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Washington, Wednesday, February 15, 1950

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

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

CLINICAL PSYCHOLOGIST

The educational requirement under § 24.23 for Clinical Psychologist, GS–180, at the Grade 5 level has been revoked. The requirement has been changed for Grades 11–15 but remains the same for Grades 7–9. Section 24.23 as amended is set out below:

§ 24.23 *Clinical Psychologist, GS–180–7–15*—(a) *Educational requirement*—(1) *GS–7–9.*

At least 10 courses in psychology in an accredited college or university, including:

Two courses in abnormal psychology, clinical psychology, mental hygiene, or personality adjustment;

Two courses in clinical techniques such as individual testing, interviewing, or the case study method;

Two courses in differential psychology or tests and measurements (educational, vocational, psychological, personality, attitude), or statistics;

One course in human biology, neurology, or physiological psychology; and

Three courses in general, experimental, child, adolescent, social, animal, or systematic psychology or additional courses listed in the foregoing paragraphs.

Completion of all requirements for the Ph. D. degree in psychology will be accepted as meeting this educational requirement.

(2) *GS–11–15.* Completion of all requirements for a doctoral degree in psychology from an accredited college or university.

(b) *Duties*—(1) *GS–7–9.* At these grades, clinical psychologists administer and score certain individual psychological tests comparable in difficulty to the Wechsler-Bellevue, the Rorshach and the Thematic Apperception Tests. They evaluate and interpret diagnostically tests comparable in difficulty to the Wechsler-Bellevue and they may be instructed in the evaluation of the more difficult tests. They may also be trained in treatment procedures but they never take responsibility for treatment. They may also participate in research on mental health problems to the extent of the collection of specific data and the use of simple statistical techniques and methods.

(2) *GS–11–15.* At these grades a clinical psychologist makes psychological evaluations of normal persons and contributes to the diagnosis and evaluation of persons showing definite psychological disturbances through appropriate interview techniques and the selection, administration, and interpretation of appropriate psychological tests; he performs personal, educational, and vocational counseling with normal persons and provides remedial education, counseling, and psychotherapy to persons showing definite psychological disturbances; he conducts research on personality development and adjustment and on problems of diagnosis, treatment, and prevention of mental illness; and he is responsible for clinical supervision and instruction of trainees in clinical psychology and collaborates in training other mental health personnel with respect to the place and role of psychological concepts and methods in their work.

(c) *Knowledge and training requisite for performance of the duties*—(1) *GS–7–9.* A knowledge of the basic principles of clinical psychology; the fundamentals of test administration and scoring and the analysis and clinical evaluation of test data; an understanding of the relationships between clinical psychology and the related social and life sciences; a knowledge of and ability to use statistical methods and techniques; and ability to participate in research projects to the extent of the collection of psychological and psychometric data. The only way that these knowledges and skills can be acquired is through a balanced program of study in an accredited college or university in the courses listed above.

(2) *GS–11–15.* A mature and thorough knowledge of the science of psychology and of related sociological and life sciences; a thorough knowledge of the basic concepts of personality and dynamics of human behavior; a thorough theoretical background in the principles and techniques of diagnosis and personality evaluation; a thorough knowledge of therapy and treatment procedures; a thorough knowledge of research methodology; and the ability to instruct others in the principles and techniques listed above. The only way

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FEDERAL REGISTER

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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.

CODIFICATION GUIDE—Con.

these knowledges and abilities can be acquired is through a comprehensive program of training which has included all the requirements for a doctoral degree, including a complete course of study in the field of psychology and related social and life sciences, comprehensive examinations covering the important fields of psychology and related sciences, the completion of a dissertation representing an original contribution to the field of psychology, and an overall evaluation of fitness to practice the profession which is made by accredited colleges and universities before granting a doctor's degree.

(Sec. 11, 58 Stat. 390; 5 U. S. C. 860. Interprets or applies sec. 5, 58 Stat. 388; 5 U. S. C. 854)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] HARRY B. MITCHELL,
Chairman.

[F. R. Doc. 50-1294; Filed, Feb. 14, 1950; 8:47 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 52405]

PART 8—LIABILITY FOR DUTIES, ENTRY OF IMPORTED MERCHANDISE

ENTRIES FOR ARTICLES RELEASED UNDER IMMEDIATE DELIVERY PERMITS

Section 8.59, Customs Regulations of 1943 (19 CFR 8.59), as amended, is further amended as follows:

1. Paragraph (h) is amended to read:

(h) If formal entry is not made and estimated duties and taxes deposited within 2 days after the day on which the articles are released under a special per-

mit, the collector shall make an immediate demand for liquidated damages in the entire amount of the bond, in the case of a single entry bond. When the transaction has been charged against a term bond, the demand shall be for an amount equal to the value of the articles with respect to which there has been a default, plus the estimated amount of the duties and any taxes thereon. Unless prompt action is taken looking to a settlement of the claim, the collector shall discontinue allowing immediate delivery of articles imported by or for the account of the person in default. In computing the period, the day of release, Saturdays, Sundays, and holidays, and any extension granted pursuant to paragraph (i) of this section shall be excluded.

2. Paragraph (i) and (j) are redesignated (j) and (k), respectively, and a new paragraph (i) is inserted to read:

(i) When the importer or his agent furnishes in writing a satisfactory explanation of his inability to make entry and deposit within 2 days after the day of release, the collector may extend the period for not to exceed 2 additional days (exclusive of Saturdays, Sundays, and holidays).

(Sec. 448, 46 Stat. 714; 19 U. S. C. 1448)

[SEAL] FRANK DOW,
Commissioner of Customs.

Approved: February 8, 1950.

JOHN S. GRAHAM,
Acting Secretary of the Treasury.

[F. R. Doc. 50-1282; Filed, Feb. 14, 1950; 8:46 a. m.]

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TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

TRAINING CAMPS

In § 562.64, paragraph (d) is amended to read as follows:

§ 562.64 *Deferred attendance.* * * *

(d) The veteran-trainee may be authorized subsistence allowance in the amounts to which he is ordinarily entitled and subject to the $210–$270–$290 limiting proviso of Public Law 512, 80th Congress (62 Stat. 208), while in approved leave status from his place of training. Such leave may be used to attend Reserve Officers' Training Corps Camp or for any other purpose. It is considered that a trainee does not pursue his regular course of education or training for the period of summer Reserve officer training, and therefore he will not be paid subsistence for this period, unless he has sufficient accrued leave for which he has applied to cover this period of training.

[C6, AR 145–30, Jan. 30, 50] (R. S. 161; 5 U. S. C. 22; Interpret or apply sec. 34, 41 Stat. 778; 10 U. S. C. 441)

[SEAL] EDWARD F. WITSELL,
Major General, U. S. A.
The Adjutant General.

[F. R. Doc. 50-1279; Filed, Feb. 14, 1950; 8:46 a. m.]

TITLE 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans' Administration

PART 4—DEPENDENTS AND BENEFICIARIES CLAIMS

VETERANS WHOSE AWARDS ARE SUBJECT TO REDUCTION OR INCREASE

In § 4.160, paragraph (c) (4) (ii) is amended to read as follows:

§ 4.160 *Under section 12, Public Law 144, 78th Congress.* * * *

(c) *Definitions.* * * *

(4) * * *

(ii) In the case of a veteran whose award is subject to reduction under section 1, Public Law 662, 79th Congress, by reason of hospital treatment, institutional or domiciliary care by the Veterans' Administration, and in the case of a veteran whose award is subject to increase under Public Law 877, 80th Congress, and as amended by section 4, Public Law 339, 81st Congress, by reason of the existence of dependents, prima facie proof of dependents or of other factors affecting entitlement, such as statements on VA Form 8–404 or on the claim for benefits provided satisfactory evidence is furnished in support of the claim for accrued benefits.

* * * * *

(Secs. 5, 43 Stat. 608, as amended, sec 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, secs. 5, 12, 57 Stat. 555, 557, 58 Stat. 284, sec. 7, 59 Stat. 626; 38 U. S. C. 11a, 426, 693 note, 707, 729, ch. 12 note; Pub. Law 877, 80th Cong., sec. 4, Pub. Law 339, 81st Cong.)

This regulation effective February 15, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50-1287; Filed, Feb. 14, 1950; 8:47 a. m.]

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PART 21—VOCATIONAL REHABILITATION AND EDUCATION

SUBPART A—REGISTRATION AND RESEARCH

In § 21.50 (b), the introductory paragraph is amended and designated subparagraph (1), former subparagraphs (1) and (2) are renumbered (2) and (3) respectively.

§ 21.50 *Entitlement.* * * *

(b) *Special considerations involving training in other government-sponsored training programs.* (1) Certain courses of training which are financed by funds derived in whole or in part from Federal appropriations are available to veterans as well as to other persons. These programs are distinct and separate from the training programs established for eligible veterans under Part VII and Part VIII, Veterans Regulation 1 (a), as amended (38 U. S. C. ch. 12 note). Among such programs of training are courses provided under the U. S. Maritime Commission training program. Included also are student or resident trainees in hospitals, clinics, medical or dental laboratories owned or operated by the Federal Government and the District of Columbia, e. g., medical and dental internes and residents-in-training, student nurses, student dietitians, and student physiotherapists (E. O. 9750, U. S. Civil Service Commission Reg. of August 7, 1946, and Pub. Law 330, 80th Cong.). Another type of such training is that provided for physician and dentist trainees pursuing training in the residency program of the department of medicine and surgery in the Veterans' Administration.

* * * * *

(Sec. 2, 46 Stat. 1016, sec. 7, 48 Stat. 9, sec. 504, 58 Stat. 293, as amended; 38 U. S. C. 11a, 694, 707. Interpret or apply 57 Stat. 43, secs. 300, 400, 500, 1500–1504, 58 Stat. 286, 287, 291, 300, 301, secs. 5, 6, 7, 10, 11, 59 Stat. 624, 626, 631, 542, 60 Stat. 124, 934, 61 Stat. 180, 449, 739, 791; 38 U. S. C. 693g, 697–697d, 697f, 697g, ch. 12 notes)

This regulation effective February 15, 1950.

[SEAL] O. W. CLARK,
Deputy Administrator.

[F. R. Doc. 50-1286; Filed, Feb. 14, 1950; 8:47 a. m.]

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TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

AMATEUR PEAK POWER

In the matter of amendment of footnote US 18 to § 2.104 (a) of the Commission's rules.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of February 1950;

The Commission having under consideration the above-captioned matter to provide for the continuance of the limitation in footnote US 18 on amateur peak power in the bands 420–450 Mc. beyond February 15, 1950; and

It appearing, that § 12.111 (a) (11) of the Commission's rules governing Amateur Service restricts such peak power without time limitation; and

It further appearing, that the purpose of the restriction on amateur peak power is in order to minimize interference to aircraft altimeters temporarily allocated in the band 420–450 Mc.; and

It further appearing, that the Commission has heretofore amended footnote US 11 to § 2.104 (a) of the Commission's rules to extend the temporary allocation of aircraft altimeters in the band 420–450 Mc. from February 15, 1950, to February 15, 1953; and

It further appearing, that the amendment herein ordered will have the effect of making footnote US 18 consistent with § 12.111 (a) (11) of the Commission's rules until February 15, 1953, and that such action is urgent in order to effectively implement the amendment of footnote US 11 heretofore ordered by the Commission and that, therefore, compliance with the provisions of section 4 of the Administrative Procedure Act is impracticable and unnecessary; and

It further appearing, that authority for the amendment herein ordered is

contained in section 303 (c) and (r) of the Communications Act of 1934, as amended:

It is ordered, That, effective immediately, footnote US 18 to § 2.104 (a) of the Commission's rules is amended to read as follows:

US 18. Amateur peak power to be limited to 50 watts until February 15, 1953.

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. 303 (r). Applies 303 (c) 48 Stat. 1082; 47 U. S. C. 303 (c)

Released: February 8, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1289; Filed, Feb. 14, 1950; 8:47 a. m.]

[Docket No. 9551]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

AERONAUTICAL RADIONAVIGATION SERVICE

In the matter of amendment of footnote US 11 to § 2.104 of the Commission's rules; Docket No. 9551.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 8th day of February 1950;

The Commission having under consideration the amendment of footnote US 11 to § 2.104 of the Commission's rules in order to provide for the use of the band 420-460 Mc. by the Aeronautical Radionavigation Service until February 15, 1953;

It appearing, that in accordance with the requirement of section 4 (a) of the Administrative Procedure Act, general notice of proposed rule making was duly published in the FEDERAL REGISTER; and

It further appearing, that the only unfavorable comment received was from the National Police Radio Committee, which Committee suggested a shorter period and an amendment to footnote 210 to give the Public Safety Radio Service priority in the use of the 454.05-455.95 Mc. portion of the band; and

It further appearing, that the change to footnote 210 suggested by the National Police Radio Committee would render that footnote inconsistent with treaty obligations which give priority to the Radionavigation Service in the band 420-460 Mc.; and

It further appearing, that no harmful interference is anticipated to the Public Safety Services even though regular operations in the band are inaugurated prior to 1953; and

It further appearing, that in view of the above, public interest, convenience and necessity would be served by the adoption of the amendment as proposed and authority therefor is contained in section 303 (c) and (r) of the Communications Act of 1934, as amended, and that since the effect of the amendment is to relieve a restriction which would otherwise be applicable:

It is ordered, That effective immediately, footnote US 11 of § 2.104 is amended to read as follows:

US 11. The Aeronautical Radionavigation Service will not be permitted to use the band 420-460 Mc. after February 15, 1953.

(Sec. 303 (r), 50 Stat. 191; 47 U. S. C. 303 (r). Applies 303 (c), 48 Stat. 1082; 47 U. S. C. 303 (c))

Released: February 8, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1290; Filed, Feb. 14, 1950; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

[S. O. 847, Amdt. 1]

PART 95—CAR SERVICE

RESTRICTIONS ON USE OF COAL-BURNING FREIGHT LOCOMOTIVES

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 9th day of February A. D. 1950.

Upon further consideration of Service Order No. 847 (15 F. R. 770), and good cause appearing therefor: It is ordered, that:

Section 95.847 *Restrictions on use of coal-burning freight locomotives*, of Service Order No. 847 be, and it is hereby further amended by substituting the following paragraph (c) for paragraph (c) thereof:

(c) *Application.* (1) The provisions of this section will apply to intrastate commerce as well as interstate and foreign commerce.

(2) The provisions of this section shall apply to coal-burning freight locomotive operation commencing on and after the effective date hereof.

(3) Nothing herein will require that a railroad which operated over its line on February 8, 1950, not more than a single train in each direction to further reduce its coal-burning road haul locomotive miles below one single train in each direction on any calendar day.

Effective date. This amendment shall become effective at 11:59 p. m., February 10, 1950.

It is further ordered, that a copy of this amendment shall be served upon the State railroad regulatory bodies of each State, and 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 amendment 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.

(40 Stat. 101, Sec. 402; 41 Stat. 476, Sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL] W. P. BARTEL,
Secretary.

[F. R. Doc. 50-1275; Filed, Feb. 14, 1950; 8:46 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR, Part 130]

FLATHEAD INDIAN IRRIGATION PROJECT, MONTANA

OPERATION AND MAINTENANCE CHARGES

FEBRUARY 6, 1950.

Pursuant to section 4 (a) of the Administrative Procedure Act of June 11, 1946 (Pub. Law 404, 79th Cong., 60 Stat. 238), and authority contained in the acts of Congress approved August 1, 1914; May 18, 1916; and March 7, 1928 (38 Stat. 583, 25 U. S. C. 385; 39 Stat. 1942; and 45 Stat. 210, 25 U. S. C. 367), and by virtue of authority delegated by the Secretary of the Interior to the Commissioner of Indian Affairs September 14, 1946 (11 F. R. 10279), and by virtue of authority delegated by the Commissioner of Indian Affairs to the Regional Director September 11, 1946, notice is hereby given of intention to modify §§ 130.16 and 130.17 of Title 25, Code of Federal Regulations, dealing with irrigable lands of the Flathead Indian Irrigation Project not subject to the jurisdiction of the several irrigation districts as follows:

Charges applicable to all irrigable lands in the Flathead Irrigation Project but which are not included in the various Irrigation District Organizations:

§ 130.16 *Charge, Jocko Division.* An annual minimum charge of $1.66 per acre shall be made against all assessable irrigable lands not included in the Irrigation District within the Jocko Division to which water can be delivered, regardless of whether water is used

The minimum charge when paid shall be credited on the delivery of water at the following acre-foot rates:

(a) For assessable irrigable lands receiving water from the Lower Jocko and Revais Creek laterals, water will be delivered in amounts equal to one acre-foot per acre for the entire assessable area of the farm unit, allotment, or tract, at the rate of one dollar ($1.00) per acre foot, and additional water will be delivered at the rate of fifty cents (50¢) per acre-foot.

(b) For assessable irrigable lands in the Upper Jocko area receiving water from Finley, East Finley, Agency, and Big Knife Creeks, water will be delivered at the rate of seventy-five cents (75¢) per acre-foot at any time during the irrigation season.

(c) For assessable irrigable lands in the Upper Jocko area receiving water from the Jocko River through the Jocko K lateral system, water will be delivered at the rate of fifty cents (50¢) per acre-foot at any time during the irrigation season.

§ 130.17 *Charges, Mission Valley and Camas Divisions.* (a) A minimum charge of $2.60 per acre shall be made against all assessable irrigable land in the Mission Valley Division that is not included in the Irrigation District Organization.

(b) A minimum charge of $2.08 per acre shall be made against all assessable irrigable land in the Camas Division that is not included in the Irrigation District Organization. These minimum charges shall be made against all the non-district assessable irrigable lands to which water can be delivered, regardless of whether water is used. Payment of this minimum charge shall entitle the farm unit, allotment or tract of land to receive one and one-half (1½) acre-feet of water per assessable irrigable acre or, in case of shortage, the proportionate share of the available water supply. For water delivered in excess of one and one-half (1½) acre-feet per assessable irrigable acre there shall be an additional charge of one dollar ($1.00) per acre-foot.

The foregoing proposed amendments of §§ 130.16 and 130.17 of the non-district operation and maintenance assessment rate order for the season of 1949 are to become effective for the irrigation season of 1950 and continue in effect thereafter until further notice. All other provisions of the 1949 order shall continue in effect for the 1950 irrigation season and thereafter until further notice.

Interested parties are hereby given opportunity to participate in preparing the proposed amendments by submitting their views and data or argument in writing to Paul L. Fickinger, Area Director, U. S. Indian Service, 804 North 29th Street, Billings, Montana, within 30 days from the date of publication of this notice of intention in the daily issue of the FEDERAL REGISTER.

Amendment to order dated April 19, 1949 (14 F. R. 1869–70) signed by Paul L. Fickinger, Regional Director, Region No. 2.

PAUL L. FICKINGER,
Area Director,
Billings Area Office.

[F. R. Doc. 50-1280; Filed, Feb. 14, 1950; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 52]

UNITED STATES STANDARDS FOR GRADES OF CANNED GRAPEFRUIT AND ORANGE FOR SALAD [1]

NOTICE OF PRODUCED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as herein proposed, of United States Standards for Grades of Canned Grapefruit and Orange for Salad pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087; 7 U. S. C. 1621 et seq.) and the Department of Agriculture Appropriation Act, 1950 (Pub. Law 146, 81st Cong., approved June 29, 1949). These standards, if made effective, will be the first issue by the Department of grade standards for this product.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed standards should file the same, in duplicate, with the Chief, Processed Products Standardization and Inspection Division, Fruit and Vegetable Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C., not later than 30 days after publication hereof in the FEDERAL REGISTER.

The proposed standards are as follows:

§ 52.372 *Canned grapefruit and orange for salad.* Canned grapefruit and orange for salad, commonly known as canned citrus salad, is prepared from sound, mature grapefruit (Citrus paradisi) and from sound, mature oranges of the orange group (Citrus sinensis) which have been properly washed; and the segments thereof have been separated and the major portions of membrane and core and the seeds removed. The product is packed with or without the addition of water, juice, or sweetening ingredients and is sufficiently processed by heat to assure preservation of the product in hermetically sealed containers.

(a) *Grades of canned grapefruit and orange for salad.* (1) "U. S. Grade A" or "U. S. Fancy" is the quality of canned grapefruit and orange for salad of which the weight of the orange fruit is not less than 40 percent nor more than 60 percent of the drained weight; [2] that possesses a drained weight or average drained weight, as the case may be, of not less than 60 percent of the capacity of the container; that consists of not less than 75 percent by weight of the drained grapefruit and not less than 75 percent by weight of the drained orange fruit which is in whole segments or almost whole segments; that possesses a good color; that is practically free from defects; that possesses a good character; that possesses a good flavor and odor; and that scores not less than 90 points when scored in accordance with the scoring system outlined in this section.

(2) "U. S. Grade B" or "U. S. Choice" is the quality of canned grapefruit and orange for salad of which the weight of the orange fruit is not less than 40 percent nor more than 60 percent of the drained weight [2]; that possesses a drained weight or average drained weight, as the case may be, of not less than 55 percent of the capacity of the container; that consists of not less than 50 percent by weight of the drained grapefruit and not less than 50 percent by weight of the drained orange fruit which is in whole segments or almost whole segments; that possesses a reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that scores not less than 80 points when scored in accordance with the scoring system outlined in this section.

(3) "U. S. Broken" is the quality of canned grapefruit and orange for salad of which the weight of the orange fruit is not less than 40 percent nor more than 60 percent of the drained weight; [2] that possesses a drained weight or average drained weight, as the case may be, of not less than 55 percent of the capacity of the container; that consists of less than 50 percent by weight of the drained grapefruit or less than 50 percent by weight of the drained orange fruit which is in whole or almost whole segments; that possesses a reasonably good color; that is reasonably free from defects; that possesses a reasonably good character; that possesses a normal flavor and odor; and that scores not less than 70 points when scored in accordance with the scoring system outlined in this section.

(4) "U. S. Grade D" or "Substandard" is the quality of canned grapefruit and orange for salad that fails to meet the requirements of U. S. Grade B or U. S. Choice and U. S. Broken.

(b) *Recommended designations of liquid media and Brix measurements.* "Cut-out" requirements for liquid media are not incorporated in the grades of the finished product since sirup or any other liquid medium, as such, is not a factor of quality for the purposes of these grades. It is recommended that canned grapefruit and orange for salad have the following indicated "cut-out" Brix measurement for the respective designation, which designations include, but are not limited to, the following:

Designation of liquid media:	*Brix measurement*
Heavy sirup	18° or more.
Light sirup	16° or more, but less than 18°.
Slightly sweet	12° or more, but less than 16°.

(c) *Recommended fill of container.* The recommended fill of container is not incorporated in the grades of the finished product since fill of container, as such, is not a factor of quality for the purposes of these grades. It is recommended that each container of canned grapefruit and orange for salad be filled with grapefruit and orange fruit as full as practicable without impairment of quality and that the product and packing medium occupy not less than 90 percent of the total volume capacity of the container.

(d) *Ascertaining the grade.* The grade of canned grapefruit and orange for salad may be ascertained by considering, in conjunction with the requirements of the respective grade, the respective ratings for the factors of drained weight,

[1] The requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

[2] When more than one container of the product is being graded, the weight of the orange fruit is computed by averaging the drained weights of the orange fruit from each container, only if no single container consists of orange fruit that is less than 25 percent nor more than 75 percent of the drained weight of the fruit in such container.

wholeness, color, absence of defects, and character. The relative importance of each factor is expressed numerically on the scale of 100. The maximum number of points that may be given each factor is:

Factors	Points
(1) Drained weight	20
(2) Wholeness	20
(3) Color	20
(4) Absence of defects	20
(5) Character	20
Total score	100

(e) *Ascertaining the rating for each factor.* The essential variations within each factor are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor is inclusive, (for example, "18 to 20 points" means 18, 19, or 20 points).

(1) *Drained weight.* The drained weight of canned grapefruit and orange for salad is determined by emptying the contents of the container upon a circular sieve of proper diameter containing 8 meshes to the inch (0.0937-inch, ±3%, square openings) so as to distribute the product evenly, inclining the sieve slightly to facilitate drainage, and allowing to drain for two minutes. The drained weight is the weight of the sieve and the fruit less the weight of the dry sieve. The fruit thus drained is referred to in this section as "drained fruit." A sieve 8 inches in diameter is used for the equivalent of No. 3 size cans (404 x 414) and smaller, and a sieve 12 inches in diameter is used for containers larger than the equivalent of the No. 3 size can. "Capacity of the container" means the weight of distilled water at 68° Fahrenheit which the sealed container will hold.

(i) Canned grapefruit and orange for salad that possesses a drained weight of not less than 60 percent of the capacity of the container may be given a score of 18 to 20 points for the respective containers as outlined in Table No. I. Whenever more than 1 container of the product is being graded, the score for drained weight of each container is determined by averaging the drained weights of the containers. If the average drained weight indicates a score of 18 to 20 points (in accordance with Table No. I) such score will be assigned to each container: *Provided*, That the drained weight of no individual container indicates a score of less than 16 points. However, if any individual container scores less than 16 points, each container will be assigned the score for its own drained weight.

(ii) If the drained weight of the canned grapefruit and orange for salad is less than 60 percent but not less than 55 percent of the capacity of the container, a score of 16 or 17 points may be given for the respective containers as outlined in Table No. I. Whenever more than 1 container of the product is being graded, the score for drained weight of each container is determined by averaging the drained weights of the containers. If the average drained weight indicates a score of 16 or 17 points (in accordance with Table No. I) such score will be assigned to each container: *Provided*, That the drained weight of no individual container indicates a score of less than 14 points. However, if any individual container scores less than 14 points, each container will be assigned the score for its own drained weight. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product. [This is a limiting rule.]

(iii) If the canned grapefruit and orange for salad fails to meet the requirements of subdivision (ii) of this subparagraph, a score of 0 to 15 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product. [This is a limiting rule.]

TABLE No. I—SCORE FOR DRAINED WEIGHTS OF CANNED GRAPEFRUIT AND ORANGE FOR SALAD

Grade classification	Score points	Percentage that drained weight is of capacity of container	Drained weight on basis of container designation and size			
			8 oz. tall (2 3/16 x 3 6/16 inches)	No. 2 (3 1/16 x 4 9/16 inches)	No. 3 Cyl. (4 5/16 x 7 inches)	No. 5 (5 3/16 x 5 9/16 inches)
			Ounces	*Ounces*	*Ounces*	*Ounces*
U. S. Grade A or U. S. Fancy.	20	65% or more	5.63 or more	13.33 or more	33.56 or more	38.42 or more.
	19	62½% to 65%	5.41 to 5.62, incl.	12.84 to 13.32, incl.	32.27 to 33.55, incl.	36.94 to 38.41, incl.
	18	60% to 62½%	5.19 to 5.40, incl.	12.33 to 12.83, incl.	30.98 to 32.26, incl.	35.46 to 36.93, incl.
U. S. Grade B or U. S. Choice or U. S. Broken.	17	57½% to 60%	4.98 to 5.18, incl.	11.79 to 12.32, incl.	29.69 to 30.97, incl.	33.99 to 35.45, incl.
	16	55% to 57½%	4.76 to 4.97, incl.	11.28 to 11.78, incl.	28.40 to 29.68, incl.	32.51 to 33.98, incl.
	15	52½% to 55%	4.55 to 4.75, incl.	10.77 to 11.27, incl.	27.10 to 28.39, incl.	31.03 to 32.50, incl.
U. S. Grade D or Substandard.	14	50% to 52½%	4.33 to 4.54, incl.	10.25 to 10.76, incl.	25.81 to 27.09, incl.	29.55 to 31.02, incl.
	13 or less	Less than 50%	Less than foregoing drained weights			

(2) *Wholeness.* (i) "Whole" or "whole segment" means any fruit segment that retains its apparent original conformation and is not excessively trimmed.

(ii) "Almost whole" or "almost whole segment" means any portion of a fruit segment that is not less than 75 percent of the apparent original segment size.

(iii) "Broken" or "broken segment" means (a) any portion of a fruit segment that is less than 75 percent of the apparent original segment size, (b) a "whole segment" or "almost whole segment" that is excessively trimmed, and (c) portions of segments that are joined together only by a "thread" or membrane.

(iv) Canned grapefruit and orange for salad that consists of not less than 75 percent by weight of the drained grapefruit and not less than 75 percent by weight of drained orange fruit that is in whole segments or almost whole segments may be given a score of 18 to 20 points.

(v) If the canned grapefruit and orange for salad consists of not less than 50 percent by weight of the drained grapefruit and not less than 50 percent by weight of the drained orange fruit that is in whole segments or almost whole segments, a score of 16 or 17 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product. [This is a limiting rule.]

(vi) If less than 50 percent by weight of the drained grapefruit or less than 50 percent by weight of the drained orange fruit is in whole segments or almost whole segments, a score of 0 to 15 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Broken, regardless of the total score for the product. [This is a limiting rule.]

(3) *Color.* (i) Canned grapefruit and orange for salad that possesses a good color may be given a score of 18 to 20 points. "Good color" means that the color (a) of the grapefruit is a practically uniform bright, typical color free from any noticeable tinge of amber and (b) of the orange fruit is a bright, typical color which may range from deep yellow-orange to orange and which is practically uniform with not more than a slight variation in the units.

(ii) If the canned grapefruit and orange for salad possesses a reasonably good color, a score of 16 or 17 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product. [This is a limiting rule.] "Reasonably good color" means that the color of the grapefruit and of the orange fruit is fairly bright, may be variable in color, but is not off color.

(iii) Canned grapefruit and orange for salad that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 15 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product. [This is a limiting rule.]

(4) *Absence of defects.* The factor of absence of defects refers to the degree of freedom from harmless extraneous material, from seeds, from portions of albedo, from portions of tough membrane, and from damaged units.

(i) "Harmless extraneous material" means leaves, portions of leaves, small pieces of peel, and other similar material that is harmless

(ii) "Seed" means any seed or any portion thereof, whether or not fully developed, that measures more than 3/16 inch in any dimension. A "large seed" is one that may be plump and measures more than 3/8 inch in any dimension.

(iii) "Damaged unit" means any fruit segment or portion thereof that is damaged by pathological injury, by lye peeling, by discoloration, or by similar injury or that is damaged to such an extent that the appearance or eating quality of the unit is seriously affected.

(iv) Canned grapefruit and orange for salad that is practically free from defects may be given a score of 18 to 20 points. "Practically free from defects" means that no harmless extraneous material is present; that not more than 5 percent by weight of the drained fruit may be damaged units; and that for each 20 ounces of net weight there may be present:

Not more than 4 seeds including not more than one large seed; and

Not more than an aggregate area of 2 square inches on the units covered by tough membrane or albedo.

(v) If the canned grapefruit and orange for salad is reasonably free from defects, a score of 16 or 17 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product. [This is a limiting rule.] "Reasonably free from defects" means that not more than 15 percent by weight of the drained fruit may be damaged units; and that for each 20 ounces of net weight there may be present:

Not more than 1 small piece of harmless extraneous material;

Not more than 12 seeds including not more than 3 large seeds; and

Not more than an aggregate area of 3 square inches on the units covered by tough membrance or albedo.

(vi) Canned grapefruit and orange for salad that fails to meet the requirements of subdivision (v) of this subparagraph may be given a score of 0 to 15 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product. [This is a limiting rule.]

(5) *Character.* The factor of character refers to the structure and condition of the cells of the fruit and reflects the maturity of the grapefruit and orange fruit.

(i) Canned grapefruit and orange for salad that possesses a good character may be given a score of 18 to 20 points. "Good character" means that the grapefruit and orange fruit is moderately firm and fleshy; that the segments or portions thereof possess a juicy, cellular structure free from dry cells or "ricey" cells that materially affect the appearance or eating quality of the product; and that the product is reasonably free from loose floating cells.

(ii) If the canned grapefruit and orange for salad possesses a reasonably good character, a score of 16 or 17 points may be given. Canned grapefruit and orange for salad that falls into this classification shall not be graded above U. S. Grade B or U. S. Choice, regardless of the total score for the product. [This is a limiting rule.] "Reasonably good character" means that the fruit is reasonably free from dry cells, "ricey" cells, or fibrous cells that materially affect the appearance or eating quality of the product but none of the fruit is seriously affected by dry cells, "ricey" cells, or fibrous cells.

(iii) Canned grapefruit and orange for salad that fails to meet the requirements of subdivision (ii) of this subparagraph may be given a score of 0 to 15 points and shall not be graded above U. S. Grade D or Substandard, regardless of the total score for the product. [This is a limiting rule.]

(f) *Explanation of terms.* (1) "Good flavor and odor" means that the product has a fine, distinct flavor and odor typical of canned grapefruit and canned orange fruit and is free from objectionable odors or objectionable flavors of any kind.

(2) "Normal flavor and odor" means that the product has a flavor typical of canned grapefruit and of canned orange fruit and is free from objectionable flavors or objectionable odors of any kind.

(3) "Brix" means the degrees Brix of the liquid media surrounding the canned grapefruit and orange fruit for salad when tested with a Brix hydrometer calibrated at 20 degrees C. (68 degrees F.) If the liquid media is tested at a temperature other than 20 degrees C. (68 degrees F.) the applicable temperature correction shall be made to the reading of the scale as prescribed in "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists." The degrees Brix of the liquid media may be determined by any other method which gives equivalent results.

(g) *Tolerances for certification of officially drawn samples.* (1) When certifying samples that have been officially drawn and which represent a specific lot of canned grapefruit and orange fruit for salad, the grade for such lot will be determined by averaging the total scores of the containers comprising the sample, if:

(i) Not more than one-sixth of such containers fails to meet all the requirements of the grade indicated by the average of such total scores, and, with respect to such containers which fail to meet the requirements of the indicated grade by reason of a limiting rule, the average score of all containers in the sample for the factor, subject to such limiting rule, is within the range for the grade indicated;

(ii) None of the containers comprising the sample falls more than 4 points below the minimum score for the grade indicated by the average of the total scores; and

(iii) All containers comprising the sample meet all applicable standards of quality promulgated under the Federal Food, Drug, and Cosmetic Act and in effect at the time of the aforesaid certification.

(h) *Score sheet for canned grapefruit and orange for salad.*

Size and kind of container .....
Container mark or identification .....
Label .....
Net weight (ounces) .....
Vacuum (inches) .....
Drained weight (ounces) .....
Brix measurement .....
Sirup designation (heavy, light, etc.) .....
Orange fruit:
Drained weight (ounces)
Proportion (%) .....

Factors		Score points	
I. Drained weight	20	(A)	18-20
		(B), (Bkn)	1 16-17
		(D)	1 0-15
II. Wholeness	20	(A)	18-20
		(B)	1 16-17
		(Bkn)	1 0-15
III. Color	20	(A)	18-20
		(B), (Bkn)	1 16-17
		(D)	1 0-15
IV. Absence of defects	20	(A)	18-20
		(B), (Bkn)	1 16-17
		(D)	1 0-15
V. Character	20	(A)	18-20
		(B), (Bkn)	1 16-17
		(D)	1 0-15
Total score	100		

Flavor and odor .....
Grade .....

1 Indicates limiting rule.

Issued this 10th day of February 1950.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator, Production and Marketing Administration.

[F. R. Doc. 50-1298; Filed, Feb. 14, 1950; 8:48 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR, Parts 207, 302]

[Draft Release No. 42-A]

CERTIFICATED AIR CARRIERS

CHARTER TRIPS AND SPECIAL SERVICES

In the notice of proposed rule making on this matter published in the FEDERAL REGISTER on January 18, 1950 (15 F. R. 298), it was stated that the Board would consider all relevant matter in communications received on or before February 15, 1950. The Board has been requested by an interested party to extend the date by which comments must be filed with the Board from February 15, 1950 to March 1, 1950. Because of the importance of the proposed rule, the Board desires to give all interested persons sufficient time in which to consider the subject matter thoroughly, so that the Board will have the benefit of complete comments on the proposed rule.

Accordingly, the second sentence of the last paragraph of the aforementioned notice is amended to read as follows: "All relevant matter in communications received on or before March 1, 1950, will be considered by the Board before taking final action on the proposed rule."

(Secs. 205, 401, 1001; 52 Stat. 984, 987, 1017; 49 U. S. C. 425, 481, 641)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-1295; Filed, Feb. 14, 1950; 8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR, Part 3]

[Docket No. 9581]

RADIO BROADCAST SERVICES

INSPECTION OF TOWER LIGHTS AND ASSOCIATED CONTROL EQUIPMENT AND DISCONTINUANCE OF OPERATION

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Commission order of December 10, 1948, in Docket No. 9022 which revised Part 2 of the rules and carried certain sections in that part into Part 3 and other parts of the rules failed to insert in Subpart A of Part 3 sections relating to inspection of tower lights and associated control equipment and discontinuance of operation. It is proposed to correct this omission, make changes in the sections in subparts B, C and D which relate to the above matters and also to correct cross references in Part 3 to other parts and sections. The proposed new rules and amendments are set forth below.

3. Authority for the issuance of the proposed new rules and amendments is vested in the Commission by virtue of sections 4 (i) and 303 (j), (q), and (r) of the Communications Act of 1934, as amended.

4. Any interested party who is of the opinion that the proposed new rules or amendments should not be adopted or should not be adopted in the form set forth may file with the Commission on or before March 8, 1950, a written statement or brief setting forth his comments. At the same time persons favoring the new rules and amendments as proposed may file statements in support thereof. The Commission will consider all comments that are received before taking final action in the matter, and if any comments appear to warrant the Commission in holding an oral argument before final action is taken, notice of the time and place of such oral argument will be given interested parties.

5. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: February 8, 1950.

Released: February 8, 1950.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] T. J. SLOWIE,
Secretary.

It is proposed to make the following changes in Part 3 of the Commission's rules:

1. Insert a new section to be numbered § 3.65 and to read as follows:

§ 3.65 *Inspection of tower lights and associated control equipment.* The licensee of each station which has an antenna or antenna supporting structure(s) required to be illuminated pursuant to the provisions of section 303 (q) of the Communications Act of 1934, as amended, shall:

(a) Make a visual observation of the tower lights at least once each 24 hours to insure that all lights are functioning properly as required.

(b) Report immediately by telephone to the nearest airways communication station or office of the Civil Aeronautics Administration any observed failure of the tower lights, not corrected within 30 minutes, regardless of the cause of such failure. Further notification by telephone or telegraph shall be given immediately upon resumption of the required illumination.

(c) Inspect at intervals of at least once each 3 months all automatic and mechanical control devices associated with flashing or rotating beacons to insure that such apparatus is functioning properly as required.

2. Amend § 3.270 (c) to read the same as proposed new § 3.65 (c) above.

3. Amend § 3.570 (c) to read the same as proposed new § 3.65 (c) above.

4. Amend § 3.669 (c) to read the same as proposed new § 3.65 (c) above.

5. Insert a new section to be numbered § 3.163 and to read as follows:

§ 3.163 *Discontinuance of operation.* The licensee of each station shall notify the Commission in Washington, D. C. and the engineer in charge of the district where such station is located of permanent discontinuance of operation at least two days before operation is discontinued. The licensee, shall in addition, immediately forward the station license and other instruments of authorization to the Washington, D. C. office of the Commission for cancellation.

6. Amend § 3.271 to read the same as proposed new § 3.163 above.

7. Amend § 3.571 to read the same as proposed new § 3.163 above.

8. Amend § 3.670 to read the same as proposed new § 3.163 above.

9. Make the following editorial changes correcting references to other sections or parts of the Commission's rules:

a. Change the footnote to the word "Definitions" appearing at the head of Subpart A of Part 3 to read as follows: "Other definitions which may pertain to standard broadcast stations are included in the Communications Act of 1934, as amended, and in §§ 2.1 and 2.102 of the rules and regulations of the Commission."

b. Change the footnote to § 3.41 so that reference in parenthesis reads: "(See § 3.15 (c) and (d))."

c. Change the second footnote to § 3.52 so that reference in parenthesis reads "(See § 3.15 (c) and (d))."

d. Change § 3.164 by deleting the words: "(See §§ 2.51 and 2.52)."

e. Change § 3.165 by deleting the reference in parenthesis.

f. Change § 3.181 (c) to read:

(c) Where an antenna and antenna supporting structure(s) is required to be illuminated the licensee shall make entries in the radio log appropriate to the requirements of § 3.65 as follows:

[No change in remainder of this paragraph.]

[F. R. Doc. 50-1291; Filed, Feb. 14, 1950; 8:47 a. m.]

[47 CFR, Part 3]

[Docket Nos. 8736, 8975, 8976, 9175]

TELEVISION BROADCAST SERVICE

NOTICE OF RESUMPTION OF HEARING

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and engineering standards concerning the television broadcast service, Docket No. 9175; utilization of frequencies in the band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. The hearing on the color television issues in the above-entitled proceedings will resume on February 27, 1950, at 10:00 a. m., in the U. S. Department of Commerce Auditorium, Fourteenth Street between E Street and Constitution Avenue NW., Washington, D. C. Further direct testimony of the parties will be heard in the following order:

(a) Joint Technical Advisory Committee.
(b) Radio Manufacturers Association.
(c) Radio Corporation of America.
(d) Columbia Broadcasting System, Inc.
(e) Color Television, Inc.
(f) Dr. Charles Willard Geer.
(g) Philco Corp.
(h) Allen B. DuMont Laboratories, Inc.
(i) Webster-Chicago Corp.
(j) American Television, Inc.
(k) American Telephone & Telegraph Co.
(l) The Western Union Telegraph Co.

2. In order that witnesses who have already testified and as to whom no cross-examination is desired may be spared an unnecessary trip, Counsel for the parties shall fill out a form for cross-examination (see public notice dated September 16, 1949, FCC 49-1278) for each witness they desire to interrogate and file the same with Commission Counsel no later than February 27, 1950. Failure to comply with this requirement will be considered as a waiver of cross-examination.

3. Rebuttal testimony will be received upon conclusion of cross-examination.

Adopted: February 8, 1950.

Released: February 9, 1950.

FEDERAL COMMUNICATIONS COMMISSION
[SEAL] T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1292; Filed, Feb. 14, 1950; 8:47 a. m.]

[47 CFR, Part 3]

[Docket Nos. 8736, 8975, 8976, 9175]

TELEVISION BROADCAST SERVICE

NOTICE OF CHANGE IN LOCATION OF COLOR TELEVISION DEMONSTRATION BY COLOR TELEVISION, INC.

In the matters of amendment of § 3.606 of the Commission's rules and regulations, Docket Nos. 8736 and 8975; amendment of the Commission's rules, regulations and Engineering Standards Concerning the Television Broadcast Service, Docket No. 9175; utilization of frequencies in the band 470 to 890 Mcs. for television broadcasting, Docket No. 8976.

1. The location of the color television demonstration to be conducted by Color Television, Incorporated, heretofore scheduled to take place at the Commission's Laboratory at Laurel, Maryland, is hereby changed at the request of Color Television, Incorporated. The above demonstration will be conducted at the Hotel Statler, Sixteenth and K Streets NW., Washington, D. C., between 10:00 a. m., and 1:00 p. m., on February 20, 1950.

2. As provided for in the Commission's prior "Notice of Location and Time of Color Television Demonstrations" (FCC 50-166), attendance at the above demonstration will be limited to those parties who receive admission cards.

Adopted: February 8, 1950.

Released: February 9, 1950.

[SEAL] FEDERAL COMMUNICATIONS COMMISSION,
T. J. SLOWIE,
Secretary.

[F. R. Doc. 50-1293; Filed, Feb. 14, 1950; 8:47 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T. D. 52404]

STANDARD OIL CO. ET AL.

REGISTRATION OF HOUSE FLAG AND FUNNEL MARK

FEBRUARY 9, 1950.

The Commissioner of Customs, by virtue of the authority vested in him by section 7 of the act of May 28, 1908 (46 U. S. C. 49), as modified by section 102, Reorganization Plan No. 3 of 1946 (3 CFR, 1946 Supp., ch. IV), and in accordance with § 3.81 (a), Customs Regulations of 1943 (19 CFR 3.81 (a)), has re-registered in the names of the Standard Oil Company, a New Jersey corporation, the Esso Standard Oil Company, a Delaware corporation, and the Esso Shipping Company, a Delaware corporation, the house flag and funnel mark originally registered on September 24, 1937, in the name of the Standard Oil Company of New Jersey, a Delaware corporation, by the Director of the Bureau of Marine Inspection and Navigation, Department of Commerce, thereafter reregistered in the names of the Standard Oil Company, a New Jersey corporation, and the Esso Standard Oil Company, a Delaware corporation (T. Ds. 51761 and 52202; 12 F. R. 6588 and 14 F. R. 2180).

[SEAL] FRANK DOW,
Commissioner of Customs.

[F. R. Doc. 50-1283; Filed, Feb. 14, 1950; 8:46 a. m.]

[T. D. 52407]

"NO CONSUL" LIST

FEBRUARY 10, 1950.

The appended list of places which the Bureau of Customs, on recommendation to the Treasury Department from the Department of State, holds to be so remote from an American consulate as to render impracticable certification by an American consular officer of invoices covering merchandise from those places is published for the information and guidance of collectors of customs and others concerned. Under the provisions of section 482 (f), Tariff Act of 1930 (U. S. C. 19, sec. 1482 (f)), invoices on foreign service Form 138 for merchandise shipped from the listed places may be certified by a consular officer of a nation at the time in amity with the United States or, if there be no such consular officer available, such invoices shall be executed before a notary public or other officer having authority to administer oaths and having an official seal. T. D. 51797, as amended, is hereby superseded.

[SEAL] D. B. STRUBINGER,
Assistant Commissioner of Customs.

"NO CONSUL" LIST

[Corrected to January 1, 1950, includes the places listed below]

Abidjan, Ivory Coast, French West Africa.
Abonema, Nigeria, British West Africa.
Acklin Island, British West Indies.
Akassa, Nigeria, British West Africa.
Amboina, Molucca Islands, Netherlands East Indies.
Anabas Islands, Netherlands East Indies.
Assinie, Ivory Coast, French West Africa.
Atlin, British Columbia, Canada.
Auckland Islands.
Austral Islands.
Axim, Gold Coast, British West Africa.
Bakana, Nigeria, British West Africa.
Banda, Molucca Islands, Netherlands East Indies.
Bandar Abbas, Iran.
Baracoa, Cuba.
Basseterre, St. Kitts, British West Indies.
Bata, Rio Muni.
Bathurst, Gambia, British West Africa.
Benin City, Nigeria, British West Africa.
Bequia, Windward Islands, British West Indies.
Bingerville, Ivory Coast, French West Africa.
Bonthe, Sherbro Island, Sierra Leone, British West Africa.
Brass, Nigeria, British West Africa.
British North Borneo, British Malaysia.
British Solomon Islands.
Bugama, Nigeria, British West Africa.
Burutu, Nigeria, British West Africa.
Caicos Island, Jamaica.
Calabar, Nigeria, British West Africa.
Cananova, Cuba.
Cannouan, Windward Islands, British West Indies.
Cape Palmas, Liberia.
Cape Verde Islands, West Africa.
Carcross, Yukon Territory, Canada.
Carriacou, Windward Islands, British West Indies.
Cartagena, Colombia.
Cayenne, French Guiana.
Cayman Islands, Jamaica.
Chalk River, Ontario, Canada.
Champerico, Guatemala.
Chatham Islands.
Chimbote, Peru.
Cockburn Harbour, Bahamas.
Conakry, French Guinea, French West Africa.
Cook Islands.
Cotonou, Dahomey, French West Africa.
Cyrenaica.
Dawson, Yukon Territory, Canada.
Degama, Nigeria, British West Africa.
Dobo, Molucca Islands, Netherlands East Indies.
Dominica, British West Indies.
Eket, Nigeria, British West Africa.
Eleuthera Island, Bahamas.
Ellice Islands.
Elmina, Gold Coast, British West Africa.
Falkland Islands.
Fanning Island, Pacific Ocean.
Faeroe Islands, Denmark.
Fernando Po, Gulf of Guinea.
Fiji Islands.
Forcados, Nigeria, British West Africa.
Freetown, Sierra Leone, British West Africa.
French Cameroons, West Africa.
French Equatorial Africa, West Africa.
Frontera, Tobasco, Mexico.
Gambier Islands.
Gibara, Cuba.
Gilbert Islands.
Gorontalo, Celebes, Netherlands East Indies.
Grand Bassam, Ivory Coast, French West Africa.
Grand Connetable, French Guiana.
Grand Lahu, Ivory Coast, French West Africa.
Greenland, All except Godthaab.
Grenadines, Windward Islands, British West Indies.
Guadeloupe, French West Indies.
Guanoco, Venezuela.
Half Assinie, Gold Coast, British West Africa.
Harrar, Ethiopia.
Hedley, British Columbia, Canada.
Hodeidah, Yemen.
Honiara, Solomon Islands.
Iceland (except Reykjavik).
Islan Mujeres, Quantana Roo, Mexico.
Jucaro, Camaguey, Cuba.
Kamloops, British Columbia, Canada.
Kelowna, British Columbia, Canada.
Kermadec Islands.
Keta, Gold Coast, British West Africa.
Kismayu, Italian Somaliland.
Koko, Nigeria, British West Africa.
Korea (All places, except Seoul and Inchon).
Leticia, Colombia.
Lindi, Tanganyika Territory, Africa.
Lome, Togoland, French West Africa.
Malta, Island of
Manizales, Colombia.
Mano Salija, Sierra Leone, British West Africa.
Manopla, Cuba.
Manus, Island of.
Marquesas Islands.
Massaua, Eritrea.
Matthew Town, Inagua, Bahamas.
Mauritius, Island of, Indian Ocean.
Mayreau, Windward Islands, British West Indies.
Mikindani, Tanganyika Territory.
Mogadiscio, Italian Somaliland.
Munda, Solomon Islands.
Murmansk, USSR.
Muscat, Oman, Arabia.
Mustique, Windward Islands, British West Indies.
Naramata, British Columbia.

Natuna Island, Sumatra, Netherlands East Indies.
Nauru Island, Pacific Ocean.
Niue (Savage) Island, Pacific Ocean.
Nuevitas, Camaguey, Cuba.
Nsawam, Gold Coast, British West Africa.
Old Crow, Yukon Territory, Canada.
Oliver, British Columbia.
Onitsha, Nigeria, British West Africa.
Opobo, Nigeria, British West Africa.
Ormuz, Iran.
Orocue, Colombia.
Oron, Nigeria, British West Africa.
Osoyoos, British Columbia, Canada.
Peachland, British Columbia, Canada.
Penticton, British Columbia, Canada.
Petropavlovsk, USSR.
Pitcairn Island.
Plymouth, Montserrat, British West Indies.
Port Darwin, Australia.
Port Loko, Sierra Leone, British West Africa.
Port Pirie, South Australia, Australia.
Port Vila, New Hebrides.
Port Novo, Dahomey, French West Africa.
Portuguese Guinea, West Africa.
Principe, Island of, Gulf of Guinea.
Providencia, Isla de, Colombia.
Providencial Island, Bahamas.
Puerto Carreno, Colombia.
Puerto Lopez, Colombia.
Puerto Padre, Cuba.
Puerto Vita, Cuba.
Punta Arenas, Chile.
Reunion Island, Indian Ocean.
Robertsport, Liberia.
Rum Cay, Bahamas.
Rutland, British Columbia, Canada.
St. Bartholomew, French West Indies.
St. Eustatius, Netherlands West Indies.
St. John, Antiqua, British West Indies.
St. Laurent, French Guiana.
St. Martin, French West Indies.
St. Martin, Netherlands West Indies.
St. Pierre-Miquelon.
St. Vincent, Windward Islands, British West Indies.
Sama, Cuba.
San Andres, Island of Colombia.
Santa Cruz del Sur, Camaguey Province, Cuba.
Santa Marta, Colombia.
Sao Tome, Island of, Gulf of Guinea.
Sapele, Nigeria, British West Africa.
Sarawak, British Malaysia.
Savage Island, Pacific Ocean, see Niue Island.
Sekondi, Gold Coast, British West Africa.
Sese, Gold Coast, British West Africa.
Seychelles Islands, Indian Ocean.
Society Islands (including Iles-sous-le-Vent).
South Georgia Island, South Atlantic Ocean.
Sulima, Sierra Leone, British West Africa.
Tacna, Peru.
Takoradi, Gold Coast, British West Africa.
Ternate, Molucca Islands, Netherlands East Indies.
Thursday Island, Australia.
Tiko, British Cameroons.
Tonga (Friendly) Islands.
Trust Territory of Pacific Islands (former mandated Caroline, Marshall, and Marianas Islands).
Tuamotu Archipelago.
Tulsequah, British Columbia, Canada.
Turks Island, Jamaica.
Union of Soviet Socialist Republics. Zone of Occupation in Germany.
Union, Windward Islands, British West Indies.
Vernon, British Columbia, Canada.
Victoria, British Cameroons.
Warri, Nigeria, British West Africa.
Westbank, British Columbia, Canada.
Western Samoa.
Washington Island, Pacific Ocean.
Whitehorse, Yukon Territory, Canada.
Zihautenejo, Mexico.

[F. R. Doc. 50-1288; Filed, Feb. 14, 1950; 8:47 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Misc. 30672]

OREGON

PARTIALLY REVOKING RESTORATION ORDER NO. 1257 UNDER FEDERAL POWER ACT DATED DECEMBER 7, 1949

FEBRUARY 9, 1950.

In accordance with Departmental Order No. 2238 (a) (16) of August 16, 1946 (11 F. R. 9080), it is ordered as follows:

Restoration Order No. 1257 of December 7, 1949, restoring certain revested Oregon and California Railroad Grant lands to location, entry, or selection subject to the provisions of section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075), as amended by the act of May 28, 1948 (62 Stat. 275, 16 U. S. C. 818), is hereby revoked so far as it affected the following described land, which was restored for mining purposes only:

Determination No. DA-354. Dates and types of withdrawal: Water Power Designation No. 14, and Power Site Reserve No. 661, both dated December 12, 1917. Description of lands: T. 12 S., R. 3 E., W. M., sec. 9, N½SW¼SE¼, containing 20 acres.

ROSCOE E. BELL,
Associate Director.

[F. R. Doc. 50-1267; Filed, Feb. 14, 1950; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 3218]

APPLICATION OF AEROVIAS GUEST S. A.

NOTICE OF HEARING

In the matter of the application, as amended, of Aerovias Guest S. A., under section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing it to engage in foreign air transportation of persons, property, and mail to, between, and from Miami, Fla., and Mexico, D. F.; Santa Maria, Azores Islands; Hamilton, Bermuda; Lisbon, Portugal, and Madrid, Spain.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on February 20, 1950, at 10:00 a. m., e. s. t., in Room 116, Wing "C", Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Walter W. Bryan.

Without limiting the scope of the issues presented by said application, particular attention will be directed to the following matters and questions:

1. Whether the proposed air transportation will be in the public interest.

2. Whether the applicant is fit, willing, and able to perform such transportation.

3. Whether the authorization of the proposed transportation is consistent with any obligation assumed by the United States in any treaty, convention, or agreement in force between the United States and Mexico or any other foreign country.

4. Notice is further given that any person, other than a party of record, desiring to be heard in this proceeding must file with the Board on or before February 20, 1950, a statement setting forth the issues of fact or law raised by said application which he desires to controvert.

For further details of the service proposed and authorization requested, interested parties are referred to the application on file with the Civil Aeronautics Board.

Dated at Washington, D. C., February 9, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-1297; Filed, Feb. 14, 1950; 8:48 a. m.]

[Docket No. 3964]

TRANS-CANADA AIR LINES; MONTREAL-NEW YORK SERVICE

NOTICE OF ORAL ARGUMENT

In the matter of the application of Trans-Canada Air Lines under section 402 of the Civil Aeronautics Act of 1938, as amended, for a foreign air carrier permit authorizing the air transportation of persons, property, and mail between Montreal, Quebec, Canada, and New York, N. Y., U. S. A.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 1001 of said act, that oral argument in the above-entitled proceeding is assigned to be heard on February 27, 1950, at 10:00 a. m., e. s. t., in Room 5042, Commerce Building, Fourteenth Street and Constitution Avenue NW., Washington, D. C., before the Board.

Dated at Washington, D. C., February 10, 1950.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 50-1296; Filed, Feb. 14, 1950; 8:48 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1148]

PHILLIPS PETROLEUM CO.

ORDER SPECIFYING ISSUES AND FIXING DATE OF HEARING

The Commission, acting pursuant to its authority under the Natural Gas Act, by order of October 28, 1948, instituted an investigation of the natural gas operations of Phillips Petroleum Company (Phillips) to determine:

(i) Whether it is a "natural-gas company" within the meaning of the Natural Gas Act; and

(ii) Whether, in connection with any transportation or sale of natural gas, subject to the jurisdiction of the Commission, any rates, charges, or classifications demanded, observed, charged, or

collected, or any rules, regulations, practices or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory, or preferential.

By letter complaint under date of January 16, 1950, the Corporation Counsel for the City of Detroit made reference to the investigation instituted by the Commission in this docket and, among other allegations, recited that:

Based upon the estimated deliveries to Detroit for the year 1953 by Michigan Consolidated Gas Company of 94,510,000 M. C. F. (Exhibit I-A1, Docket No. G-1156) and assuming that Panhandle Eastern Pipe Line Company will supply 43,848,000 M. C. F. the deliveries by Michigan-Wisconsin to Michigan Consolidated will be approximately 50,626,000. M. C. F. It appears, therefore, that the increase in the price charged Michigan-Wisconsin by Phillips from the approximately 5¢ (16.4 lbs.) specified in the original contract of December 11, 1945, to the approximately 8½¢ (16.4 lbs.) minimum will increase the cost of gas to the City of Detroit by approximately $1,770,000 in the year 1953 as a minimum.

It is the position of the City of Detroit, which receives its natural gas supply from the Michigan Consolidated Gas Company, Buyer of gas sold by the Michigan-Wisconsin Pipe Line Company, that the rate proposed in the so-called interim tariff, designed to become effective February 1, 1950, may, because of the increase in the rates of Phillips Petroleum Company for such gas, as above set forth, prove to be unjust, unreasonable and excessive to the ultimate prejudice of the gas consumers of the City of Detroit.

The Public Service Commission of Wisconsin, in a complaint filed on January 19, 1950, respecting FPC Gas Tariff, Original Volume No. 1, of Michigan-Wisconsin Pipe Line Company, filed pursuant to the requirements of paragraph (D) of the Commission's order dated July 26, 1949, in Docket No. G-1156, alleges:

3. That the sole supplier of natural gas to Michigan-Wisconsin Pipe Line Company has been and is Phillips Petroleum Company, and no satisfactory basis has been established for the frequent and large increases in price paid for said gas which have taken place since the pipeline was projected and before substantial deliveries of gas had even commenced. That Michigan-Wisconsin Pipe Line Company was given a certificate of public convenience and necessity by the Federal Power Commission on the basis of a contract with Phillips Petroleum under which the latter agreed to furnish up to 343,000,000 cubic feet of natural gas daily at an initial price of 5¢ per mcf, subject to an escalator clause. That the Wisconsin Public Service Commission considers that said escalator clause was highly undesirable and prejudicial to the consumer and was not warranted by conditions affecting the supplier. That since the date of the initial contract, several supplementary contracts have been entered into between Michigan-Wisconsin and Phillips Petroleum which not only provide for additional gas supplies (to make up for deficiencies in Phillips Petroleum original contract commitment) at higher prices but also provide for repricing upward the initial gas commitments. That under the supplementary contracts, the priority requirements of the various sources of supply have been so rearranged that Phillips Petroleum may draw increasing quantities of gas from the higher priced sources. That the effect of these various supplemental agreements has been to increase the cost of gas approximately 100% over the initial arrangement; this before anything more than a token amount of gas had been delivered and long before reaching the maximum amount to be delivered under the original commitment. The Wisconsin Public Service Commission asserts that the purchase rate for said gas is grossly excessive. That a restoration of the initial contract price would permit a reduction in the resale rate from 5 to 7¢ per mcf.

2. In view of the several consecutive increases in price for natural gas sold by Phillips Petroleum Company to Michigan-Wisconsin Pipe Line Company which aggregate an increase of over 100% resulting in higher rates to distributing companies and to the ultimate consumers, investigate into the contract or contracts or arrangements between Michigan-Wisconsin Pipe Line Company and Phillips Petroleum Company, and take such action with respect thereto as may be appropriate and proper and which will result in a fair and just rate to distributing companies and ultimate consumers of natural gas in Wisconsin and states similarly situated.

Field investigations by the staff of the Commission, pursuant to the order of investigation in this docket, disclose that Phillips is engaged in extensive natural gas operations, including (1) the production, purchase, gathering and processing of natural gas produced in the States of Arkansas, Kansas, New Mexico, Oklahoma and Texas, (2) the transportation of natural gas produced in the State of Oklahoma to its Hansford Gasoline Plant in Hansford County, Texas, and (3) the sale of natural gas produced in the States named in (1) above to numerous natural-gas pipeline companies, which are each a "natural-gas company," for transportation by such pipeline companies across State lines to points in other States where the gas is resold for ultimate public consumption.

Interstate sales of natural gas during 1948 by Phillips to natural-gas pipeline companies for interstate transportation and resale, and for which it received $5,350,064.92, in revenue, were as follows:

Name of natural gas company—purchaser	States of production and sale	States of consumption	Mcf sold
Arkansas Louisiana Gas Co	Texas, Louisiana	Louisiana, Texas, Arkansas	1, 412, 867
Cities Service Gas Co	Oklahoma	Oklahoma, Kansas, Missouri	14, 418, 512
Consolidated Gas Utilities Co	do	do	3, 175, 904
El Paso Natural Gas Co	New Mexico, Texas	Texas, New Mexico, Arizona, California	41, 381, 486
Independent Natural Gas Co. (a wholly owned subsidiary of Phillips)	Texas	Texas, Louisiana, Arkansas, Oklahoma, Kansas, Nebraska, Iowa, Minnesota, South Dakota	14, 143, 777
Kansas-Nebraska Natural Gas Co	Kansas	Kansas, Nebraska	354, 321
Lone Star Gas Co	Oklahoma	Texas	418, 884
Panhandle Eastern Pipe Line Co	Texas, Oklahoma	Texas, Oklahoma, Kansas, Missouri, Illinois, Indiana, Kentucky, Michigan, Ohio	70, 941, 381
Southern Natural Gas Co	Louisiana	Mississippi, Alabama, Georgia	120, 265
Southwestern Public Service Co	Texas	Oklahoma	9, 638
United Gas Pipe Line Co	do	Oklahoma, Louisiana	2, 795, 865
Total			149, 172, 902

In addition to such interstate sales of natural gas, Phillips entered into a contract on December 11, 1945, for the sale of natural gas to Michigan-Wisconsin Pipe Line Company (Michigan-Wisconsin) under which Phillips is obligated to supply the entire gas requirements of Michigan-Wisconsin, but not to exceed 343,000,000 cubic feet per day. The contract provides that such gas requirements are to be produced from certain dedicated acreage in Sherman and Hansford Counties, Texas, and in Texas County, Oklahoma, and are to be delivered to Michigan-Wisconsin at a point in Hansford County, Texas. The gas to be sold under the contract is in part to be produced by Phillips from its own wells and in part to be purchased from other producers and resold to Michigan-Wisconsin.

Under certificates of public convenience and necessity issued by the Commission (Docket Nos. G-669 and G-1156), Michigan-Wisconsin has been authorized to construct and operate facilities to provide an average annual sales capacity of 56,575,000 Mcf of natural gas. A further application is pending before the Commission (Docket No. G-1302) for authority to increase its facilities to provide pipe line capacity of 125,195,000 Mcf annually, equal to that originally contemplated for the ultimate project in Docket No. G-669.

Michigan-Wisconsin is a "natural-gas company" under the Natural Gas Act and is engaged in the transportation of natural gas in interstate commerce and the sale thereof for resale for ultimate public consumption in the States of Missouri, Iowa, Wisconsin and Michigan. Phillips began deliveries of natural gas to Michigan-Wisconsin for resale on or about October 15, 1949.

The contract of December 11, 1945, has been amended by supplemental agreements dated September 11, 1946, October 16, 1946, August 9, 1948, and December 1, 1949. Furthermore, on December 1, 1949, Phillips and Michigan-Wisconsin entered into two additional contracts for the purchase of gas from the Stratford Dome acreage in the Hugoton gas field of Texas and from the below sea level formation underlying the so-called "Kathryn" acreage, also in the Hugoton field. The volume to be supplied under each of the two latter contracts is dependent upon Phillips' development program respecting the acreage committed by each contract to the supplying of the gas requirements of Michigan-Wisconsin and the gas supplied under the December 11, 1945, contract, as amended, so that the total deliveries under the three contracts will equal Michigan-Wisconsin's estimated daily requirements of 343,000,000 cubic feet.

The contract of December 11, 1945, as amended, and the contracts of December 1, 1949, provide for certain base prices to be paid by Michigan-Wisconsin. These prices increase at 5-year intervals with

adjustments based upon the Bureau of Labor Statistics' Annual Index of Wholesale Prices of all Commodities, the resale price of natural gas by Michigan-Wisconsin and the prevailing field prices of gas in the Hugoton and Panhandle gas fields.

As stated above, the present annual sales capacity of 56,575,000 Mcf is proposed to be increased to 125,195,000 Mcf and it appears from staff estimates that the annual cost to Michigan-Wisconsin of 125,195,000 Mcf of natural gas which Phillips will supply to Michigan-Wisconsin under the contract of December 11, 1945, as amended, and the two new contracts of December 1, 1949, would be increased approximately $5,000,000 annually over the cost under the original contract. Furthermore, such contracts contain other provisions which, upon becoming operative in the future, may result in further substantial increases in the cost of gas to be supplied Michigan-Wisconsin.

Phillips has contracted to sell and is selling large volumes of natural gas from the Panhandle and Hugoton gas fields to Panhandle Eastern Pipe Line Company, Northern Natural Gas Company, Independent Natural Gas Company, and El Paso Natural Gas Company at various prices substantially lower than the base prices specified in its contracts with Michigan-Wisconsin.

Wherefore, it appears to the Commission that: It is necessary and desirable in the public interest that a public hearing be held to determine all relevant facts and circumstances surrounding the natural gas operations of Phillips Petroleum Company to enable the Commission to determine

(a) Whether Phillips Petroleum Company is a "natural-gas company" within the meaning of the Natural Gas Act;

(b) Whether in connection with any transportation or sale of natural gas subject to the jurisdiction of the Commission, including sales to Michigan-Wisconsin Pipe Line Company, any rates, charges, or classifications demanded, observed, charged, or collected by Phillips Petroleum Company, or any rules, regulations, practices, or contracts affecting such rates, charges, or classifications are unjust, unreasonable, unduly discriminatory or preferential.

The Commission orders:

(A) A public hearing be held commencing at 10 a. m., c. s. t., on March 20, 1950, in the Federal Court Room, U. S. Post Office Building, Bartlesville, Oklahoma, respecting all matters and issues set forth in this order and the Commission's order of investigation under date of October 28, 1948.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) of the Commission's rules of practice and procedure.

Date of issuance: February 9, 1950.

By the Commission.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-1274; Filed, Feb. 14, 1950; 8:46 a. m.]

[Docket No. G-1321]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF APPLICATION

FEBRUARY 9, 1950.

Take notice that Texas Eastern Transmission Corporation (Applicant), a Delaware corporation with address at Shreveport, Louisiana, filed on February 2, 1950, an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, authorizing the construction and operation of approximately 9.92 miles of 10-inch pipeline extending from Applicant's main transmission line on the suction side of Compressor Station No. 8 in Clay County, Arkansas, to the electric power plant of Arkansas-Missouri Power Company in Dunklin County, Missouri, and a measuring and regulating station at or near said electric power plant site.

Applicant states that the service proposed consists of the supply of surplus natural gas, on an interruptible basis, to meet in whole or in part the plant requirements of Arkansas-Missouri Power Company at its proposed Jim Hill steam electric station which is expected to be in operation on or about May 1, 1950, and which has been designed to use, alternately and concurrently, gas and fuel oil as fuel. Such proposed service is intended to be rendered concurrently with the period of service under a contract between Applicant and Arkansas-Missouri Power Company providing for the supply, until March 1, 1969, and possibly thereafter, of electric power required to operate Applicant's Compressor Stations Nos. 7 and 8. The maximum daily demand under the proposed service, which may eventually include four electric generating units, is approximately 45,000 Mcf.

The estimated total over-all capital cost of the facilities required in performing the service proposed herein is $349,516 which will be paid from funds on hand.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) within 15 days from the date of publication hereof in the FEDERAL REGISTER. The application is on file with the Commission available for public inspection.

[SEAL] LEON M. FUQUAY, *Secretary.*

[F. R. Doc. 50-1268; Filed, Feb. 14, 1950; 8:45 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 24857]

VARIOUS COMMODITIES IN OFFICIAL TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 10, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: C. W. Boin and I. N. Doe, Agents, pursuant to fourth-section order No. 9800.

Commodities involved: Various commodities.

From and to points in Official territory.

Grounds for relief: Circuitous routes.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1276; Filed, Feb. 14, 1950; 8:46 a. m.]

[4th Sec. Application 24858]

PETROLEUM PRODUCTS IN ILLINOIS TERRITORY

APPLICATION FOR RELIEF

FEBRUARY 10, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: R. G. Raasch, Agent, for and on behalf of carriers parties to fourth-section application No. 24776, as amended.

Commodities involved: Petroleum products, carloads.

Between: Points in Illinois territory.

Grounds for relief: Circuitous routes and competition with motor carriers.

Schedules filed containing proposed rates: MStP&SSM., tariff I. C. C. No. 7189, Supplement 22.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a

hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1277; Filed, Feb. 14, 1950; 8:46 a. m.]

[4th Sec. Application 24859]

GRAIN BETWEEN POINTS IN TEXAS

APPLICATION FOR RELIEF

FEBRUARY 10, 1950.

The Commission is in receipt of the above-entitled and numbered application for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: Ira D. Dodge, Agent, for and on behalf of carriers parties to his tariff I. C. C. 631.

Commodities involved: Wheat and related articles, carloads.

Between: Points in Texas and between points in Texas, on the one hand, and points in New Mexico, on the other.

Grounds for relief: Circuitous routes and to maintain grouping.

Schedules filed containing proposed rates: Ira D. Dodge's tariff I. C. C. No. 764.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commission in writing so to do within 15 days from the date of this notice. As provided by the general rules of practice of the Commission, Rule 73, persons other than applicants should fairly disclose their interest, and the position they intend to take at the hearing with respect to the application. Otherwise the Commission, in its discretion, may proceed to investigate and determine the matters involved in such application without further or formal hearing. If because of an emergency a grant of temporary relief is found to be necessary before the expiration of the 15-day period, a hearing, upon a request filed within that period, may be held subsequently.

By the Commission, Division 2.

[SEAL] W. P. BARTEL, *Secretary.*

[F. R. Doc. 50-1278; Filed, Feb. 14, 1950; 8:46 a. m.]

VETERANS' ADMINISTRATION

ORGANIZATION

ADDRESSES OF INSTALLATIONS

Miscellaneous amendments are made to section 4, as follows:

COLORADO

Delete

Center (district office and regional office).	Denver 1.....	P. O. Box 1260, Denver Federal Center. For RO mail until further notice: 1108 15th St., Denver 2.

Insert

Center (district office and regional office).	Denver 1.....	P. O. Box 1260, Denver Federal Center.

KANSAS

Delete

Regional office....	Wichita 15....	3801 South Oliver St.

Insert

Regional office....	Wichita 8.....	Kellogg and Bleckley Drive.

NEW YORK

Insert

Hospital.....	Buffalo 15.....	3495 Bailey Ave.

OKLAHOMA

Delete

Hospital.....	Oklahoma City	Veterans' Administration Hospital.

Insert

Hospital.....	Oklahoma City	Will Rogers Field.

TENNESSEE

Delete

Hospital.....	Memphis 4.....	1025 Lamar Ave.

Insert

Hospital.....	Memphis 4.....	E. H. Crump Blvd.

TEXAS

Delete

Regional office...	Dallas 9.....	Love Field.

Insert

Regional office...	Dallas.....	912 S. Ervay St.

CANAL ZONE

Delete

Veterans' Administration Office.	Balboa.....	Office: Room 6-B, Bldg. 705, Mail: P. O. Box 3672.

Insert

Veterans' Administration Office.	Balboa.....	Room 118, Bldg. 5142, Mail: P. O. Box 3672.

[SEAL] O. W. CLARK, *Deputy Administrator.*

[F. R. Doc. 50-1285; Filed, Feb. 14, 1950; 8:47 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 7-435]

MIDDLE STATES PETROLEUM CORP.

ORDER DETERMINING COMMON STOCK AND VOTING TRUST CERTIFICATES TO BE SUBSTANTIALLY EQUIVALENT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of February A. D. 1950.

The New York Curb Exchange has made application under Rule X-12F-2 (b) for a determination that the Common Stock, Par Value $1.00, of Middle States Petroleum Corporation is substantially equivalent to the Voting Trust Certificates for the Class B Stock, Par Value $1.00, of Middle States Petroleum Corporation, which have heretofore been admitted to unlisted trading privileges on the applicant exchange.

The Commission having duly considered the matter, and having due regard for the public interest and the protection of investors;

It is ordered, Pursuant to sections 12 (f) and 23 (a) of the Securities Exchange Act of 1934 and Rule X-12F-2 (b) thereunder, that the Common Stock, Par Value $1.00, of Middle States Petroleum Corporation is hereby determined to be substantially equivalent to the Voting Trust Certificates for the Class B Stock, Par Value $1.00, of Middle States Petroleum Corporation heretofore admitted to unlisted trading privileges on the applicant exchange.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-1271; Filed, Feb. 14, 1950; 8:45 a. m.]

[File No. 7-738]

NORTHERN INDIANA PUBLIC SERVICE CO.

ORDER DETERMINING CERTAIN STOCKS TO BE SUBSTANTIALLY EQUIVALENT

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 9th day of February A. D. 1950.

The New York Curb Exchange has made application under Rule X-12F-2 (b) for a determination that the 4¼% Cumulative Preferred Stock, Par Value $100, of Northern Indiana Public Service Company is substantially equivalent to the 5% Preferred Stock, Par Value $100, of Northern Indiana Public Service Company, which has heretofore been admitted to unlisted trading privileges on the applicant exchange.

The Commission having duly considered the matter, and having due regard for the public interest and the protection of investors;

It is ordered, Pursuant to sections 12 (f) and 23 (a) of the Securities Exchange Act of 1934 and Rule X-12F-2 (b) thereunder, that the 4¼% Cumulative Preferred Stock, Par Value $100, of Northern Indiana Public Service Company is hereby determined to be substantially equivalent to the 5% Preferred Stock, Par Value $100, of Northern Indiana Public Service Company heretofore admitted to unlisted trading privileges on the applicant exchange.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-1272; Filed, Feb. 14, 1950; 8:46 a. m.]

[File No. 70-2294]

APPALACHIAN ELECTRIC POWER CO. AND AMERICAN GAS AND ELECTRIC CO.

MEMORANDUM OPINION AND ORDER GRANTING APPLICATION 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 8th day of February A. D. 1950.

American Gas and Electric Company ("American Gas"), a registered holding company, and its electric utility subsidiary, Appalachian Electric Power Company ("Appalachian"), have filed an application-declaration and amend-

ments thereto pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a), 7 and 12 thereof, and Rules U-42, U-43, U-44, and U-62 of the rules and regulations promulgated thereunder, with respect to the following proposed transactions:

Appalachian presently has authorized 500,000 shares of cumulative preferred stock of the par value of $100 and 6,000,000 shares of common stock of no par value, and has outstanding 372,000 shares of the cumulative preferred stock and 6,000,000 shares of the common stock, all of which latter stock is owned by American Gas. The preferred stock has one vote per share and the common stock one-tenth vote per share.

Appalachian proposes to amend its Articles of Association so as (1) to increase its authorized cumulative preferred stock to 700,000 shares, (2) to authorize 10,000,000 shares of a new class of common stock with no par value and having one vote per share, and (3) to provide to the holders of shares of the cumulative preferred stock the right to elect the smallest number of directors necessary to constitute a majority of the full board of directors of the company if and when dividends payable on the preferred stock shall be in default in an amount equivalent to four full quarterly dividends. Appalachian's charter presently provides that upon four quarterly defaults in dividends on the preferred stock that stock as a class may elect two additional directors to the board of directors and that upon twelve such quarterly defaults the preferred stock as a class may elect a majority of the board of directors.

American Gas proposes to purchase from Appalachian 6,500,000 shares of the new common stock for a cash consideration of $3,000,000 and the cancellation of open account advances made by American Gas to Appalachian during the year 1949 in the amount of $15,000,000 (Holding Company Act Release No. 9490). In addition, American Gas will surrender the 6,000,000 shares of Appalachian's common stock presently owned by it in exchange for 600,000 shares of the new common stock.

Under the existing voting rights the common stock of Appalachian has 61.73% of the vote and the preferred stock 38.27%. As a result of the proposed amendments and the issuance and sale of additional common stock, the common stock will have in excess of 95% of the vote. The stated purpose of the proposed issuance of new stock and consequent reclassification of voting power is to enable Appalachian to consolidate with American Gas and certain of the latter company's subsidiaries in filing consolidated income tax returns under the Internal Revenue Code, as amended. The application-declaration states that had such consolidation been permitted for the entire fiscal year 1948, Appalachian would have effected a saving of $66,000 in Federal income taxes. The proposal lessening the number of quarterly dividend defaults necessary to allow the preferred stock to elect a majority of the board of directors is designed to strengthen the protection afforded that class of stock.

The proposed amendments require the consent of two-thirds of each class of the outstanding stock of Appalachian. Appalachian proposes to submit proxy material to its stockholders in the form attached to the application-declaration and does not propose to employ any outside agency for the solicitation of proxies.

In considering the propriety of submitting the proposed amendments to the stockholders of Appalachian, we have considered the relationship between the rights the preferred stockholders of Appalachian are being asked to surrender and any benefits that may inure to them as a result of the proposed amendments. In reaching our determination that the amendments may be submitted to the stockholders, we have considered the possible consequences that may arise from the decrease in voting rights of the preferred stock in the light of the fact that while the common stock presently has less than two-thirds of the vote, the proposed investment in the common stock of Appalachian by American Gas would, absent any amendments or change in voting rights, give the common stock in excess of two-thirds of the vote. We have also considered the company's contention that by reason of the common stock having in excess of 95% of the vote there will be savings resulting from the filing of consolidated income tax returns, which savings will inure to the benefit of all of the stockholders of the company. We have also considered the fact that under the proposed amendments, the preferred stock, voting as a class, may elect a majority of the board of directors upon four defaults in the payment of dividends on that stock, thereby increasing the protection afforded the preferred stock. Our conclusions that the proposed transactions do not require adverse findings under the applicable standards of the act should not be construed as a recommendation to the stockholders that they either approve or disapprove the proposed charter amendments. Each preferred stockholder must exercise his own independent judgment in voting for or against the proposed amendments.

The application-declaration having been filed on December 30, 1949, amendments thereto having been filed on January 27, 1950, and February 6, 1950, notice of said filing having been given in the form and manner prescribed by Rule U-23 and the Commission not having received a request for hearing within the time specified in said notice or otherwise, and not having ordered a hearing thereon; and

The Commission observing that the proposed transactions have been approved by the State Corporation Commission of the State of Virginia, the State in which Appalachian is organized and one of the States in which it is doing business, and that applications for approval of the transactions have been made to the Public Service Commission of West Virginia and the Railroad and Public Utility Commission of the State of Tennessee, States in which Appalachian also does business, the Commission finding that the proposed transactions meet the applicable standards of the act and the rules thereunder, and the Commission deeming it appropriate that the said application-declaration be granted and permitted to become effective subject to the condition that the transactions proposed herein shall not be consummated until Appalachian shall have received the approval of the appropriate State Commissions, and the Commission also deeming it appropriate to grant applicant's-declarant's request that the order herein become effective forthwith upon issuance thereof:

It is ordered, Pursuant to Rule U-23 and the applicable standards of the act that said application-declaration, as amended, be and the same hereby is granted and permitted to become effective, subject to the terms and conditions contained in Rule U-24, and subject to condition that the transactions proposed shall not be consummated until Appalachian shall have received the requisite approval of the appropriate State Commissions.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F. R. Doc. 50-1270; Filed, Feb. 14, 1950; 8:45 a. m.]

[File No. 812-647]

AFFILIATED FUND, INC.

NOTICE OF APPLICATION

At a regular session of the Securities and Exchange Commission, held at its offices in the city of Washington, D. C., on the 9th day of February A. D. 1950.

Notice is hereby given that Affiliated Fund, Inc., of 63 Wall Street, New York 5, N. Y., an open-end management company registered under the Investment Company Act of 1940, has filed an application pursuant to section 6 (c) of the act for an order exempting from the provisions of section 15 (a) of the act to the extent that such provisions would require approval by the vote of a majority of the outstanding voting securities of the Applicant a proposed transaction whereby the Applicant would enter into a contract amending an existing contract with Lord, Abbett & Co., 63 Wall Street, New York 5, N. Y., pursuant to which Lord, Abbett & Co. serves as investment adviser to the Applicant.

It appears that the Applicant entered into a contract, dated February 4, 1949, with Lord, Abbett & Co. pursuant to which the latter agreed to serve as investment adviser of the Applicant, and the Applicant agreed to pay to Lord, Abbett & Co. certain fees therein set forth. It further appears that the Applicant and Lord, Abbett & Co. propose to enter into a supplemental agreement amending said contract by reducing the amount of the fees payable thereunder with respect to the portion of Applicant's net assets which is in excess of $100,000,000 from 1/973rd of 1% (1/976th of 1% in leap years) daily of such portion of the net assets (approximately 3/8ths of 1% annually) to 1/1460th of 1%

(1/1464th of 1% in leap years) daily of such portion of the net assets (¼ of 1% annually), effective as of December 30, 1949.

For a more detailed statement of the matters of fact and law asserted, all interested persons are referred to said application which is on file in the offices of the Commission in Washington, D. C.

Notice is further given that an order granting the application, in whole or in part and upon such conditions as the Commission may see fit to impose, may be issued by the Commission at any time on or after February 21, 1950, unless prior thereto a hearing upon the application is ordered by the Commission, as provided in Rule N-5 of the rules and regulations promulgated under the act. Any interested person may, not later than February 20, 1950, at 5:30 p. m., submit to the Commission in writing his views or any additional facts bearing upon this application or the desirability of a hearing thereon, or request the Commission in writing that a hearing be held thereon. Any such communication or request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact or law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 50-1269; Filed, Feb. 14, 1950; 8:45 a. m.]