporation, partnership, association or other business organization, organized under the laws of Japan, and which has or, since the effective date of Executive Order 8389, as amended, has had its principal place of business in Japan and is a national of a designated enemy country (Japan);

2. That the property described as follows: All right, title, interest and claim of any name or nature whatsoever of Japan Electric Generation and Transmission Company, Limited, (Nippon Hatusoden Kabusiki Kaisya), contingent or otherwise and whether or not matured, in and to any and all funds and monies held by Dillon, Read & Co., 28 Nassau Street, New York 5, New York, as Fiscal Agent, including particularly but not limited to:

a. Those sums of money held under trust indentures, dated August 1, 1924, July 1, 1925 and December 1, 1927, respectively, entered into by and between Daido Denryoku Kabushiki Kaisha (Great Consolidated Electric Power Company, Limited) and Kabushiki Kaisha Nippon Kogyo Ginko (The Industrial Bank of Japan, Limited), Daido Denryoku Kabushiki Kaisha (Great Consolidated Electric Power Company, Limited) and Kabushiki Kaisha Nippon Kogyo Ginko (The Industrial Bank of Japan, Limited), and Shinyetsu Denryoku Kabushiki Kaisha (Shinyetsu Electric Power Company, Limited) and Mitsui Shintaku Kabushiki Kaisha (The Mitsui Trust Company, Limited), and all modifications thereof and supplements thereto, if any, including particularly those certain agreements, dated April 1, 1939 and October 1, 1941, between Daido Denryoku Kabushiki Kaisha (Great Consolidated Electric Power Company, Limited), Shinyetsu Denryoku Kabushiki Kaisha (Shinyetsu Electric Power Company, Limited) and Nippon Hatusoden Kabusiki Kaisya (Japan Electric Generation and Transmission Company, Limited), which trust indentures relate to the payment of \$15,000,000 First Mortgage 7% Sinking Fund Gold Bonds, Series A, dated August 1, 1924, issued by Daido Denryoku Kabushiki Kaisha, \$13,500,000 First and General Mortgage 6½% Sinking Fund Gold Bonds, dated July 1, 1925, issued by Daido Denryoku Kabushiki Kaisha, and \$7,650,000 First Mortgage 6½% Sinking Fund Bonds, dated December 1, 1927, issued by Shinyetsu Denryoku Kabushiki Kaisha, together with any and all rights to demand, enforce and collect the same, and

b. That certain sum of money held in a special expense account, entitled Japan Electric Generation and Transmission Co., Ltd., together with any and all

rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Japan);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Japan).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described above, to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on March 5, 1948.

For the Attorney General.

[SEAL] DAVID L. BAZELON,
Assistant Attorney General.
Director, Office of Alien Property.

[F. R. Doc. 48-3226; Filed, Apr. 12, 1948;
8:48 a. m.]

[Vesting Order 11046]

PAULINE A. SIEDENTOPF

In re: Real property and claim owned by Pauline A. Siedentopf, also known as Pauline Amalie Siedentopf, Paula Siedentopf and as Pauline A. Siedentopf.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to law, after investigation, it is hereby found:

1. That Pauline A. Siedentopf, also known as Pauline Amalie Siedentopf, Paula Siedentopf, and as Pauline A. Siedentopf, whose last known address is Ebbesloh, Uber Guttersloh, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows:

a. Real property situated in the County of Talladega, State of Alabama, particularly described in Exhibit A, attached hereto and by reference made a part hereof, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits or other payments arising from the ownership of such property, and

b. That certain debt or other obligation owing to the person named in sub-

paragraph 1 hereof, by W. H. Dickinson, Lincoln, Alabama, arising out of rents collected from the real property described in subparagraph 2-a hereof, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the aforesaid national of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the person named in subparagraph 1 hereof is not within a designated enemy country, the national interest of the United States requires that such person be treated as a national of a designated enemy country (Germany).

All determinations and all action required by law, including appropriate consultation and certification, having been made and taken, and, it being deemed necessary in the national interest,

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 2-b hereof,

All such property so vested to be held, used, administered, liquidated, sold or otherwise dealt with in the interest of and for the benefit of the United States.

The terms "national" and "designated enemy country" as used herein shall have the meanings prescribed in section 10 of Executive Order 9193, as amended.

Executed at Washington, D. C., on April 6, 1948.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Deputy Director,
Office of Alien Property.
EXHIBIT A

All that certain tract or parcel of land situated in the County of Talladega, State of Alabama, described as follows:

(1) Fractions A and B of Section One (1), Township Sixteen (16) South, Range Four (4) East, and Fractions E, D, F, G and H of Section Six (6), Township Sixteen (16) South, Range Five (5) East, and Fraction A of Section Seven (7), Township Sixteen (16) South, Range Five (5) East, the mineral rights of the last named Fraction A of Section Seven (7), Township Sixteen (16) South, Range Five (5) East being especially excepted;

(2) All that part of Fraction A in Section Twelve (12), Township Sixteen (16) South, Range Four (4) East, which lies East of the Mitchell Ferry Public Road as now located;

(3) Fraction M in Section One (1), Fraction B in Section Twelve (12), and all that part of Fraction A in Section Twelve (12) which lies West of the Mitchell Ferry Public Road, all in Township Sixteen (16) South, Range Four (4) East.

[F. R. Doc. 48-3228; Filed, Apr. 12, 1948;
8:49 a. m.]