THE NATIONAL ARCHIVES

FEDERAL REGISTER

VOLUME 16 NUMBER 50

Washington, Wednesday, March 14, 1951

TITLE 3—THE PRESIDENT

PROCLAMATION 2918

"I AM AN AMERICAN DAY", 1951

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the United States of America, built by millions of devoted, faithful, and vigilant men and women of many races and creeds, carries high the Torch of Liberty, not only to guide our own people, but also to light the way for other freedom-loving peoples; and

WHEREAS in this tense period of world history our Nation must strengthen its unity of purpose through increased devotion to the fundamental principles of individual liberty, equal opportunity, and justice for all; and

WHEREAS it is especially fitting at this time that each and every citizen of the United States, whether native or naturalized, should renew his faith in the ideals that form the foundation upon which our country has been built into a mighty force for the advancement of freedom's cause:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, under and by virtue of the authority vested in me by the Congress through Public Resolution 67, approved May 3, 1940 (54 Stat. 178), do hereby designate Sunday, May 20, 1951, as "I Am An American Day", and do set aside that day as a public occasion for the recognition, observance, and commemoration of United States citizenship, and for the special recognition of those of our youth who have attained their majority and of those foreign-born who have become citizens through naturalization during the past year.

I also urge Federal, State, and local officials, as well as patriotic, civic, educational, and other interested organizations, to arrange for appropriate ceremonies on or about May 20 in which all our people may join, to the end that both old and new citizens may have a fuller understanding of their rights and privileges and of their obligations and responsibilities as citizens.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the United States of America to be affixed.

DONE at the City of Washington this eighth day of March in the year of our Lord nineteen hundred and [SEAL] fifty-one, and of the Independence of the United States of America the one hundred and seventy-fifth.

HARRY S. TRUMAN

By the President:

JAMES E. WEBB,
Acting Secretary of State.

[F. R. Doc. 51-3373; Filed, Mar. 13, 1951; 11:11 a. m.]

TITLE 7—AGRICULTURE

Chapter IX—Production and Marketing Administration (Marketing Agreements and Orders), Department of Agriculture

[Docket No. AO-160 All Rol]

PART 961—MILK IN PHILADELPHIA, PA., MARKETING AREA

ORDER AMENDING ORDER, AS AMENDED, REGULATING HANDLING

§ 961.0 *Findings and determinations.* The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and each of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hear-

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

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

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

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ing was held at Philadelphia, Pennsylvania, on January 25, 26 and 27, 1950, pursuant to notice thereof which was issued January 18, 1950 (15 F. R. 366), on April 19, 20 and 21, 1950, pursuant to notice thereof which was issued on April 12, 1950 (15 F. R. 2146), on May 10, 11 and 12, 1950, pursuant to notice thereof issued on May 3, 1950 (15 F. R. 2687), and on November 21, 1950, pursuant to notice thereof issued on October 20, 1950 (15 F. R. 7139), upon a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order, as amended, and as hereby further amended, and all of the terms and conditions of said order, as amended, and as hereby further amended, will tend to effectuate the declared policy of the act;

(2) The parity prices of milk as determined pursuant to section 2 of the act are not reasonable in view of the price of feeds, available supplies of feeds and other economic conditions which affect market supply of and demand for milk in the marketing area, and the minimum prices specified in the order, as amended, and as hereby further amended, are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk and be in the public interest; and

(3) The said order, as amended, and as hereby further amended, regulates the handling of milk in the same manner as and is applicable only to persons in the respective classes of industrial and commercial activity specified in a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is necessary to make the present amendent to said order, as amended, effective April 1, 1951, to reflect current marketing conditions. Any further delay in the effective date of this order, amending the said order, as amended, will seriously disrupt the orderly marketing of milk for the Philadelphia, Pennsylvania, marketing area. The changes effected by this order, amending the order, as amended, do not require of persons affected substantial or extensive preparation prior to the effective date. In view of the foregoing, it is hereby found that good cause exists for making this order effective April 1, 1951 (see section 4 (c), Administrative Procedure Act, 5 U. S. C. 1003 (c)).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order, amending the order, as amended, which is marketed within the Philadelphia, Pennsylvania, marketing area) of more than 50 percent of the milk which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

(1) The refusal or failure of such handlers to sign said proposed marketing agreement tends to prevent the effectuation of the declared policy of the act;

(2) The issuance of this order amending the order, as amended, is the only practical means, pursuant to the declared policy of the act, of advancing the interests of producers of milk which is produced for sale in the said marketing area; and

(3) The issuance of this order amending the order, as amended, is approved or favored by at least two-thirds of the producers who participated in a referendum on the question of approval of this order amending the order, as amended, and who during the determined representative period (December 1950) were engaged in the production of milk for sale in the said marketing area.

ORDER RELATIVE TO HANDLING

It is therefore ordered, That on and after the effective date hereof the handling of milk in the Philadelphia, Pennsylvania, marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as amended, and as hereby further amended, and the aforesaid order, as amended, is hereby further amended as follows:

Delete § 961.4 (a) (1) and substitute the following:

(1) *Class I milk.* The market administrator shall compute and announce on the 15th day of each month (or on the next business day if the 15th is a holiday) from the latest available data the index values computed pursuant to subdivisions (i) through (vi) of this subparagraph, the Class I price, and the utilization percentages computed pursuant to subdivisions (vii) and (viii) of this subparagraph.

(i) Compute an index of wholesale commodity prices by averaging the four latest weekly index figures of wholesale commodity prices published by the Bureau of Labor Statistics, United States Department of Labor, and convert the result to a 1936–1940 base period by dividing by 0.8028.

(ii) Compute an index of prices paid by Pennsylvania farmers per hundredweight for 20 percent protein mixed dairy feed, using a 1936–1940 base period, by dividing by 0.01776 the monthly price for such feed published by the Pennsylvania Federal-State Crop Reporting Service.

(iii) Compute an index of prices received by Pennsylvania farmers for farm products except dairy on a 1936–1940 base period by dividing the monthly index published by the Pennsylvania Federal-State Crop Reporting Service on a 1910–1914 base by 1.0915, and adjust the result for seasonal variation by dividing by the applicable figure indicated below for each month:

January, February, March	0.96
April, May, June	1.00
July, August, September	1.04
October, November, December	1.00

(iv) Compute an index of prices paid for milk by 18 Midwest condenseries, using a 1936–1940 base period, by dividing by 0.013945 the monthly average price paid at 18 Midwest condenseries as reported by the United States Department of Agriculture, and adjust the result for seasonal variation by dividing by the applicable figure indicated below for each month:

January	1.02	July	0.97
February	1.02	August	1.00
March	1.01	September	1.00
April	.99	October	1.00
May	.98	November	1.02
June	.96	December	1.03

(v) Compute an index of average daily pounds of Class I milk sold by all handlers during the previous month, except that milk which is moved to plants outside of New Jersey and Delaware from which no routes are operated in the marketing area, using a 1936–1940 base period, by dividing the monthly figure by 16,640, and adjust the result for seasonal variation by dividing by the applicable figure indicated below for each month:

January	0.98	July	0.99
February	.99	August	.99
March	1.00	September	1.04
April	.99	October	1.05
May	.98	November	1.02
June	.98	December	.99

(vi) Divide the sum of the indexes calculated in subdivisions (i) through (v) of this subparagraph by 5. This figure shall be the formula index, and shall determine the Class I price for each calendar quarter in accordance with the following table, subject to the provisions of subdivisions (vii) and (viii) of this subparagraph. The price for each calendar quarter shall be determined by the index value calculated and announced in the month preceding the calendar quarter, in accordance with the bracket shown in the following table in which such index value is included, or if such index value is not within a bracket, the price for the calendar quarter shall be determined by the adjacent index bracket which is the same as or nearest to the bracket equivalent to the price in the previous quarter.

CLASS I PRICE SCHEDULE

[Class I price per hundredweight]

Formula index	Jan., Feb., Mar., July, Aug., Sept,	Apr., May, June	Oct., Nov., Dec.
116.3-120.3	$3.44	$3.04	$3.84
124.1-128.1	3.64	3.24	4.04
131.9-135.9	3.84	3.44	4.24
139.6-143.6	4.04	3.64	4.44
147.4-151.4	4.24	3.84	4.64
155.2-159.2	4.44	4.04	4.84
163.0-167.0	4.64	4.24	5.04
170.8-174.8	4.84	4.44	5.24
178.5-182.5	5.04	4.64	5.44
186.3-190.3	5.24	4.84	5.64
194.1-198.1	5.44	5.04	5.84
201.9-205.9	5.64	5.24	6.04
209.7-213.7	5.84	5.44	6.24
217.5-221.5	6.04	5.64	6.44
225.2-229.2	6.24	5.84	6.64
233.0-237.0	6.44	6.04	6.84
240.8-244.8	6.64	6.24	7.04
248.6-252.6	6.84	6.44	7.24
256.4-260.4	7.04	6.64	7.44

If the formula index is more than 260.4, this table shall be extended at the same rate as in the three highest index brackets shown above.

(vii) For any calendar quarter the Class I price shall be 40 cents more than the price prescribed in subdivision (vi) of this subparagraph, if receipts of milk from producers during the 12-month period ending with the second preceding month, excluding receipts at plants which were not producer milk plants during 3 consecutive months, are less than 115 percent of total Class I sales by handlers in the same period; except that a price adjustment pursuant to this subdivision shall not exceed an amount which will result in a Class I price equal to the Class I price for the same quarter of the preceding year plus 80 cents: *And provided*, That the price adjustment described in this subparagraph shall not be effective until the calendar quarter following 12 calendar months after the effective date of this order amending the order as amended.

(viii) For any calendar quarter the Class I price shall be 40 cents less than the price prescribed in subdivision (vi) of this subparagraph, if receipts of milk from producers during the 12-month period ending with the second preceding month, excluding receipts at plants which were not producer milk plants during 3 consecutive months, are more than 137 percent of total Class I sales by handlers in the same period; except that a price adjustment pursuant to this subdivision shall not exceed an amount which will result in a Class I price equal to the Class I price for the same quarter of the preceding year minus 80 cents: *And provided*, That the price adjustment described in this subparagraph shall not be effective until the calendar quarter following 12 calendar months after the effective date of this order amending the order as amended.

(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. and Sup., 608c)

Issued at Washington, D. C., this 9th day of March 1951 to be effective on and after the 1st day of April 1951.

[SEAL] CHARLES F. BRANNAN,
Secretary of Agriculture.

[F. R. Doc. 51-3289; Filed, Mar. 13, 1951; 8:55 a. m.]

TITLE 24—HOUSING AND HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Controlled Housing Rent Reg., Amdt. 358]

[Controlled Rooms in Rooming Houses and Other Establishments Rent Reg., Amdt. 353]

PART 825—RENT REGULATIONS UNDER THE HOUSING AND RENT ACT OF 1947, AS AMENDED

CERTAIN STATES, ALASKA, AND PUERTO RICO

Amendment 358 to the Controlled Housing Rent Regulation (§§ 825.1 to 825.12) and Amendment 353 to the Rent Regulation for Controlled Rooms in Rooming Houses and Other Establishments (§§ 825.81 to 825.92). Said regulations are amended in the following respects:

A. The following new items are incorporated in Schedule C:

Name of defense-rental area	State	Localities affected by declarations for continuation of rent control after Mar. 31, 1951
(175c) Missoula	Montana	In Missoula County, the city of Missoula.
(216) Goldsboro	North Carolina	In Wayne County, the city of Goldsboro.
(352) Puget Sound	Washington	In King County, the city of Renton.
(354) Walla Walla	do	In Walla Walla County, the city of Walla Walla, and all unincorporated localities.
		In Franklin County, all unincorporated localities.
		In Benton County, all unincorporated localities in the precincts of Finley, South Kennewick, Kennewick Valley, Kennewick, Kennewick Gardens, and Richland.

This adds to Schedule C (1) the City of Renton, Washington, as of December 12, 1950, (2) the City of Walla Walla, Washington, and all unincorporated localities in the Defense-Rental Area, said City of Walla Walla being the major portion of the Defense-Rental Area, as of December 13, 1950, (3) the City of Missoula, Montana, as of December 20, 1950, and (4) the City of Goldsboro, North Carolina, as of February 23, 1951.

B. In Schedule C, the description of localities affected by declarations for continuation of rent control after March 31, 1951 is amended with respect to certain Defense-Rental Areas to read as follows:

1. (34) Richmond-Vallejo, California, Defense-Rental Area:

In Contra Costa County, the Cities of Richmond and San Pablo; and in Solano County, the City of Benicia.

This adds to Schedule C the City of Richmond, California, as of February 13, 1951.

2. (47) Bridgeport, Connecticut, Defense-Rental Area:

In Fairfield County, the Cities of Bridgeport and Shelton, the Town of Stratford, and all unincorporated localities, if any, in the Towns of Easton, Fairfield, Trumbull and Westport.

In the remainder of Fairfield County, the Cities of Danbury and Stamford, the Towns of Darien and Greenwich, and all unincorporated localities.

This adds to Schedule C the City of Shelton, Connecticut, as of November 20, 1950, and the City of Danbury, Connecticut, as of December 5, 1950.

3. (170) Kansas City, Missouri, Defense-Rental Area:

In Clay County, the Cities of Liberty and North Kansas City, and in Platte County, the City of Parkville.

This adds to Schedule C the City of North Kansas City, Missouri, as of October 17, 1950, and the City of Parkville, Missouri, as of February 5, 1951.

4. (188a) Southern New Jersey Defense-Rental Area:

In Burlington County, the Cities of Bordentown and Burlington, the Boroughs of Fieldsboro and Palmyra, the Townships of Hainesport, Moorestown, Mount Holly, and North Hanover, and all unincorporated localities; in Camden County, the Cities of Camden and Gloucester City, the Boroughs of Audubon Park, Barrington, Berlin, Chesilhurst, Clementon, Collingswood, Gibbsboro, Haddon Heights, Lawnside, Lindenwold, Magnolia, Mouth Ephraim, Oaklyn, Pine Hill, Runnemede, Somerdale, and Woodlynne, the Townships of Berlin and Gloucester, and all unincorporated localities; and in Gloucester County, the City of Woodbury, the Boroughs of Glassboro, Paulsboro, Swedesboro, and Wenonah, the Townships of Monroe and West Deptford, and all unincorporated localities.

This adds to Schedule C the following localities in the State of New Jersey:

(1) Borough of Paulsboro, and the Township of West Deptford as of November 7, 1950.

(2) City of Bordentown as of November 28, 1950.

(3) City of Woodbury as of December 12, 1950.

(4) All unincorporated localities in the Defense-Rental Area, said City of Woodbury being the major portion of the Defense-Rental Area, as of December 12, 1950.

5. (190) Northeastern New Jersey Defense-Rental Area:

In Bergen County, the Cities of Garfield and North Arlington, the Boroughs of Bergenfield, Bogota, Cliffside Park, Closter, Dumont, East Paterson, East Rutherford, Edgewater, Fair Lawn, Fairview, Fort Lee, Harrington Park, Leonia, Little Ferry, Lodi, Maywood, Moonachie, Norwood, Palisades Park, Ridgefield, Teterboro, Wallington, and Wood-Ridge, the Villages of Ridgefield Park, the Township of Teaneck and all unincorporated localities.

In Essex County, the Cities of East Orange, Newark, and Orange, the Towns of Belleville, Bloomfield, Nutley, and West Orange, the Township of Millburn, and all unincorporated localities.

In Hudson County, the Cities of Bayonne, Hoboken, Jersey City, and Union City, the Towns of Harrison, Kearny, Secaucus and West New York, the Townships of North Bergen and Weehawken, and all unincorporated localities.

In Middlesex County, the Cities of New Brunswick and Perth Amboy, the Boroughs of Dunellen, Helmetta, Highland Park, Middlesex, South Plainfield and South River, the Townships of East Brunswick, North Brunswick, Piscataway, Raritan and Woodbridge, and all unincorporated localities.

In Monmouth County, the City of Long Branch, the Boroughs of Deal, Englishtown

and Red Bank, and all unincorporated localities.

In Morris County, the Boroughs of Madison, Riverdale and Wharton, the Towns of Boonton, Dover and Morristown, the Townships of Denville, Hanover, Mine Hill and Passaic, and all unincorporated localities.

In Passaic County, the Cities of Clifton, Passaic and Paterson, and all unincorporated localities.

In Somerset County, the Boroughs of Manville, North Plainfield, Raritan, Somerville and South Bound Brook, the Township of Hillsborough, and all unincorporated localities.

In Union County, the Cities of Elizabeth, Linden, Plainfield, Rahway and Summit, the Boroughs of Garwood, Roselle and Roselle Park, the Townships of Cranford, Hillside and Union, and all unincorporated localities.

This adds to Schedule C the following localities in the State of New Jersey:

(1) Town of West Orange as of October 3, 1950.

(2) Borough of Fair Lawn as of October 10, 1950.

(3) Borough of Ridgefield as of February 20, 1951.

6. (197) Roswell, New Mexico, Defense-Rental Area:

In Chaves County, the City of Roswell, and all unincorporated localities.

In Otero County, the City of Alamogordo, and all unincorporated localities.

This adds to Schedule C the City of Roswell, New Mexico, and all unincorporated localities in the Defense-Rental Area, said City of Roswell being the major portion of the Defense-Rental Area as of February 19, 1951.

7. (229) Columbus, Ohio, Defense-Rental Area:

In Franklin County, the Cities of Columbus and Grandview Heights, the Village of Whitehall, and all unincorporated localities.

In Licking County, the City of Newark and all unincorporated localities, if any, in the Townships of Madison and Newark.

This adds to Schedule C the Village of Whitehall, Ohio, as of February 7, 1951.

8. (233) Lorain-Elyria, Ohio, Defense-Rental Area:

In Lorain County, the City of Lorain, and the Villages of Grafton and South Amherst.

This adds to Schedule C the City of Lorain, Ohio, as of November 20, 1950.

9. (257) Allentown-Bethlehem, Pennsylvania, Defense-Rental Area:

In Lehigh County (exclusive of the Townships of Heidelberg, Lowhill, Lower Macungie, Lower Milford, Lynn, Upper Macungie, Upper Milford, Washington and Weisenberg, and the Boroughs of Albertis, Macungie and Slatington), the City of Allentown, the Townships of Salisbury and Whitehall, and all unincorporated localities; and in Northampton County (exclusive of the Townships of Bushkill, Lehigh, Lower Mount Bethel, Moore, Plainfield, Upper Mount Bethel and Washington, and the Boroughs of Bangor, Chapman, East Bangor, Penn Argyl, Portland, Rosetto, Walnutport and Wind Gap), the City of Easton, the Borough of Hellertown, the Township of Allen, and all unincorporated localities.

This adds to Schedule C the Borough of Hellertown, Pennsylvania, as of December 20, 1950.

10. (258) Altoona-Johnstown, Pennsylvania, Defense-Rental Area:

In Blair County, the unincorporated localities, if any, in the Townships of Allegheny, Antis, Blair, Frankstown, Logan and Snyder; in Cambria County, the City of Johnstown, the Boroughs of Barnesboro, Brownstown, Ebensburg, Franklin, Gallitzin, Geistown, Lorain, Nanty-Glo, Scalp Level and South Fork, and all unincorporated localities; and in Somerset County, the Boroughs of Boswell, Central City, Garrett, Hooversville, Meyersdale, Paint and Windber, and all unincorporated localities, if any, in the Townships of Black, Conemough, Jenner, Lincoln, Ogle, Paint, Shade, Somerset, Summit and Quemahoning.

This adds to Schedule C the Borough of Paint, Pennsylvania, as of September 18, 1950.

11. (266) Philadelphia, Pennsylvania, Defense-Rental Area:

In Bucks County, the Boroughs of Bristol, Quakertown and Riegelsville, and all unincorporated localities; in Chester County, the Boroughs of Kennett Square and Phoenixville, and all unincorporated localities; in Delaware County (exclusive of the Borough of Swarthmore), the Boroughs of Clifton Heights, Collingdale, Eddystone, Folcroft, Glenolden, Marcus Hook, Millbourne, Norwood and Sharon Hill, the Township of Ridley, and all unincorporated localities, including Upper Darby Township; in Montgomery County, the Boroughs of Ambler, Conshohocken, Jenkintown, Norristown, Pottstown and West Conshohocken, and all unincorporated localities; and the County and City of Philadelphia.

This adds to Schedule C the Borough of Norristown, Pennsylvania, as of November 8, 1950.

12. (267) Pittsburgh, Pennsylvania, Defense-Rental Area:

In Allegheny County (exclusive of Mount Lebanon Township), the Cities of Clairton, Duquesne, McKeesport and Pittsburgh, the Boroughs of Blawnox, Brackenridge, Braddock, Braddock Hills, Bridgeville, Carnegie, Castle Shannon, Cheswick, Coraopolis, Dravosburg, East McKeesport, East Pittsburgh, Eden Park, Etna, Glassport, Homestead, Leetsdale, Liberty, McKee's Rocks, Millvale, Munhall, North Braddock, Pitcairn, Rankin, Sharpsburg, Swissvale, Turtle Creek, Versailles, Wall, West Elizabeth, West Homestead, West Mifflin and Wilmerding, the Townships of Baldwin, Harrison, Jefferson, Leet, Neville, Reserve, Sewickley, South Versailles, Springdale, Stowe and West Deer, and all unincorporated localties.

In Armstrong County, the Boroughs of Ford City, Kittaning and Leechburg, and all unincorporated localities.

In Beaver County, the City of Beaver Falls, the Borough of Aliquippa, Ambridge, Baden, Bridgewater, Freedom, Koppell, Midland and Monaca, the Townships of Borough and Chippewa, and all unincorporated localities.

In Butler County, all unincorporated localities, if any, in the Townships of Adams, Butler, Jackson and Slippery Rock.

In Fayette County (exclusive of the Townships of Henry Clay, Stewart and Wharton), the City of Connellsville, the Boroughs of Belle Vernon, Everson, Masontown and South Connellsville, the Township of Franklin, and all unincorporated localities.

In Greene County, the Township of Jefferson and all unincorporated localities, if any, in the Townships of Cumberland, Dunkard, Franklin, Monongahela and Morgan.

In Lawrence County, the Borough of Elwood City and all unincorporated localities.

In Washington County (exclusive of the Townships of East Finley, Morris, South Franklin and West Finley), the City of Monongahela, the Boroughs of Allenport, Beallsville, Bentleyville, Burgettstown, California, Canonsburg, Charleroi, Coal Center, Donora, Dunlevy, Elco, New Eagle, North Charleroi, Roscoe, Stockdale and West Brownsville, the Township of North Strabane, and all unincorporated localities.

In Westmoreland County, the Cities of Arnold, Jeannette, Monessen and New Kensington, the Boroughs of East Vandergrift, Export, Manor, North Belle Vernon, Penn, South Greensburg, Southwest Greensburg, Trafford and West Newton, the Township of East Huntingdon, and all unincorporated localities.

This adds to Schedule C the Borough of Dunlevy, Pennsylvania, as of September 12, 1950 and the Borough of Trafford, Pennsylvania, as of February 5, 1951.

13. (269a) Scranton-Wilkes-Barre, Pennsylvania, Defense-Rental Area:

In Carbon County, the Boroughs of East Mauch Chunk, Lansford, Mauch Chunk and Weatherly; in Lackawanna County, the Boroughs of Dickson City, Jermyn, Mayfield, Olyphant, Vandling and Winton; in Luzerne County, the Cities of Hazleton, Nanticoke, Wilkes-Barre and the Boroughs of Dupont, Edwardsville, Exeter, Forty Fort, Hughestown, Kingston, Larksville, Luzerne, Plymouth, Pringle, Shickshinny, West Hazelton and West Wyoming; and in Schuylkill County, the City of Pottsville and the Boroughs of Ashland, Frackville, McAdoo, Shenandoah and Tamaqua.

This adds to Schedule C the following localities in the State of Pennsylvania:

(1) Borough of Frackville as of November 8, 1950.

(2) Borough of Vandling as of December 12, 1950.

(3) Borough of Olyphant as of December 18, 1950.

(4) City of Hazleton as of December 29, 1950.

(5) Borough of Larksville as of February 5, 1951.

14. (272) Williamsport, Pennsylvania, Defense-Rental Area:

In Lycoming County, the City of Williamsport and all unincorporated localities, if any, in the Townships of Armstrong, Loyalsock and Old Lycoming.

In Columbia County, all unincorporated localities, if any, in the Township of Scott and the Town of Bloomsburg; in Northumberland County, the Cities of Shamokin and Sunbury, and all unincorporated localities, if any, in the Townships of Coal, Upper Augusta, Point and Rockefeller; in Snyder County, the Borough of Selinsgrove, and all unincorporated localities, if any, in the townships of Monroe and Penn; and in Union County, the Borough of Lewisburg and all unincorporated localities, if any, in the Townships of Buffalo and East Buffalo.

In Clinton County, the City of Lock Haven, the Borough of Renova, and all unincorporated localities, if any, in the Townships of Bald Eagle, Castanea, Dunnstable, Allison, Pine Creek, Wayne and Woodward.

This adds to Schedule C the Borough of Selinsgrove, Pennsylvania, as of November 7, 1950.

15. (357) Morgantown, West Virginia, Defense-Rental Area:

In Marion County, the Towns of Grant Town and Monongah; and in Monongalia County, the Towns of Granville and Star City.

This adds to Schedule C the Town of Star City, West Virginia, as of January 30, 1951, and the Town of Granville, West Virginia, as of January 31, 1951.

16. (359) Wheeling-Steubenville, West Virginia, Defense-Rental Area:

In Belmont County, the Cities of Bellaire, Bethesda and Martins Ferry; in Columbiana County, the Cities of East Liverpool and East Palestine; and in Jefferson County the City

of Steubenville and the Villages of Brilliant, Tiltonsville, Wintersville, and Yorkville.

This adds to Schedule C the following localities in the State of Ohio:

(1) City of Martins Ferry as of August 5, 1950.

(2) City of Bellaire as of August 19, 1950.

(3) City of East Palestine as of October 2, 1950.

(4) Village of Brilliant as of October 13, 1950.

(5) City of East Liverpool as of November 7, 1950.

(6) Village of Wintersville as of December 7, 1950.

17. (370) Alaska Defense-Rental Area:

In the Territory of Alaska, the Cities of Anchorage, Fairbanks and Juneau, and the Town of Petersburg.

This adds to Schedule C the City of Anchorage, Alaska, as of January 26, 1951, and the City of Fairbanks, Alaska, as of February 5, 1951.

18. (371) Puerto Rico Defense-Rental Area:

In Puerto Rico, all unincorporated localities and the Municipalities of Adjuntas, Aguada, Aguadilla, Aguas Buenas, Aibonito, Anasco, Arecibo, Arroyo, Barceloneat, Barranquitas, Bayamon, Cabo Rojo, Caguas, Camuy, Carolina, Catano, Cayey, Ceiba, Ciales, Cidra, Coamo, Comerio, Corozal, Culebra, Dorado, Fajardo, Guanica, Guayama, Gueyanilla, Gurabo, Hatillo, Hormigueros, Humacao, Isabella, Jayuya, Juana Diaz, Juncos, Lajas, Lares, Las Marias, Las Piedras, Loiza, Luquillo, Manati, Maricao, Maunabo, Mayaguez, Moca, Morovis, Naguabo, Naranjito, Orocovis, Patillas, Penuelas, Ponce, Quebradillas, Rincon, Rio Grande, Rio Piedras, Sabana Grande, Salinas, San German, San Juan, San Lorenza, San Sebastian, Santa Isabel, Toa Alta, Toa Baja, Trujillo Alto, Utuado, Vega Alta, Vega Baja, Vieques, Villalba, Yabucoa and Yauco.

This adds to Schedule C the Municipality of Anasco, Puerto Rico, as of December 22, 1950.

All the foregoing additions to Schedule C are based on declarations made on the dates specified above in accordance with section 204 (f) (1) of the Housing and Rent Act of 1947, as amended.

(Sec. 204, 61 Stat. 197, as amended; 50 U. S. C. App. Sup. 1894.)

This amendment shall be effective with respect to each locality covered thereby as of the date on which the declaration affecting that locality was made.

Issued this 9th day of March 1951.

TIGHE E. WOODS,
Housing Expediter.

[F. R. Doc. 51-3270; Filed, Mar. 13, 1951; 8:51 a. m.]

TITLE 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 158; Docket No. R-116]

PART 35—FILING OF RATE SCHEDULES

CHANGES RELATING TO SUSPENDED RATE SCHEDULES OR PARTS THEREOF

MARCH 6, 1951.

In the matter of amendment of Part 35 of the general rules and regulations to govern the withdrawal of, and changes in, suspended rate schedules or parts thereof, and changes in rate schedules or parts thereof theretofore in effect proposed to be changed by the suspended filings; Docket No. R-116.

By this order, the Federal Power Commission is adding a new § 35.13 to Part 35, Filing of Rate Schedules, of Subchapter B, regulations under the Federal Power Act, of Chapter I, Federal Power Commission, Title 18, Conservation of Power, of the Code of Federal Regulations. The new section is designed to clarify the procedures available to "public utilities", as defined in Part II of the Federal Power Act, for the withdrawal of a suspended rate schedule, for filing changes in a suspended rate schedule, and for filing changes during the suspension period in rate schedules continued in effect by reason of the suspension of a proposed change. The Commission has been aware for some time that there is uncertainty on these matters among those interested.

Paragraph (a) of the new section provides that during the period of suspension suspended rate filings may not be withdrawn without Commission permission; paragraph (b) of the new section provides that changes may not be made in suspended rate filings during the period of suspension without Commission permission; and, similarly, paragraph (c) prohibits changes without Commission approval during the period of suspension in a rate filing continued in effect by reason of a Commission suspension of a proposed change thereto.

The provisions of the new § 35.13 effectuate the primary purpose for suspension of rate schedules, namely, the maintenance of the status quo until due inquiry has disclosed the propriety, or lack thereof, of the proposed change. Unrestrained filing of changes upon changes would preclude orderly determination of issues and would be productive of uncertainty regarding the effective rates and charges, nullifying the definiteness and certainty which filing requirements are intended to afford consumers and other interested parties.

Notice of the proposed rule making was given by mailing a copy thereof to each public utility and licensee subject to the Federal Power Act and to interested State and Federal agencies and by publication in the FEDERAL REGISTER on May 10, 1950 (15 F. R. 2783). In giving notice of the proposed amendment, the Commission invited all interested persons to submit data, views and comments in writing.

In the only response received objection was made to the provisions of paragraph (a) of § 35.13 permitting withdrawals only on 30 days' notice unless the Commission, upon application, permitted a withdrawal notice to take effect in less than 30 days. The objection was that such provision precluded concurrent filings of withdrawals of suspended rate schedules under paragraph (a) and of new proposals under paragraph (c). This objection is no longer applicable, since paragraph (a), as herein promulgated, prescribes no specific time period for effectiveness of withdrawals, all withdrawals requiring Commission approval. Thus, the conditions for withdrawals and filing of new proposals are the same under paragraphs (a) and (c).

No request has been made for a hearing on the proposed amendment or the suggestion or recommendation submitted with respect thereto, and hearing would not be of assistance to a determination by the Commission.

Upon consideration of the proposed amendment, the purpose thereof and the response referred to above, the Commission finds:

(1) The proposed amendment represents matters of practice or procedure which do not require a hearing under section 4 (a) of the Administrative Procedure Act.

(2) The proposed amendment is necessary or appropriate for purposes of administration of the Federal Power Act.

The Commission, acting pursuant to authority granted by the Federal Power Act, particularly sections 205 and 309 (49 Stat. 851, 858, 859; 16 U. S. C. 824d, 825h), orders:

(A) Part 35 of the general rules and regulations be amended by the addition thereto of a new section to read as follows:

§ 35.13 *Changes relating to suspended rate schedules or parts thereof*—(a) *Withdrawal of suspended rate schedules or parts thereof.* Where a rate schedule or part thereof has been suspended by the Commission, it may be withdrawn during the period of suspension only by special permission of the Commission upon application therefor and for good cause shown.

(b) *Changes in suspended rate schedules or parts thereof.* A public utility may not, within the period of suspension, file any change in a rate schedule or part thereof which has been suspended by order of the Commission except by special permission of the commission granted upon application therefor and for good cause shown.

(c) *Changes in rate schedules or parts thereof continued in effect and which were proposed to be changed by the suspended filing.* A public utility may not, within the period of suspension, file any change in a rate schedule or part thereof continued in effect by operation of an order of suspension and which was proposed to be changed by the suspended filing except by special permission of the Commission granted upon application therefor and for good cause shown.

(B) The amendments prescribed by this order shall become effective May 1, 1951.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(Sec. 309, 49 Stat. 858; 16 U. S. C. 825h. Interprets or applies secs. 10, 19, 20, 41 Stat. 1068, as amended, 1073, secs. 205, 206, 49 Stat. 851, 852; 16 U. S. C. 803, 812, 813, 824d, 824e)

Date of issuance: March 13, 1951.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-3251; Filed, Mar. 13, 1951; 8:47 a. m.]

[Order No. 159; Docket No. R-117]

PART 154—RATE SCHEDULES AND TARIFFS

CHANGES RELATING TO SUSPENDED TARIFFS, EXECUTED SERVICE AGREEMENTS OR PARTS THEREOF

MARCH 6, 1951.

In the matter of amendment of Part 154 of the general rules and regulations to govern the withdrawal of and changes in suspended rate schedules or parts thereof, and changes in rate schedules or parts thereof theretofore in effect proposed to be changed by the suspended filings; Docket No. R-117.

By this order, the Federal Power Commission is adding a new § 154.66 to Part 154, Rate Schedules and Tariffs, of Subchapter E—Regulations under Natural Gas Act, of Chapter I—Federal Power Commission, Title 18—Conservation of Power, of the Code of Federal Regulations. The new section is designed to clarify the procedures available to "natural-gas companies", as defined in the Natural Gas Act, for the withdrawal of a suspended rate schedule or tariff, for filing changes in a suspended rate schedule or tariff, and for filing changes during the suspension period in rate schedules or tariffs continued in effect by reason of the suspension of a proposed change. The Commission has been aware for some time that there is uncertainty on these matters among those interested.

Paragraph (a) of the new section provides that during the period of suspension rate filings may not be withdrawn without Commission permission; paragraph (b) of the new section provides that changes may not be made in suspended rate filings during the period of suspension without Commission permission; and, similarly, paragraph (c) prohibits changes, without Commission approval during the period of suspension, in a rate filing continued in effect by reason of a Commission suspension of a proposed change thereto.

Notice of the proposed rule making was given by mailing a copy thereof to each natural-gas company subject to the Natural Gas Act and to interested State and Federal agencies and by publication in the FEDERAL REGISTER on May 10, 1950 (15 F. R. 2783). In giving notice of the proposed amendment, the Commission invited all interested persons to submit data, views and comments in writing.

Responses were received from or on behalf of six natural-gas companies in which various objections were raised against the proposed rule. In substance, the objections are that the proposed rule is beyond the Commission's authority under the Natural Gas Act and is neither necessary nor desirable in that the proposed rule will permit withdrawals of suspended tariffs to be made only after the expiration of a specified period of time, will permit changes in suspended tariffs to be filed during the period of suspension only with Commission permission, and will preclude concurrent withdrawals of suspended tariffs and the filings of new tariffs. We find no merit in these objections.

As to the need for the rule, the fact that there is uncertainty among natural-gas companies respecting their rights in regard to suspended rate filings is ample reason for the clear enunciation in rule form of the conditions under which suspended filings may be withdrawn or new filings made during the period of suspension, both as to changes in the suspended tariff and changes in the tariff continued in effect by reason of the suspension.

As for the objections which argue lack of authority in the Commission and the right of natural-gas companies to file changes without restriction during the period of suspension, it seems sufficient to point out that the provisions of the new § 154.66 effectuate the primary purpose for suspension of changes in rate schedules or tariffs, namely, the maintenance of the status quo until due inquiry has disclosed the propriety, or lack thereof, of the proposed changes. Unrestrained filing of changes upon changes would preclude orderly determination of issues and would be productive of uncertainty regarding the effective rates and charges, nullifying the definiteness and certainty which filing requirements are intended to afford consumers and other interested parties. The exercise of the authority contemplated by the new § 154.66 is a necessary incident to the authority vested in the Commission by section 4 of the Natural Gas Act, and additionally finds ample support in section 16, which provides that the "Commission shall have power * * * to prescribe * * * such orders, rules, and regulations as it may find necessary or appropriate to carry out the provisions of this act." There can be no question that what is proposed in § 154.66 is necessary or appropriate to effectuate the provisions of section 4 and we so find. Moreover, referring specifically to the objection that the proposed rule would preclude concurrent filings of withdrawals of suspended tariffs and of new proposals, it may be noted that this objection is no longer applicable since paragraph (a), as herein promulgated, prescribes no specific time period for effectiveness of withdrawals, all withdrawals requiring Commission approval. Thus, the conditions for withdrawals and filing of new proposals have been made the same.

Only one request for a hearing on the proposed amendment on the suggestions or recommendations submitted with respect thereto was made by Northern Natural Gas Company. A hearing, however, is not necessary and would not aid a determination by the Commission.

Upon consideration of the proposed amendment, the purposes thereof and the responses referred to above, the Commission further finds:

(1) The proposed amendment represents matters of practice or procedure which do not require a hearing under section 4 (a) of the Administrative Procedure Act.

(2) The proposed amendment is necessary or appropriate for purposes of administration of the Natural Gas Act.

The Commission, acting pursuant to authority granted by the Natural Gas Act, particularly sections 4 and 16 (52 Stat. 821–833; 822, 830; 15 U. S. C. 717–717w; 717c, 717o), orders:

(A) Part 154 of the general rules and regulations be amended by the addition thereto of a new section to reads as follows:

§ 154.66 *Changes relating to suspended tariffs, executed service agreements or parts thereof*—(a) *Withdrawal of suspended tariffs, executed service agreements or parts thereof.* Where a tariff, executed service agreement or part thereof has been suspended by the Commission, it may be withdrawn during the period of suspension only by special permission of the Commission upon application therefor and for good cause shown.

(b) *Changes in suspended tariffs, executed service agreements or parts thereof.* A natural-gas company may not, within the period of suspension, file any change in a tariff, executed service agreement or part thereof which has been suspended by order of the Commission except by special permission of the Commission granted upon application therefor and for good cause shown.

(c) *Changes in tariffs, executed service agreement or parts thereof continued in effect, and which were to be changed by the suspended filing.* A natural-gas company may not, within the period of suspension, file any change in a tariff, executed service agreement or part thereof continued in effect by operation of the order of suspension, and which was proposed to be changed by the suspending filing, except by special permission of the Commission granted upon application therefor and for good cause shown.

(B) The amendments prescribed by this order shall become effect May 1, 1951.

(C) The Secretary of the Commission shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

(Sec. 16, 52 Stat. 830; 15 U. S. C. 717o. Interprets or applies sec. 4, 52 Stat. 822; 15 U. S. C. 717c)

Date of issuance: March 13, 1951.

By the Commission.

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

[F. R. Doc. 51-3252; Filed, Mar. 13, 1951; 8:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes

[T. D. 5832]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

EXCLUSION FROM GROSS INCOME FOR MEMBERS OF ARMED FORCES SERVING IN COMBAT AREAS

On December 13, 1950, notice of proposed rule making, regarding amendments to the income tax regulations made

necessary by section 202 (a) of the Revenue Act of 1950, approved September 23, 1950, was published in the FEDERAL REGISTER (15 F. R. 8825). No objection to the rules proposed having been received, the amendments to Regulations 111 (26 CFR Part 29) set forth below are hereby adopted:

PARAGRAPH 1. There is inserted immediately preceding § 29.22 (b) (13)–1 the following:

SEC. 202. INCOME TAX EXEMPTIONS FOR MEMBERS OF THE ARMED FORCES SERVING IN COMBAT AREAS (REVENUE ACT OF 1950, APPROVED SEPTEMBER 23, 1950).

(a) *Exclusion from gross income.* Section 22 (b) (13) (relating to exclusions from gross income) is hereby amended to read as follows:

(13) *Additional allowance for certain members of the Armed Forces*—(A) *Enlisted personnel.* Compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member served in a combat zone after June 24, 1950, and prior to January 1, 1952.

(B) *Commissioned officers.* In the case of compensation received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer served in a combat zone after June 24, 1950, and prior to January 1, 1952, so much of such compensation as does not exceed $200.

(C) *Definitions.* For the purposes of this paragraph—

(i) The term "commissioned officer" does not include a commissioned warrant officer;

(ii) The term "combat zone" means any area which the President of the United States by Executive Order designates, for the purposes of this paragraph, as an area in which Armed Forces of the United States are or have (after June 24, 1950) engaged in combat;

(iii) Service is performed in a combat zone only if performed on or after the date designated by the President by Executive Order as the date of the commencing of combatant activities in such zone, and on or before the date designated by the President by Executive Order as the date of the termination of combatant activities in such zone; and

(iv) The term "compensation" does not include pensions and retirement pay.

* * * * *

PAR. 2. Section 29.22 (b) (13)–1, as amended by Treasury Decision 5645, approved July 20, 1948, is hereby further amended by changing the heading thereof to read as follows: *"Compensation of members of military and naval forces received prior to January 1, 1949."*

PAR. 3. There is inserted immediately after § 29.22 (b) (13)–1 the following:

§ 29.22 (b) (13)–2 *Compensation of members of the armed forces of the United States for service in a combat zone after June 24, 1950, and prior to January 1, 1952.* In addition to the exemptions and credits otherwise applicable, section 22 (b) (13) provides that there shall be excluded from gross income:

(a) Compensation received for active service as a member below the grade of commissioned officer in the armed forces of the United States for any month during any part of which such member served in a combat zone after June 24, 1950, and prior to January 1, 1952.

(b) In the case of compensation received for active service as a commissioned officer in the armed forces of the United States for any month during any part of which such officer served in a combat zone after June 24, 1950, and prior to January 1, 1952, so much of such compensation as does not exceed $200.

The exclusions under section 22 (b) (13) and this section are applicable only if active service is performed in a combat zone after June 24, 1950, and prior to January 1, 1952. Compensation is subject to exclusion whether or not it is received outside a combat zone or in a year (including a year after 1951) different from that in which such service is performed. Service is performed in a combat zone only if it is performed in an area which the President of the United States has designated by Executive order, for the purpose of section 22 (b) (13), as an area in which armed forces of the United States are or have (after June 24, 1950) engaged in combat, and only if it is performed on or after the date designated by the President by Executive order as the date of the commencing of combatant activities in such zone and on or before the date designated by the President by Executive order as the date of the termination of combatant activities in such zone. If a member of the armed forces serves in a combat zone for any part of a month, he is entitled to the exclusion for such month to the same extent as if he had served in such zone for the entire month.

The term "commissioned officer" does not include a commissioned warrant officer, and, accordingly, a commissioned warrant officer is entitled to the exclusion allowed to enlisted personnel under section 22 (b) (13) (A). The term "compensation", for the purpose of this section, does not include pensions and retirement pay. As to who are members of the armed forces, see § 29.3797–11.

These exclusions are applicable without regard to the marital status of the recipient of the compensation, and if a husband and wife both meet the requirements of the statute, then each is entitled to the benefit of an exclusion. In the case of a husband and wife domiciled in a State recognized for Federal income tax purposes as a community property State, any exclusion from gross income under section 22 (b) (13) operates before apportionment of the gross income of the spouses in accordance with community property law. For example, a man and his wife are domiciled in a community property State and he is entitled, as a commissioned officer, to the benefit of the exclusion of $200 for each month under section 22 (b) (13) (B). He receives $1,000 as compensation for active service for three months in a combat zone. Of such amount, $600 is excluded from gross income under section 22 (b) (13) (B) and only $400 is taken into account in determining the gross income of both husband and wife.

A member of the armed forces is in active service if he is actually serving in the armed forces. Periods during which a member of the armed forces is absent from duty on account of sickness, wounds, leave, internment by the enemy, or other lawful cause are periods of active service. A member of the armed forces in active service in a combat zone who there becomes a prisoner of war or missing in action is deemed, for the purpose of section 22 (b) (13) and this section, to continue in active service in the combat zone for the period for which he is entitled to such status for military pay purposes. These exclusions apply to compensation received by a member of the armed forces for services rendered while in active service even though payment is received subsequent to discharge or release from active service. Compensation credited to a decedent's account for a period subsequent to the established date of his death and received by his estate will be excluded under section 22 (b) (13) from the gross income of the estate to the same extent that it would have been excluded from the gross income of the decedent if he had lived and received such compensation.

PAR. 4. Section 29.3797–11 is hereby amended to read as follows:

§ 29.3797–11 *Military or naval forces and armed forces of the United States.* The term "military or naval forces of the United States" and the term "armed forces of the United States" each includes all regular and reserve components of the uniformed services which are subject to the jurisdiction of the Secretary of Defense, the Secretary of the Army, the Secretary of the Navy, or the Secretary of the Air Force. The terms also include the Coast Guard. The members of such forces include commissioned officers and the personnel below the grade of commissioned officer in such forces.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] FRED S. MARTIN,
Acting Commissioner of Internal Revenue.

Approved: March 8, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treas

[F. R. Doc. 51–3242; Filed, Mar. 13, 1951; 8:45 a. m.]

[T. D. 5835]

PART 29—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1941

TIME EXTENDED FOR FILING INCOME AND EXCESS PROFITS TAX RETURNS OF MEMBERS OF A GROUP OF AFFILIATED CORPORATIONS FOR TAXABLE YEARS ENDING AFTER JUNE 30, 1950, AND BEFORE MARCH 1, 1951

Pursuant to the authority contained in section 53 (a) (2) of the Internal Revenue Code, the time for filing the return for a taxable year ending after June 30, 1950, and before March 1, 1951, by a corporation having the privilege of making a consolidated return for such taxable year under section 141 of the Code (as amended by section 301 of the Excess Profits Tax Act of 1950, approved January 3, 1951) is hereby extended to and including June 15, 1951.

Inasmuch as this Treasury decision cannot effectuate its purpose unless it is promulgated immediately, it is found

that it is impracticable to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of such act.

(53 Stat. 32, 467; 26 U. S. C. 62, 3791)

[SEAL] GEO. J. SCHOENEMAN,
Commissioner of Internal Revenue.

Approved: March 13, 1951.

THOMAS J. LYNCH,
Acting Secretary of the Treasury.

[F. R. Doc. 51-3372; Filed, Mar. 13, 1951; 11:09 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 11]

CPR 11—RESTAURANTS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Ceiling Price Regulation 11 is hereby issued.

STATEMENT OF CONSIDERATIONS

The General Ceiling Price Regulation was issued on January 26, 1951, essentially as a "stop-gap" measure, in order to bring under immediate control the prices of most goods and services at all levels of production and distribution. At the time of its issuance, it was recognized that its provisions were not well-suited to all classes of trade or business, and that it would have to be replaced by other regulations, tailored to meet the needs of individual commodities or levels of production or distribution.

The General Ceiling Price Regulation exempts many agricultural commodities from price control because they are selling below the minimum prices required to be reflected to producers by section 402 (d) (3) of the Defense Production Act of 1950. Other foods were exempted which, because of unusual marketing factors and seasonal and perishable characteristics, made them subject to such sharp and unforeseeable price fluctuations as to make a price freeze inequitable. Thus, the regulation was not well adapted to restaurants because while their selling prices were generally frozen at their base period ceiling, the cost of many foods purchased by them was permitted to increase.

This regulation is designed to eliminate this inequity and to provide a temporary method of controlling restaurant prices until food prices are stabilized. It replaces the General Ceiling Price Regulation in the restaurant field and provides for a different type of price control based primarily on controlling the mark-up over the cost of food. Technically the regulation does not refer to mark-up. This is because it is not the industry's custom to use this term. Instead, the industry customarily utilizes and understands the phrase "food cost per dollar of sales" and this ratio reflects the mark-up. Under the regulation every restaurant must fix its prices so as to maintain during each four month period, commencing April 1, 1951, a "food cost per dollar of sales" no lower than it had in its base period. Thus while restaurants generally will be permitted to reflect increases in the cost of food to the restaurant, the operator will not be allowed a higher percentage mark-up than he experienced in his base period. Where reports and records are kept for the sales of alcoholic beverages and for food, the restaurant must maintain its ratio in each category.

This regulation does not permit restaurants to establish prices which reflect a mark-up any higher than the mark-up used during the calendar year 1949 or the pre-Korean twelve month period July 1, 1949–June 30, 1950. Because of seasonal factors affecting the industry, only a twelve month period will generally provide the fairest basis for computing the base rates. The twelve month period prior to June 30, 1950, was chosen, because it represents the most recent twelve month period prior to the outbreak of the Korean war. The calendar year of 1949, was permitted as an alternative, because many establishments would readily have available their total figures for sales and costs for such 1949 calendar year and would not necessarily be forced to prepare a new set of figures embracing portions of two calendar years. This alternative was designed to be helpful to the small operator. In addition, seasonal operators are permitted to compute their mark-up on a month-to-month basis and to compare their current monthly mark-up with the same month in the base year.

Every restaurant must be in compliance at the end of each four months' period beginning April 1, 1951. The Director of Price Stabilization was advised by members of the industry that this period of time was sufficient to give restaurant operators a full chance to adjust prices to obtain complete compliance by the end of each period. If a restaurant at the end of any four months' period exceeds the mark-up limitations, it is not only subject to the penalties prescribed in the Defense Production Act of 1950 but it must during the next four months' period so adjust its prices so as to make up the excess charges. In addition, its prices are frozen at the level prevailing in the period when the violation occurred. Theoretically an out-of-balance restaurant could get in compliance by raising prices and increasing substantially the portions of food served. This would increase its ratio of "food cost per dollar of sales" and lower its mark-up. The freeze provision was deemed necessary to prevent a violator from getting in compliance by raising prices.

The regulation further requires that if a restaurant offered combination meals such as plate lunches during the period January 16, 1951, through January 25, 1951, and it continues to serve combination meals, it may not advance the price of any one combination meal by a greater percentage than any other. Thus, while restaurants are permitted to increase the prices of plate lunches, as long as overall they observe their base period "food cost per dollar of sales", they cannot merely increase the low-prices plate lunches. The increase in prices of plate lunches must be by a uniform percentage from the lowest to the highest plate lunch offered. The meals offered must at least be comparable in quantity and quality to those offered in the base period. In addition, certain restaurants' service charges are frozen at levels of the highest price charged during specified base periods.

Thus restaurant prices are controlled in three ways. (1) By requiring restaurants to at least maintain their base period ratio of "food cost per dollar of sales"; (2) by preserving the January relationship between low and high priced combination meals; and (3) by freezing restaurant service charges. The restaurant business is one of the few which has experienced a decline in dollar volume in 1950 as compared to 1949 and 1948. In this situation these three methods are believed to provide an effective method of controlling restaurant prices until food costs level off.

The reporting requirements are designed to secure sufficient information to determine whether the "food cost per dollar of sales" is computed in accordance with the regulation and to ascertain which base period option has been chosen. Restaurants are required to preserve sufficient records, including means and invoices, so that it can be determined whether the ceiling prices fixed under this regulation are being observed, whether the "food cost per dollar of sales" was accurately and consistently computed in the base and the current period, and whether there has been a violation.

Separate rules are provided for new establishments. A restaurant in operation between July 1, 1950, and April 1, 1951, uses as its base period, its experience ratio during the period prior to the effective date when it was in operation. A restaurant that opens after the effective date uses, during its first four months, the prices of its nearest comparable competitor and after that its "food cost per dollar of sales" experience ratio during the first four months of operation. These ratios must be reported promptly and the Director may disapprove or revise the ratios for new establishments at any time. Special reporting requirements are established for new establishments in order to check the validity of the ratio employed and also to prevent an existing restaurant operator from closing and opening a new one in order to establish a more favorable ratio.

Under certain conditions meals served by hospitals, educational institutions, or fraternal, charitable, religious or cultural organizations, and eating cooperatives formed by personnel of the Armed Forces, are exempt.

In formulating this regulation the Director of Price Stabilization has consulted extensively with industry representatives and has given full consideration to their recommendations. In his judgment the provisions of this regulation are generally fair and equitable

and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950.

So far as practicable the Director of Price Stabilization gave due consideration to the national effort to achieve maximum production in furtherance of the objective of the Defense Production Act of 1950; to prices prevailing during the period from May 24, 1950, to June 24, 1950, inclusive; and to relevant factors of general applicability.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Applicability and prohibitions.
3. Ceiling prices for restaurants.
4. Reporting for restaurants in operation prior to July 1, 1950.
5. Records for restaurants in operation prior to July 1, 1950.
6. Rules for new restaurants.
7. Group of restaurants under common control.
8. Transfers of business.
9. Exempt sales.
10. Petitions for amendments.
11. Penalties.
12. Evasions.

AUTHORITY: Sections 1 to 12 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply Title IV, Pub. Law 774, 81st Cong., E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This regulation establishes a method of fixing ceiling prices for food and beverages served by restaurants. The term "Restaurant" when used in this regulation includes any place, establishment, or location, whether temporary or permanent, at or from which any meals or prepared food or beverages are sold and any place from which food items and beverages (whether prepared or not) are sold primarily for consumption on the premises. It includes, but is not limited to, establishments such as restaurants, hotels (including room service), taverns, cafes, cafeterias, delicatessens, soda fountains, boarding houses, catering establishments, athletic stadiums, field kitchens, lunch wagons, hot dog carts, etc. The words "you" and "your" in this regulation refer to any person who owns or operates such an establishment. These ceiling prices supersede those established by the General Ceiling Price Regulation.

SEC. 2. *Applicability and prohibitions*—(a) *Applicability.* The provisions of this regulation are applicable to the United States, its territories and possessions and the District of Columbia.

(b) *When to begin using this regulation.* Beginning April 1, 1951, you must fix your prices in accordance with this regulation.

(c) *Prohibitions.* After the effective date of this regulation, regardless of any contract or other obligation, you shall not sell any meals, food items, beverages or services at prices which reflect a lower "food cost per dollar of sales" than is permitted by this regulation and you shall not sell at prices higher than the ceiling prices established by this regulation. You shall not buy in the regular course of business or trade any commodity or service at a price exceeding that established by any ceiling price regulation now or hereafter issued.

SEC. 3. *Ceiling prices for restaurants*—(a) *Ceiling prices for sale of foods and beverages.* Your ceiling prices are those prices which reflect a current "food cost per dollar of sales" no lower than the "food cost per dollar of sales" which you had in the base period. You must fix your prices so as to maintain during each four month period, beginning April 1, 1951, no lower "food cost per dollar of sales" than you had in your base period. "Food cost per dollar of sales" means the ratio between the total cost of "food" and the total sales. In computing your current food cost and your total sales, you shall use the same methods as those used in the base period. In computing your current food cost and total sales, you must treat taxes in the same way as in the base period. You may not add any item of expense into your food cost that you did not include in your base period. However, if it was your custom to include in your food cost some nominal non-food items such as ice, straws and napkins, you may continue to do so. "Food" includes beverages, both alcoholic and non-alcoholic unless you kept separate records showing the cost and gross sales of alcoholic beverages. If you kept separate records, your prices must be fixed in accordance with paragraph (b) of this section.

Example 1: During your base period your total cost of food was $50,000 and your total gross sales were $100,000; your "food cost per dollar of sales" was 50 cents. During the four month period beginning April 1, 1951, and ending July 31, 1951, your cost of food was $12,000. You must fix your prices so that your total gross sales do not exceed $24,000, and, therefore, your "food cost per dollar of sales" is not below $0.50.

Example 2: During the base period the cost of food in a meal selling for $1.00 was $0.50. The cost of food has now gone up to $0.55. You run the risk of exceeding your four month overall ratio if you price the same meal at more than $1.10.

Example 3: Assume that under the facts in Example 1, the cost of food goes down to $0.45. You run the risk of pricing yourself out of balance if you price the meal at more than $0.90.

(b) *Ceiling prices for the separate sales of alcoholic beverages and of food.* If during the base period you kept separate records showing the cost and the gross sales of alcoholic beverages, you must compute separately your "food cost per dollar of sales" and you must conform to the requirements of paragraph (a) of this section both for sales of alcoholic beverages and for sales of all other items.

Example: During your base period you kept separate records and you had a "food cost per dollar of sales" for alcoholic beverages of $0.35 and for food alone of $0.45. If during the period April 1, 1951, through July 31, 1951, your "food cost per dollar of sales" on alcoholic beverages is $0.30, you are in violation even if the rate on food alone is in line. You are also in violation even if, by reason of a higher than $0.45 cost for food alone, the "food cost per dollar of sales" of alcoholic beverages and food combined is not in excess of the combined ratio during your base period. If either the ratio for alcoholic beverages or for food alone is below the identical ratio for the base period, you are in violation.

(c) *Duty to lower prices if in violation.* If your "food cost per dollar of sales" is too low at the end of any one four month period, you are in violation of this regulation and subject to the penalties prescribed in the Defense Production Act of 1950. Moreover, until you are in compliance you shall not charge a higher price for any food or beverage item than the price charged for that item during the period when the violation occurred. In order to be in compliance, you must adjust your prices during the next four month period so that the "food cost per dollar of sales" computed for that four month period and for the eight month period is in balance. If you are still out of balance, you must continue to adjust your prices during each succeeding four month period until you are in compliance for the full period.

Example: Your "food cost per dollar of sales" is $0.35. Your gross sales during the period beginning August 1, 1951, through November 30, 1951, are $100,000. Your cost for food for this four month period is $32,000 instead of the required $35,000. You are now in violation and you are out of balance by $3,000. You are still not in compliance even if for the period April 1, 1951, through July 31, 1951, your "food cost per dollar of sales" exceeded your base rates by $3,000. You may not charge a price for any food or beverage item higher than the highest price charged between August 1, 1951, through November 30, 1951, until you are in full compliance. During the total eight month period from August 1, 1951, through March 31, 1952, your total sales are $200,000. For this entire period your total food cost must be $70,000 or more, so that you will be operating under the proper food ratio. The mere fact that your food costs for the last four months may have been over $35,000 does not save you from violation or put you in compliance.

(d) *Seasonal operators.* If your "food cost per dollar of sales" varies seasonally, you may use a monthly basis for determining your "food cost per dollar of sales" using for each current month the corresponding month during the twelve month period selected by you as your base period. You must, however, still be in compliance at the end of each four month period commencing April 1, 1951.

(e) *Price ranges of combination meals.* (1) If, during the base period January 16, 1951, through January 25, 1951, you offered combination meals, such as table d'hote dinners, plate lunches, club breakfasts, or combination specials, and you continue to offer such combination meals, you may not advance the price of any combination by an amount percentagewise any greater than you do on any other combination.

Example: If you advance the price of one of your table d'hote dinners from $1.00 to $1.10, then you would be in violation if you advanced a $0.50 table d'hote dinner by more than five cents.

Example: If you advance the price of a $0.60 combination meal by six cents, you would be in violation if you raised a $1.00 combination meal by more than ten cents.

(2) Whenever a percentage computation falls below one-half cent you must take the next lowest figure. If it falls at one-half cent or above you may price at the next highest penny.

(3) If in your base period you always rounded out your combination meal

prices in multiples of five cents, you may continue to do so, but when a percentage computation figure falls below two and one-half cents, you may not increase this item. However, if your percentage computation figure results in two and one-half cents or above, you may increase this item by five cents.

(4) The low priced meals offered in the current period must at least be comparable as to items of food and drink offered, number of items, quality and size of portions with those offered in the January period. If you serve combination meals, you may not make merely a token offering, that is, not prepare and offer enough to meet expected demand.

(f) *Ceiling prices for service charges.* You may not increase any cover, minimum, bread-and-butter, service, corkage, entertainment, checking, parking, or other special charges, or increase any extra charge for the sale of food item or meal to be eaten on or off the premises, or make any of these charges that were not in effect during your base period or during January 16, 1951, through January 25, 1951. However, a cover or minimum charge in effect during January 16, 1951, through January 25, 1951, may be increased where it was your practice to vary the charge in accordance with the type of entertainment offered, and the increase does not cause the charge to go above the highest charge made during your base period or during January 16, 1951, through January 25, 1951, under the same conditions. If during your base period or during January 16, 1951, through January 25, 1951, you had any of the above charges on one or several days of the week, or at certain times of the day, you may not make the charge on other days of the week or other times of the day.

(g) *Base-period.* Your base period is the calendar year 1949 or the twelve month period ending June 30, 1950. Once you have chosen your base period, you may not change it.

SEC. 4. *Reporting for restaurants in operation prior to July 1, 1950.* (a) On or before April 30, 1951, you must file the following statement with your OPS office:[1]

(1) Your name and address and the name and address of the restaurant.

(2) A statement whether you elect the entire calendar year 1949 on the entire twelve month period July 1, 1949, to June 30, 1950, as your base period, and whether you want to compute your ratio on a monthly basis. Once you have chosen your base period and whether to compute your rates on a monthly or an annual basis, you may not change your base period option.

(3) A statement of your gross sales for the base period; if you kept separate records showing sales of alcoholic beverages, show these separately.

(4) A statement of your total food cost during the base period; if you kept separate records showing cost of food, show these separately.

(5) A statement of those items, if any, other than food and beverage, which you have included in the food cost.

(6) A statement of special charges, such as cover, minimum, bread-and-butter, service, corkage, entertainment, parking, etc.

(b) If you are computing your "food cost per dollar of sale" on a seasonal basis, you must report your gross sales and food cost on a monthly basis for your base period.

SEC. 5. *Records for restaurants in operation prior to July 1, 1950.* You must preserve two copies of all menus and price lists used by you after January 15, 1951. In addition, if in 1950 you were in operation only during a particular season, you must preserve two copies of all menus and price lists used by you during the last ten day period of your 1950 season. You must preserve written records substantiating your "food cost per dollar of sales" and you must preserve your invoices on all items that you used to compute food cost during your base period and during any period after you started fixing your prices in accordance with this regulation.

SEC. 6. *Rules for new restaurants—*(a) *For restaurants in operation between July 1, 1950, and April 1, 1951.* If you did not operate an eating or drinking establishment prior to July 1, 1950, but you were in operation between July 1, 1950, and April 1, 1951, your base period for determining the "food cost per dollar of sales" is the total period of time prior to April 1, 1951, that you were in operation.

(b) *Rules for restaurants not in operation by April 1, 1951.* If you did not operate an eating or drinking establishment during any period prior to April 1, 1951, you shall compute your base period "food cost per dollar of sales" as follows:

(1) For the first four months of operation you shall use the prices of the nearest comparable restaurant of the same type, grade and class as the one that you are operating.

(2) After the first four months of operation your allowable "food cost per dollar of sales" ratio is the ratio experienced by you during the first four months of your operation.

(c) *Approval and revision.* The Director of Price Stabilization, or any officer to whom he delegates authority, may disapprove or revise your "food cost per dollar of sales" ratio.

(d) *Reporting and records requirements for new restaurants.* (1) If you were in operation between July 1, 1950, and April 1, 1951, you shall submit the reports required by section 4 for the period during which you were in operation. You must also preserve the records required by section 5 after January 15, 1951, or the date you opened, whichever date is later.

(2) If you were not in operation prior to April 1, 1951, within ten days after opening your restaurant you shall file with the OPS office a statement containing the following information:

(i) Your name and address and the name of your restaurant.

(ii) A brief description of the business you operate or plan to operate, giving such information as seating capacity, estimated number of people to be served, type of equipment and type of restaurant; also attach a copy of your proposed menu or price list.

(iii) The date on which you opened or plan to open.

(iv) The names and addresses of the two nearest comparable restaurants.

(v) Your proposed "food cost per dollar of sales."

(vi) A statement of whether you, or the principal owner of your business, are now or were during the past twelve months engaged in any capacity in the operation of any restaurant, and if so, the trade name and address of each such restaurant and its "food cost per dollar of sales." Within twenty-five days after the close of the first four months of operation you shall submit to your OPS office the information required in section 4 based on your experience during the first four months of operation. You shall preserve all of the records listed in section 5 from the time you started operation.

SEC. 7. *Group of restaurants under common control.* A group of restaurants under common ownership or control which had an established practice of centrally determining a uniform price or food cost during the base period for some or all meals, food items or beverages for some or all of its restaurants, may treat all the restaurants as one restaurant for the purpose of (a) computing the "food cost per dollar of sales" and the ceiling prices for meals, food items or beverages in the restaurant for which this practice existed, and (b) complying with the record-keeping, reporting and filing provisions of this regulation.

SEC. 8. *Transfers of business.* If after April 1, 1951, you lease or acquire the business, assets, or stock-in-trade of a restaurant, your duties under this regulation are the same as those of the previous proprietor. He must turn over to you all records which are necessary to enable you to comply with the records and filing provisions of this regulation.

SEC. 9. *Exempt sales.* Sales by the following restaurants or persons are specifically exempt from the provisions of this or any prior regulations:

(a) *Hospitals.* Except for food items and meals served to persons other than patients, where a separate charge is made for such meals and food items;

(b) *Educational and fraternal organizations.* Restaurants operated by a school, college, university or other educational institution or a student fraternity or other student organization or association primarily for the convenience or accommodation of students and faculty and not for profit as a commercial or business enterprise or undertaking;

(c) *Charitable, religious or cultural organizations.* Restaurants owned or operated by charitable, religious or cul-

[1] Ordinarily your OPS office is the district office having jurisdiction over the area in which your business is located. If, however, you operate a group of restaurants doing business in more than one district, you may file all required records and reports in the regional office having jurisdiction over the area. A group of restaurants doing business in more than one region may file all required reports with the Restaurant Branch, Office of Price Stabilization, Washington 25, D. C.

tural organizations, recognized as such by the Bureau of Internal Revenue and exempt from payment of income tax by reason thereof, where no part of the net earnings inures to the benefit of any private shareholder or individual, and the net profits, if any, are devoted to religious, charitable, or cultural purposes;

(d) *Armed Forces eating cooperatives.* Eating cooperatives formed by personnel in the Armed Forces (as, for example, officers' mess, non-com and enlisted men's mess) operated without profit;

SEC. 10. *Petitions for amendments.* If you wish to have this regulation amended you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation 1 (15 F. R. 9055).

SEC. 11. *Penalties.* Persons violating any provision of this regulation are subject to the criminal penalties, civil enforcement actions, and suits for treble damages provided by the Defense Production Act of 1950.

SEC. 12. *Evasion.* You shall not evade or circumvent the provisions of this regulation by direct or indirect methods.

Effective date. This regulation is effective April 1, 1951.

NOTE: The record-keeping and reporting requirements of this regulation have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

MICHAEL V. DISALLE,
Director of Price Stabilization.

MARCH 13, 1951.

[F. R. Doc. 51-3380; Filed, Mar. 13, 1951; 1:00 p. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-46]

M-46—PRIORITIES ASSISTANCE FOR THE PETROLEUM AND GAS INDUSTRIES

This order is found necessary and appropriate to promote the national defense and is issued pursuant to the authority granted by section 101 of the Defense Production Act of 1950. Consultation with industry representatives in advance of the issuance of this order has been rendered impracticable due to the fact that it applies to all branches of the petroleum and gas industries.

PURPOSES AND DEFINITIONS

Sec.
1. What this order does.
2. Definitions.

MRO MATERIAL—MAINTENANCE AND REPAIR, OPERATING SUPPLIES AND LABRATORY EQUIPMENT

3. The rating for MRO material.
4. How to use rating for MRO material.
5. Emergency MRO material.
6. Limitation on use of MRO rating.

MATERIAL FOR USE IN PRODUCTION

7. Material covered.
8. The rating for oil country tubular goods.
9. How to use the rating for normal requirements.
10. Time for filing for normal requirements.
11. Filing and rating for emergency requirements.
12. Prompt use of ratings.

MATERIAL OTHER THAN MRO MATERIAL OR OIL COUNTRY TUBULAR GOODS

13. Other material.

GENERAL PROVISIONS

14. Certification.
15. Inventory information.
16. Other regulations.
17. Need for rating or symbol.
18. Additional priorities restrictions.
19. Records, reports, and forms.
20. Communications.
21. Violations.

AUTHORITY: Sections 1 to 21 issued under sec. 704, Pub. Law 774, 81st Cong. Interpret or apply sec. 101, Pub. Law 774, 81st Cong.; sec. 101, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp., sec. 2, E. O. 10200, Jan. 3, 1951, 16 F. R. 61.

PURPOSES AND DEFINITIONS

SECTION 1. *What this order does.* This order sets out the rules by which priorities assistance is made available to petroleum and gas operators to obtain material for maintenance and repair purposes, as operating supplies, or laboratory equipment. It also tells operators how to get assistance in obtaining materials for use in production. The order does not apply to foreign operations.

SEC. 2. *Definitions.* (a) "Operator" means any person to the extent he is engaged in the petroleum and gas industries.

(b) "Petroleum" means crude oil and associated hydrocarbons, including the products thereof.

(c) "Gas" means natural gas, manufactured gas or mixtures thereof.

(d) "Petroleum and gas industries" includes any of the following activities and any operations directly incident to these activities as they pertain to petroleum or gas:

(1) The discovery, development or depletion of petroleum or gas (production);

(2) The extraction or recovery of natural gasoline or associated hydrocarbons (natural gasoline recovery);

(3) The movement, loading or unloading of petroleum (transportation);

(4) The transportation of gas (gas transmission);

(5) The processing, reprocessing or alteration of petroleum, including but not limited to compounding or blending (refining);

(6) The processing of material for the production of manufactured gas (manufactured gas production);

(7) The distribution or dispensing of petroleum, gas, or the products thereof, and the storage incident thereto (distribution), and shall include for each of the above listed branches of the industries, to the extent applicable, the control of, or the investigation into more effective methods of conducting, petroleum or gas operations by means of research, technical or control laboratories.

(e) "Material" means any raw, in-process, or manufactured commodity, equipment, component, accessory, part, assembly or product of any kind.

(f) "Maintenance and repair" means (without regard to accounting practice):

(1) The upkeep of any structure, equipment, or material in a sound working condition or the restoration or fixing of any structure, equipment, or material which has broken down or is worn out, damaged or destroyed;

(2) Any other use of material not exceeding in material cost $1,000 for any one complete operation which has not been subdivided for the purpose of coming within this definition.

(3) Maintenance and repair does not include: (a) The deepening, redrilling, or plugging back of any well or the initial installation on any well of pumping or other artificial lifting equipment, or (b) any use of material in connection with a service station or retail outlet other than for upkeep or restoration purposes or the replacement of equipment worn out and beyond repair.

(g) "Operating supplies" means any material other than material used for maintenance and repair which is essential to and consumed in the petroleum and gas industries and which is normally carried by an operator as operating supplies or which is normally chargeable to operating expense, including, among other items, chemicals, additives, and blending agents.

(h) "Laboratory equipment" means material or equipment used exclusively for the purpose of controlling, or investigating more effective methods of conducting, petroleum and gas industries operations by means of research, technical or control laboratories. This material or equipment shall not, however, include material for use in the construction of laboratory buildings or other structures.

(i) "Oil country tubular goods" means those basic forms of steel produced in the United States as itemized on Schedule A of this order.

(j) "PAD District" means any one of the five areas designated as a PAD District on Schedule B of this order.

(k) "Delivery order" means any purchase order, contract, release, or shipping instruction which constitutes a definite and complete instruction from a purchaser to a seller calling for delivery of any material or product. The term does not include any contract, purchase order, or other arrangement which, although specifying the total amount to be delivered, contemplates that further instructions are to be given before delivery is made.

(l) "Administrative operations" means the supervisory, fiscal, administrative or clerical activities necessary to the operation of plants, units or facilities involved in and a part of the petroleum and gas industries.

MRO MATERIAL—MAINTENANCE AND REPAIR, OPERATING SUPPLIES AND LABORATORY EQUIPMENT

SEC. 3. *The rating for MRO material.* To secure material for maintenance and repair, operating supplies, or laboratory equipment (all known as MRO material) an operator may use and apply the rating DO-97.

SEC. 4. *How to use rating for MRO material.* (a) To use the rating DO-97

for MRO material, other than MRO material to be used for administrative operations, an operator must:

(1) Place the rating on each delivery order for material together with the words set forth in section 14.

(2) Prior to placing the order with the supplier, if it is for a total amount of $2,000 or more or if any single item costs more than $1,000, submit for approval two copies of the order to the Petroleum Administration for Defense (PAD), Washington 25, D. C., Att: Materials Division. A delivery order of this kind required to be submitted to PAD for approval may not be placed until there has been returned to the operator one approved copy of the order.

(3) Prior to placing the order with the supplier, if it is for a total amount of $100 or more but less than $2,000 and contains no single item which costs more than $1,000, submit for information one copy of the order to the Petroleum Administration for Defense, Washington 25, D. C., Att: Materials Division. A delivery order of this kind required to be submitted to PAD for information may be placed with the supplier as soon as the information copy is submitted.

(b) To use the rating DO–97 for MRO material to be used for administrative operations an operator must:

(1) Establish a quota in accordance with the provisions of Schedule C.

(2) Place the rating on each delivery order for material together with the words set forth in section 14 of this order.

An operator may not use the rating DO–97 for MRO material to be used for administrative operations in excess of a quota applicable to him established pursuant to the provisions of Schedule C.

SEC. 5. *Emergency MRO material.* (a) Where there has been an actual breakdown or suspension of operations and where the methods specified in section 4 of this order will not get the material on the date and in the quantity required, an operator may request priorities assistance to secure emergency MRO material by letter, telegram or telephone to the Washington office of the Petroleum Administration for Defense advising the date of the actual breakdown or suspension of operations and the operations affected, the equipment to be repaired and its function in maintaining continuous operation, the price, quantity, and a detailed description of the material required including the number and the date of delivery orders therefor, and the supplier or suppliers from whom the material is to be obtained.

(b) If information is supplied by telephone, it must be confirmed within 3 days by letter or telegram.

(c) No delivery order for emergency MRO material need be submitted for approval to PAD, but an operator may not place a delivery order bearing the rating DO–97 with the supplier for emergency MRO material until approval to do so has been received and a delivery order has been certified in accordance with section 14 of this order.

SEC. 6. *Limitation on use of MRO rating.* The rating DO–97 authorized herein for MRO material may be used to secure services to the extent provided for in NPA Reg. 2 as amended from time to time. The rating DO–97 authorized herein may not be applied to secure items upon List A of such NPA Reg. 2 as amended from time to time.

MATERIAL FOR USE IN PRODUCTION

SEC. 7. *Material covered.* (a) At the present time a rating is assigned by this order to obtain only MRO material (covered in sections 3 to 6 of this order) and oil country tubular goods. Material other than MRO material or oil country tubular goods will have to be obtained without rating unless special provision is made in accordance with section 13 of this order.

(b) Needs for oil country tubular goods are divided into two classes: (1) Normal requirements, and (2) emergency requirements. Separate rules apply to each. Normal requirements are the quantities of oil country tubular goods necessary to meet an operator's projected quarterly drilling program, including exploratory wells. Emergency requirements are those quantities of oil country tubular goods found necessary to carry out exploratory operations, drilling obligations, or the like, in circumstances where sufficient materials are not on hand, readily available or otherwise obtainable without use of a DO rating. The PAD will review applications for requirements and will authorize, on the basis of information submitted by the operator, quantities of oil country tubular goods based on the needs of the operator and the availability of material.

SEC. 8. *The rating for oil country tubular goods.* To secure oil country tubular goods for normal requirements an operator may use and apply the rating DO–48; for emergency requirements an operator may use and apply the rating DO–48E. An operator may not use either of these ratings until he has complied with the rules set out in section 9 of this order and he has been informed by PAD that a rating may be applied to a quantity of oil country tubular goods authorized by the Petroleum Administration for Defense.

SEC. 9. *How to use the rating for normal requirements.* (a) The rating DO–48 may be used by an operator only to obtain those quantities of oil country tubular goods which have been approved by PAD. In order to obtain PAD approval, an operator must:

(1) File with PAD four copies of Form PAD–16 (Petroleum and Gas Operator's Inventory of Unused Oil Country Tubular Goods) for each PAD District in which operations are being or are to be conducted; and

(2) File with PAD four copies of Form PAD–17 (Petroleum and Gas Operator's Quarterly Requirements Statement) for each PAD District in which operations are to be conducted during the calendar quarter when delivery of the material requested on the form is required.

(b) PAD will return to the operator one copy of Form PAD–17 together with an authorization giving the quantities of oil country tubular goods which the operator may obtain by use of the rating DO–48. To use the rating to obtain deliveries of these quantities, an operator must place the rating on each delivery order for such material, together with the words set forth in section 14 of this order.

(c) The times for filing applications for normal requirements on Form PAD–17 are set forth in section 10 of this order. The rules on filing Form PAD–16, covering inventories, are set forth in section 15 of this order. Operators should remember that PAD will not authorize quantities of material on Form PAD–17 until an operator has reported his inventory on Form PAD 16.

SEC. 10. *Time for filing for normal requirements.* (a) It is not possible to bring into effect the assistance program for normal requirements during the second quarter of 1951. Accordingly, normal requirements for oil country tubular goods cannot be delivered with priorities assistance until the beginning of the third quarter, that is, July 1, 1951. For deliveries of normal requirements before that date, operators will have to look to usual commercial sources without rating assistance.

(b) In order to authorize quantities far enough in advance to permit deliveries on and after July 1 through use of rating DO–48, it will be necessary for operators to file Form PAD–17 at the earliest practicable time. In any event, Form PAD–17 must be filed for deliveries for the third quarter (July, August, September) not later than March 31, 1951. Four copies of Form PAD–17 should be filed, addressed to the Petroleum Administration for Defense, Washington 25, D. C., Att: Materials Division.

(c) For the quarters following (that is, for deliveries during the fourth quarter of 1951, the first quarter of 1952, and so on), an operator must file Form PAD–17 at least 3 months prior to the quarter in which delivery of the materials is to be made. Thus for deliveries to be made in October, November, or December of 1951, an operator must file with PAD Form PAD–17 not later than June 30, 1951.

(d) After Form PAD–17 has been returned to an operator, he may find that the quantities authorized are inadequate for his normal requirements during the ensuing calendar quarter. In that event the operator may file a supplemental request for oil country tubular goods. This filing should be by Form PAD–17 (four copies), accompanied by an explanatory letter in duplicate, both addressed to the Petroleum Administration for Defense, Washington 25, D. C., Att: Materials Division. The filing should be within 2 weeks of the time that the operator receives his original authorization. In the event that additional quantities are authorized by PAD, the operator will be appropriately notified and may then apply rating DO–48 to his delivery orders for these quantities in the manner specified in section 9 of this order.

SEC. 11. *Filing and rating for emergency requirements.* (a) Use of rating DO–48E to obtain quantities of oil coun-

try tubular goods for emergency requirements will be permitted for deliveries to be made after April 1, 1951. Before the rating may be used for this purpose, an operator must file with PAD four copies of Form PAD–15 (Emergency Requirements Application). Form PAD–15 may be filed either before or during the month in which deliveries of oil country tubular goods for emergency purposes are required. When the operator has not filed Form PAD–16 for the quarter preceding the emergency application, he must accompany his Form PAD–15 request with the inventory report called for on Form PAD–16.

(b) PAD will notify the operator of the quantities for which he is authorized to use a DO–48E rating. The operator may not use the rating until he has been authorized to apply it to a specific quantity of oil country tubular goods, and may use the rating to obtain no more than that quantity unless specially authorized to do so under this or other provisions of this order. The operator may use the rating DO–48E by placing the rating on each delivery order for the materials authorized, together with the words set forth in section 14 of this order.

SEC. 12. *Prompt use of ratings.* (a) After an operator has been authorized to use a rating on a quantity of oil country tubular goods, he must do so promptly. An operator who receives authorization for a quantity of oil country tubular goods on a quarterly basis must place his rated delivery orders for this quantity within 15 days after the beginning of the quarter in which the material is to be delivered. An operator who receives authorization for a quantity of oil country tubular goods pursuant to either an emergency application or a supplementary application must place his rated delivery orders for the quantity authorized within 30 days after the authorization is received. If orders are not placed within the appropriate period or when an order is canceled in whole or in part, the operator must promptly notify the PAD in Washington the extent to which rated orders have not been placed or have been canceled.

(b) Within 48 hours after rated orders are placed by an operator and accepted by the supplier for quantities of material authorized on Form PAD–17, one copy of each delivery order so placed shall be sent to the Petroleum Administration for Defense, Washington 25, D. C., Att: Materials Division.

MATERIALS OTHER THAN MRO MATERIAL OR OIL COUNTRY TUBULAR GOODS

SEC. 13. *Other material.* Priorities assistance is authorized in this order only for MRO material and oil country tubular goods. Operators in all branches of the petroleum and gas industries may have need of assistance from time to time to obtain other material for their operations. At present, the extent of this assistance will be limited. To request assistance when an operator is not able to obtain material to meet an immediate and pressing need, an operator should prepare a statement of the reasons why assistance is required, containing the following information: The price, quantity, and a detailed description of the material required, the number and date of delivery orders therefor, the supplier or suppliers with whom the delivery orders have been placed, the reasons why timely delivery cannot be effected without the assistance requested, the relationship of the materials to operations, and the circumstances which justify assistance in the interests of national defense. This statement in four copies should be sent to the Petroleum Administration for Defense, Washington 25, D. C., Ref: M–46. Where possible a copy of the delivery order should accompany the application.

GENERAL PROVISIONS

SEC. 14. *Certification.* The certificate which an operator must use in applying the preference rating is:

> The undersigned certifies that the rating hereby applied is authorized by and is properly used pursuant to the provisions of NPA Order M–46.

SEC. 15. *Inventory information.* (a) An operator must file Form PAD–16 prior to receiving authorization of quantities of oil country tubular goods. The first filing date is March 17, 1951. Inventory information shall be current as of March 10, 1951.

(b) A second inventory report is to be made to PAD prior to July 1, 1951. The information on the form shall be current as of June 20, 1951. A third inventory report shall be made on or before October 1, 1951. The information on this report shall be current as of September 20, 1951. Thereafter, unless additional instructions are given, inventory reports will not be required.

(c) Where an operator fails to file with PAD a Form PAD–16, and subsequently files either a Form PAD–15 or 17, he must attach a Form PAD–16, containing information current as of the inventory date nearest the date of filing. Thus a Form PAD–15, filed May 30, 1951, should contain inventory information current as of March 10, 1951, or any later date; a Form PAD–15 filed June 30, 1951, should contain information current as of June 20, 1951, or any later date. Where a Form PAD–16 is on file there is no need to duplicate the information by additional filings covering the same period.

(d) Four copies of Form PAD–16 must be submitted. The copies must be sent to the Petroleum Administration for Defense, Washington 25, D. C., Attention: Materials Division. If an operator has not filed his inventory report (Form PAD–16) along with his regular requirements (Form PAD–17), he must file the report with his request for emergency requirements (Form PAD–15).

SEC. 16. *Other regulations.* This order and all transactions affected hereby, except as herein otherwise provided, are subject to all orders and regulations of the National Production Authority, as amended from time to time. In particular and without limiting the foregoing, the inventory limitations set forth in NPA Reg. 1 as amended from time to time, shall apply, and nothing herein shall authorize an operator to secure material in excess of the inventory limitations provided therein. The rating authorized by this order may be extended and shall be governed by the general priorities procedure set forth in NPA Reg. 2, as amended from time to time. An operator using the rating DO–97 pursuant to this order is not bound by the provisions of NPA Reg. 4.

SEC. 17. *Need for rating or symbol.* An operator may not use any rating authorized under this order to obtain material:

(a) For any purpose other than a purpose authorized under this order or in greater amounts or on earlier dates than required for any authorized purpose.

(b) Which can be secured without the use of a rating.

(c) The use of which could be eliminated without serious loss of efficiency by substitution of less scarce material, or by change of design.

SEC. 18. *Additional priorities restrictions.* (a) The PAD may issue in its own name further restrictions or limitations on the use of the priorities assistance by operators.

(b) Rating DO–97 for MRO material may not be used until March 15, 1951. An operator who has outstanding nonrated orders for MRO material on the effective date of this order or who thereafter places such orders without rating them, may on or after March 15, 1951, apply DO–97 to them.

SEC. 19. *Records, reports, and forms.* (a) Each person participating in any transaction covered by this order shall retain in his files, for at least 2 years, records of receipts, deliveries, inventory and use, in sufficient detail to permit an audit that determines for each transaction that the provisions of this order have been met. This does not specify any particular accounting method, nor does it require alteration of the system of records customarily maintained, provided the system provides an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copy instead of the original.

(b) All records required by this order shall be made available at the usual place of business where maintained for the inspection and audit by duly authorized representatives of the National Production Authority or the Petroleum Administration for Defense.

(c) Persons subject to this order shall make such records and submit such reports to the Petroleum Administration for Defense and the National Production Authority as they shall require, subject to the terms of the Federal Reports Act (Pub. Law 831, 77th Cong., 5 U. S. C. 139–139F).

SEC. 20. *Communications.* All communications concerning this order shall be addressed to the Petroleum Administration for Defense, New Interior Building, Washington 25, D. C., Attention: Materials Division.

SEC. 21. *Violations.* Any person who wilfully violates any provision of this order or any other order or regulation of NPA or wilfully conceals a material fact or furnishes false information in the course of operation under this order is guilty of a crime and upon conviction

may be punished by fine or imprisonment or both. In addition, administrative action may be taken against such person to suspend his privilege of making or receiving further deliveries of materials or using facilities under priority or allocation control and to deprive him of further priorities assistance.

NOTE: The reporting requirements and record-keeping requirements of this order have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942.

This order shall take effect on March 12, 1951.

NATIONAL PRODUCTION AUTHORITY,
[SEAL] MANLY FLEISCHMANN,
Administrator.

SCHEDULE A—MATERIALS FOR USE IN PRODUCTION

Casing—Tubing—Drill pipe.

SCHEDULE B—PETROLEUM ADMINISTRATION FOR DEFENSE DISTRICTS

District 1: Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Pennsylvania, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, District of Columbia.

District 2: Ohio, Kentucky, Tennessee, Indiana, Michigan, Illinois, Wisconsin, Minnesota, Iowa, Missouri, Oklahoma, Kansas, Nebraska, South Dakota, North Dakota.

District 3: Alabama, Mississippi, Louisiana, Arkansas, Texas, New Mexico.

District 4: Montana, Wyoming, Colorado, Utah, Idaho.

District 5: Arizona, California, Nevada, Oregon, Washington, Territory of Alaska.

SCHEDULE C

Schedule C is applicable to the use of the rating DO-97 for the procurement by an operator of material to be used for administrative operations. Such material consists of office supplies, office equipment and machinery, and the like, to the extent that these materials come within the definitions of maintenance and repair and operating supplies set forth in the order.

The rating DO-97 for material to be used for administrative purposes may be used pursuant to the provisions of section 4 (b) only if the operator has a quota as established through this schedule.

TYPES OF QUOTA

An operator may elect one of the three types of quotas described below. If an operator elects or obtains permission to use any one of the three quotas, he may not change to either of the other two without obtaining the permission of the PAD.

(a) *Standard Quota:* The Standard Quota is one-fourth of the dollar amount which the operator spent during the calendar year 1950 for MRO material for administrative operations. If he operated on a fiscal year basis, it is one-fourth of the dollar amount spent for MRO material for administrative operations during the fiscal year ending nearest December 31, 1950.

(b) *Seasonal Quota:* The Seasonal Quota is the dollar amount which the operator spent during the corresponding calendar quarter of the calendar year 1950 for MRO material for administrative operations. If he operated on a fiscal year basis, it is the dollar amount spent for MRO material for administrative operations during the corresponding quarter of the fiscal year ending nearest December 31, 1950.

(c) *Administrative Quota:* The Administrative Quota is the quota determined by PAD which the operator may use in lieu of either the Standard Quota or Seasonal Quota.

HOW TO OBTAIN AN ADMINISTRATIVE QUOTA

The Administrative Quota must be applied for. It is designed to provide relief where an operator was only in partial operation in 1950, did not operate at all in 1950, or has had such expansion of operations since 1950 that neither the Standard Quota nor Seasonal Quota properly represents the operator's demands for MRO material to be used for administrative purposes. To procure an Administrative Quota, an operator must file with the Petroleum Administration for Defense, Att: Materials Division, four copies of a letter setting forth in full the circumstances as to his operations which make inappropriate the use of either the Standard Quota or the Seasonal Quota. An operator may use only a Standard Quota or Seasonal Quota until he has received from the Petroleum Administration for Defense authority to use the Administrative Quota.

[F. R. Doc. 51-3352; Filed, Mar. 12, 1951; 5:01 p. m.]

Chapter VIII—Defense Transport Administration

LIMITED TEMPORARY GRAIN PORT HANDLING PERMIT REGARDING STORAGE AND HANDLING OF BULK GRAIN FOR DOMESTIC SALE OR USE; GRAIN ON HAND OR LOADED FOR MOVEMENT ON OR BEFORE MARCH 24, 1951.

Pursuant to authority vested in me by DTA Delegation 3 (16 F. R. 2104) under General Order DTA 2 (16 F. R. 2046):

This limited temporary grain port handling permit is hereby issued authorizing the operator of any port terminal warehouse to store and handle at such warehouse grain intended for domestic sale or use, but not in excess of the quantity of such grain normally stored or handled thereat during 1950: *Provided, however,* That this permit shall be applicable only to grain intended for domestic sale or use received at, or loaded for movement to, such warehouse on or before March 24, 1951.

Grain intended for domestic sale or use not so received or loaded for movement on or before such date may not, under said General Order DTA 2, be stored or handled under this permit at any port terminal warehouse without a permit therefor issued to each operator upon his application.

This limited temporary permit shall become effective immediately.

(Sec. 704, Pub. Law 774, 81st Cong. Interprets or applies Title I, Pub. Law 774, 81st Cong.; E. O. 10161, Sept. 9, 1950, 15 F. R. 6105, 3 CFR 1950 Supp., E. O. 10200, Jan. 3, 1951, 16 F R. 61, E. O. 10219, Feb. 28, 1951, 16 F. R. 1983)

Issued at Washington, D. C., this 12th day of March 1951.

H. K. OSGOOD,
Director Warehousing and Storage Division, Defense Transport Administration.

[F. R. Doc. 51-3338; Filed, Mar. 12, 1951; 4:22 p. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 204—DANGER ZONE REGULATIONS

PART 207—NAVIGATION REGULATIONS

MISCELLANEOUS AMENDMENTS

1. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), and Chapter XIX of the Army Appropriations Act of July 9, 1918 (40 Stat. 892; 33 U. S. C. 3), § 204.160 is hereby revoked and the note following § 204.25 (a) and § 204.81 (a) (1) are hereby amended as follows:

§ 204.25 *Atlantic Ocean off Delaware coast; antiaircraft artillery firing areas, Second Army.* (a) * * *

NOTE: The danger zones will be marked by buoys.

§ 204.81 *Atlantic Ocean off Georgia coast; air-to-air and air-to-water gunnery and bombing ranges for fighter and bombardment aircraft, United States Air Force*—(a) *The danger zones*—(1) *For fighter aircraft.* * * *; thence 270° to longitude 80°51'00"; and thence northeasterly to the point of beginning.

§ 204.160 *Laguna Madre and Corpus Christi Bay, Texas; restricted area, Naval Air Training Bases, Corpus Christi, Texas.* [Revoked.]

(Sec. 4, 28 Stat. 362, as amended; 33 U. S. C. 1. Interpret or apply 40 Stat. 892; 33 U. S. C. 3)

2. Pursuant to the provisions of section 7 of the River and Harbor Act of August 8, 1917 (40 Stat. 266; 33 U. S. C. 1), § 207.188 is hereby prescribed establishing and governing the use of a seaplane restricted area in Laguna Madre and Corpus Christi Bay, Texas, as follows:

§ 207.188 *Corpus Christi Bay and Laguna Madre; seaplane restricted area, Naval Air Station, Corpus Christi, Tex.*—(a) *The area.* Beginning at a point on the south shore of Corpus Christi Bay at the "North Gate" of the Naval Air Station (at approximate longitude 97°17'15"); thence 312°20' true, 6,500 yards, to latitude 27°44'30", longitude 97°20'00"; thence due north, 4,100 yards, to latitude 27°46'30"; thence 126°20' true, 7,665 yards, to a beacon located in Corpus Christi Bay at latitude 27°44'12",

longitude 97°16'31''; thence 111°22' true, 6,250 yards, to latitude 27°43'04'', longitude 97°13'12''; thence 201° true, 5,000 yards, to latitude 27°40'44'', longitude 97°14'12''; thence 245° true to a point on the east shore of Encinal Peninsula at latitude 27°40'00''; thence generally northerly along the shore to Flour Bluff Point; and thence westerly along the south shore of Corpus Christi Bay to the point of beginning.

(b) *The regulations.* (1) No vessel or watercraft of any type shall enter or remain in the area at any time, day or night, except as provided in this paragraph.

(2) Clearance for watercraft operating in the area on set schedules and on prescribed routes may be granted upon written application to the enforcing agency.

(3) Changes in schedules and routes may be made upon written application to the enforcing agency.

(4) Off schedule operations of craft or operation over unprescribed routes may be authorized, in cases of necessity, upon special application in each case. These applications shall be made in writing to the enforcing agency, except as provided in subparagraph (5) of this paragraph.

(5) Commercial fishermen, geophysical exploration crews, and personnel of oil companies holding leases within the area will not be required to operate on set schedules or over prescribed routes but, in order to enter the area, either day or night, they shall have proper identification and the approval of the enforcing agency.

(6) The regulations in this section shall be enforced by the Chief of Naval Air Advanced Training, United States Naval Air Station, Corpus Christi, Texas, and such agencies as he may designate.

(Sec. 4, 28 Stat. 362, as amended; 33 U. S. C. 1)

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

[F. R. Doc. 51-3268; Filed, Mar 13, 1951; 8:51 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 3—MISCELLANEOUS PROVISIONS RELATING TO THE DEPARTMENT AND THE POSTAL SERVICE

PART 6—SUPPLY CONTRACTS: SERVICE PROPERTY: TELEGRAMS

PART 18—SETTLEMENT OF ACCOUNTS: LEGAL PROCEEDINGS: COMPROMISES

PART 36—NONMAILABLE MATTER

MISCELLANEOUS AMENDMENTS

a. In § 3.5 *Damage to person or property by postal operations* (39 CFR 3.5; 15 F. R. 2875) rescind paragraph (d).

b. In § 6.3 *Advertisements for proposals* (39 CFR 6.3) amend paragraph (e) to read as follows:

(e) *Rates for advertising.* All advertisements, notices, proposals for contracts, and all forms of advertising required by law for the several departments of the Government may be paid for at a price not to exceed the commercial rates charged to private individuals, with the usual discounts. But the heads of the several departments may secure low terms at special rates whenever the public interest requires it. (Sec. 1, 20 Stat. 216, as amended; 44 U. S. C. 322; sec. 5, Pub. Law 830, approved Sept. 23, 1950)

c. In § 18.55 *When claimant is indebted to United States* (39 CFS 18.55) rescind paragraph (g).

d. Amend § 36.6 *Lottery and related matter* (39 CFR 36.6) by the addition of a paragraph (c) to read as follows:

(c) *Fishing contest.* The provisions of this chapter (paragraphs (a) and (b) of this section) shall not apply with respect to any fishing contest not conducted for profit wherein prizes are awarded for the specie, size, weight, or quality of fish caught by contestants in any bona fide fishing or recreational event. (18 U. S. C. 1305)

(R. S. 161, 396, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369)

[SEAL] V. C. BURKE,
Acting Postmaster General.

[F. R. Doc. 51-3254; Filed, Mar. 13, 1951; 8:47 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 56—ISSUANCE OF SECURITIES, ASSUMPTION OF OBLIGATIONS, AND FILING OF CERTIFICATES AND REPORTS

EDITORIAL NOTE: Section 56.25, contained in the order of June 1, 1944, 9 F. R. 7205, 49 CFR, 1944 Supp., 56.25, was inadvertently omitted from the Code of Federal Regulations, 1949 Edition, and is hereby reinstated therein.

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

[7 CFR, Part 39]

NONFAT DRY MILK SOLIDS

U. S. STANDARDS FOR GRADES

Notice is hereby given that the United States Department of Agriculture is considering the issuance, as hereinafter proposed, of United States Standards for Grades of Nonfat Dry Milk Solids, pursuant to the authority contained in the Department of Agriculture Appropriation Act, 1951 (Pub. Law 759, 81st Cong., approved September 6, 1950).

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 Director, Dairy Branch, Production and Marketing Administration, U. S. Department of Agriculture, Washington 25, D. C., not later than the close of business on the 30th day after publication of this notice in the FEDERAL REGISTER.

The proposed standards are as follows:

DEFINITION

§ 39.1 *Nonfat dry milk solids.* "Nonfat dry milk solids," or "defatted milk solids" (made by the spray process or the atmospheric roller process) is the product resulting from the removal of fat and water from milk, and contains the lactose, milk proteins, and milk minerals in the same relative proportions as in the fresh milk from which made. It contains not over 5 percent by weight of moisture. The fat content is not over 1½ percent by weight. The term "milk", when used in this part, means milk produced by healthy cows that has been pasteurized before or during the manufacture of the nonfat dry milk solids.

U. S. GRADES

§ 39.2 *Nomenclature of U. S. grades*—(a) *Nomenclature.* The nomenclature of U. S. grades is U. S. Extra and U. S. Standard.

§ 39.3 *Basis for determination of U. S. grades.* The U. S. grades of nonfat dry milk solids are determined hereunder on the basis of flavor and odor, physical appearance, bacterial estimate, butterfat content, moisture content, scorched particle content, solubility index, and titratable acidity.

§ 39.4 *U. S. grades*—(a) *U. S. Extra.* The requirements of the U. S. Extra grade differ for nonfat dry milk solids made by the spray process from that made by the atmospheric roller process.

(1) *U. S. Extra; spray process.* Nonfat dry milk solids manufactured by the spray process conform to the following requirements:

(i) Flavor and odor (applies equally to the reliquefied form): sweet, and has not more than slight feed flavors and odors.

(ii) Physical appearance: Is white or light cream color; free from lumps that do not break up under slight pressure; and practically free from brown and black scorched particles.

(iii) Bacterial estimate: not more than 50,000 per gram.

(iv) Butterfat content: not more than 1.25 percent.

(v) Moisture content: not more than 4.00 percent.

(vi) Scorched particle content: not more than 15.00 mg.

(vii) Solubility index: not more than 1.25 ml.

(viii) Titratable acidity: not more than 0.15 percent.

(2) *U. S. Extra; roller process.* Nonfat dry milk solids manufactured by the

roller process conform to the requirements in subparagraph (1) of this paragraph, except that the solubility index is not more than 15.0 ml., and the scorched particle content is not more than 22.5 mg.

(b) *U. S. Standard.* The requirements of the U. S. Standard grade differ for nonfat dry milk solids manufactured by the spray process from that manufactured by the atmospheric roller process.

(1) *U. S. Standard; spray process.* Nonfat dry milk solids manufactured by the spray process conform to the following requirements:

(i) Flavor and odor (applies equally to the reliquefied form): Has not more than moderate feed flavors and odors and other unnatural, but not offensive, flavors and odors (including, but not being limited to storage and scorched) to not more than a slight degree.

(ii) Physical appearance: Is white or light cream color; free from lumps that do not break up under slight pressure; and contains brown and black scorched particles to not more than a moderate degree.

(iii) Bacterial estimate: not more than 100,000 per gram.

(iv) Butterfat content: not more than 1.5 percent.

(v) Moisture content: not more than 5.00 percent.

(vi) Scorched particle content: not more than 22.5 mg.

(vii) Solubility index: not more than 2.00 ml.

(viii) Titratable acidity: not more than .17 percent.

(2) *U. S. Standard; roller process.* Nonfat dry milk solids manufactured by the roller process conform to the requirements prescribed in subparagraph (1) of this paragraph, except that the solubility index is not more than 15.0 ml., and the scorched particle content is not more than 32.5 mg.

§ 39.5 *Test methods.* The test methods contained in this section are used to determine bacterial estimate, butterfat content, moisture content, scorched particle content, solubility index, and titratable acidity.

(a) *Bacterial estimate.* Bacterial estimate is determined in accordance with paragraphs 6.21–6.27, pages 176 through 179, of the publication "Standard Methods for the Examination of Dairy Products," 9th edition, 1948, published by the American Public Health Association, 1790 Broadway, New York, New York.

(b) *Butterfat content.* Butterfat content is determined in accordance with paragraph 22.102, page 329, of the publication "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists" 6th edition, 1945, published by the Association of Agricultural Chemists, P. O. Box 540, Benjamin Franklin Station, Washington 4, D. C.

(c) *Moisture determination.* Moisture determination is by the toluene distillation method or by the Karl Fischer method in accordance with the procedures outlined on pages 16 through 22 of the publication "The Grading of Nonfat Dry Milk Solids and Sanitary and Quality Standards" (Bulletin 911, revised, 1948) published by the American Dry Milk Institute, 221 North LaSalle Street, Chicago 1, Illinois.

(d) *Scorched particle content.* Scorched particle content is determined as follows:

(1) *Spray process nonfat dry milk solids.* (i) Reliquefy 25 grams of spray process nonfat dry milk solids in approximately 250 ml. of warm sediment-free water. Mix thoroughly until the product is uniformly dispersed. Filter the entire solution through a standard 1¼" lintine disc (1⅛" filtering surface). Rinse the mixing container with sediment-free water and pass the rinse through the disc.

(ii) The scorched particle content of the nonfat dry milk solids is determined by visually comparing the discs obtained in subdivision (i) of this subparagraph with the United States Scorched Particle Standards for Dry Milks (16 F. R. 923).

(2) *Roller process nonfat dry milk solids.* (i) Prepare a sample solution by mixing 25 grams of roller process nonfat dry milk solids with 100 ml. of pepsin-hydrochloric acid solution.[1] Mix thoroughly until the product is uniformly dispersed. Place in a 45° C. water bath for 20 minutes. Add approximately 0.5 ml. of caprylic alcohol or diglycol laurate (defoaming agents). Bring to a boil within 5 to 8 minutes and filter immediately through a 1¼" lintine disc (1⅛" filtering surface). Rinse mixing container with boiling or near boiling water, and pass all rinsings through the filter disc. The temperature of the sample solution is not allowed to drop prior to boiling or prior to filtering.

(ii) The scorched particle content of the nonfat dry milk solids is determined by visually comparing the discs obtained in subdivision (i) of this subparagraph with the United States Scorched Particle Standards for Dry Milks (16 F. R. 923).

(e) *Solubility index.* Solubility index is determined in accordance with the procedure outlined on pages 24 through 26 of the said publication "The Grading of Nonfat Dry Milk Solids and Sanitary and Quality Standards."

(f) *Titratable acidity.* Titratable acidity is determined by using 10 grams of nonfat dry milk solids reliquefied with 100 ml. of distilled water. Allow the reliquefied product to stand for approximately one hour, stir gently, and thereupon proceed in accordance with paragraph 22.4, page 303, of the said publication "Official and Tentative Methods of Analysis of the Association of Official Agricultural Chemists."

Done at Washington, D. C., this 9th day of March 1951.

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

[F. R. Doc. 51-3288; Filed, Mar. 13, 1951; 8:55 a. m.]

[1] 10 grams of pepsin (powder—1:3000) dissolved in approximately 500 ml. of distilled water; 30 ml. of CP, HCl, 37 percent, specific gravity 1.18–1.19 added; and solution made up to 1000 ml. with distilled water. Solution filtered.

[7 CFR, Part 932]

[Docket No. AO-33-A16]

HANDLING OF MILK IN FORT WAYNE, INDIANA, MARKETING AREA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT, AND TO ORDER, AS AMENDED

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure, as amended, governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Assistant Administrator, Production and Marketing Administration, United States Department of Agriculture, with respect to a proposed amendment to the tentative marketing agreement and to the order, as amended, regulating the handling of milk in the Fort Wayne, Indiana, marketing area. Interested parties may file written exceptions to this decision with the Hearing Clerk, United States Department of Agriculture, Washington 25, D. C., not later than the close of business the 7th day after publication of this decision in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. A hearing to consider a proposed amendment to the tentative marketing agreement and to the order, as amended, was conducted at Fort Wayne, Indiana, on January 3, 1951, pursuant to notice thereof which was issued on December 30, 1950 (15 F. R. 9522).

The only material issue on the record related to a proposal to increase the differentials (over basic formula prices) in the prices of Class I and Class II milk for the period January–March 1951.

Findings and conclusions. The following finding and conclusion on this issue is based upon the evidence introduced at the hearing and the record relating thereto.

The differentials (over basic formula prices) in the prices of Class I and Class II milk during the period, January–March 1951, should not be increased.

The record shows that under prevailing conditions Class I and II prices during the first quarter of 1951 should not take the usual seasonal drop below previous November levels. But, to increase differentials to the level of those of the last quarter of 1950 would not be advisable; for it would leave out of account what is most likely to occur in basic prices. Producers proposed that, for the first quarter of 1951, the price differentials for Class I and II milk be raised to the level of the differentials applicable during the preceding quarter—the last quarter of 1950. This would be an increase of 15 cents per hundredweight in each differential. This increase in the differentials would forestall seasonal reduction in the Class I and Class II prices in the first quarter of 1951 if basic formula prices during the period equal or exceed those in the preceding period. Monthly data were not available for the

record respecting basic prices later than November 1950.

The record does not furnish sufficient data for a reexamination of the relation of Class prices to basic prices. The basic price in November is normally at the top for the year; in January, February and March of the following year basic prices usually are lower. If basic prices after the first of the year should decline as usual, raising the differentials to the November level would not assure prices as high as those of November. If need be this could better be done by a simple "floor" price provision. On the other hand, if the annual level of basic prices should rise, increasing the differentials might make Class I and Class II prices for the period too high. From the middle of last summer through November, basic prices increased from 10 to 12 cents per month. This is hardly a normal seasonal increase. By November it was clear that basic prices were not keeping pace with the rising costs of milk production. The results showed up in declining production and receipts of milk for manufacturing as well as for fluid purposes throughout the whole central dairy region. In the Fort Wayne area with receipts from 3 to 4 percent below a year ago and sales about 9 percent above a year ago market utilization reduced Class III disposition to only a token of an adequate reserve. Producer testimony attributed this tight supply situation in part to the loss of producers to other markets with higher prices. But since other markets in the region were equally short of supplies in relation to sales the shifting of producers from one market to another was only a symptom of the underlying condition of slackening production and increasing demand throughout the whole central dairy region. This condition cannot be corrected by increasing the prices in one area in relation to prices of other areas. Nor is the remedy necessarily an increase of fluid prices in relation to basic prices when, as now, basic prices may, it would seem, be relied upon to reflect changes taking place in production and marketing conditions. If despite a counter-seasonal increase in basic prices Class I and Class II prices still appear to be low in relation to prevailing supply and demand conditions differentials can be reexamined by further hearings. This would bring under review their year around pattern in order to determine for what seasonal periods and in what amounts changes may be advisable.

Basic prices appear to be responding to the forces that have tended to reduce supplies and to increase the demand for milk and its products. As noted above data later than November were not available at time of hearing. But notice may be taken of more recently published data for December and January which show that since December 1 there has been a marked advance in the prices of all dairy products and in the prices paid for milk at manufacturing plants. The December basic formula price in the Fort Wayne marketing area was $3.64—16 cents per hundredweight above that for November. For January the counter-seasonal advance brought the basic price to $3.86 per hundredweight—22 cents above December and 38 cents above November. With such prospects for basic prices in the January–March 1951 period there appears to be no grounds in this record for amendment of the Class I and Class II price provisions as proposed by producers or for any other amendment to these provisions.

Filed at Washington, D. C., this 8th day of March 1951.

[SEAL] JOHN I. THOMPSON,
Assistant Administrator.

[F. R. Doc. 51-3261; Filed, Mar. 13, 1951; 8:48 a. m.]

FEDERAL POWER COMMISSION

[18 CFR, Part 157]

[Docket No. R-120]

APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

NOTICE OF PROPOSED RULE MAKING

MARCH 6, 1951.

Amendment of Part 157 of Subchapter E, regulations under the Natural Gas Act, to prescribe requirements for form and filing of applications for certificates of public convenience and necessity under section 7 of the Natural Gas Act.

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

2. It is proposed to amend Part 157, entitled "Applications for Certificates of Public Convenience and Necessity Under Section 7 of the Natural Gas Act As Amended" of Subchapter E, regulations under the Natural Gas Act, Chapter I of Title 18, Code of Federal Regulations to prescribe therein (in lieu of existing §§ 157.5 through 157.10, and §§ 157.12 and 157.14) amended, or new §§ 157.5 through 157.8, 157.11, and 157.20 through 157.22, to read as provided in the accompanying attachment, which is made a part hereof by reference.

3. Experience in the operation and administration of the present rules for the filing of applications for certificates of public convenience and necessity, which were adopted under the Commission's Order No. 99, dated August 26, 1942, effective September 15, 1942, indicates a need for extensive revision of the rules. Among the ends sought in the proposed revision are: (a) Elimination of sketchy and incomplete applications requiring extensive correspondence to supply deficiencies by placing upon the applicant the burden of adequate presentation of certificate applications in intelligible form; (b) provision for the filing of abbreviated applications in the case of relatively minor operations, sales, service, construction, extension of acquisitions; and (c) general improvement in the form and content of applications.

4. The accompanying proposed amendments to the Commission's rules are proposed to be issued under authority granted the Federal Power Commission by the Natural Gas Act, as amended, particularly sections 7 and 16 thereof (52 Stat. 824, 830; 15 U. S. C. 717f and 717o).

5. Any interested person may submit to the Federal Power Commission, Washington 25, D. C., not later than sixty days from date of publication, data, views and comments in writing concerning the proposed amendments. An original and nine copies should be filed of any such submittals.

The Commission will consider these written submittals before acting upon the proposed amendments.

[SEAL] LEON M. FUQUAY,
Secretary.

Subchapter E—Regulations Under the Natural Gas Act

PART 157—APPLICATIONS FOR CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY UNDER SECTION 7 OF THE NATURAL GAS ACT

APPLICATIONS FOR NON-"GRANDFATHER" CLAUSE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

Sec.
157.5 Abbreviated applications.
157.6 General requirements for applications.
157.7 Detail requirements for applications.
157.8 Requirements for applications covering acquisitions.

APPLICATIONS FOR TEMPORARY CERTIFICATES IN CASES OF EMERGENCY

157.11 Requirements for temporary certificate applications.

MISCELLANEOUS REGULATIONS UNDER CERTIFICATE PROVISIONS OF THE NATURAL GAS ACT

157.20 Reports to be filed.
157.21 Transferability and temporary continuance of certificate authorizations.
157.22 Exemption of temporary acts and operations.

APPLICATIONS FOR NON-"GRANDFATHER" CLAUSE CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

§ 157.5 *Abbreviated applications.* (a) When relatively minor operations, sales, service, construction, extensions or acquisitions are involved, applicant may omit the data and information required by §§ 157.6 through 157.8 as provided by paragraph (c) of this section.

(b) An application filed under this section shall conform closely to the applicable requirements of §§ 157.6 through 157.8 regarding form, manner of presentation, and filing, and shall contain all necessary information and supporting data to explain fully the proposed project, and its effect upon applicant's present and future operations, and upon the public proposed to be served.

(c) An application filed under this section shall contain a request that it be accepted for filing, and that submission of all data required by §§ 157.6 through 157.8 be not required for reasons which applicant shall set forth therein.

§ 157.6 *General requirements for applications*—(a) *Compliance with rules.* Applications for certificates of public convenience and necessity under section 7 (c) of the Natural Gas Act, as amended, shall conform to the requirements of § 157.7 and applicable requirements of the rules of practice and procedure, particularly §§ 1.5, 1.14, 1.15, 1.16 and 1.17 of this chapter. Amendments to or withdrawals of applications shall conform to the requirements of § 1.11 of this chapter. If the application involves an acquisition of facilities, it shall con-

form to the additional requirements prescribed by § 157.8.

(b) *Rejection of applications.* The burden of adequate presentation of certificate applications in intelligible form and compliance with these rules is entirely upon the applicant. All applications tendered under this part will be filed as of the date of their receipt by the Office of the Secretary of the Commission in Washington, D. C. Applications which are not in substantial conformity with this part will be rejected by the Secretary (§ 1.14 of this chapter).

(c) *General contents.* An application filed under this and the next following section shall include:

(1) The exact legal name of applicant, its principal place of business, and the name, title and mailing address of the person to whom communications concerning the application are to be addressed.

(2) A concise description of applicant's existing operations.

(3) A concise general description of the operation, sale, service, construction, extension or acquisition proposed in the application, including the estimated beginning and completion dates of construction, the estimated date of acquisition, and the estimated date of commencement of operations.

(4) A statement of whether any other application with respect to applicant's proposals is required to be filed by applicant or any other person with any other Federal, State or other regulatory body; and if so, the nature and status of such applications.

(5) A table of contents which shall list all exhibits and documents filed in compliance with §§ 157.7 and 157.8, identifying them by their appropriate titles and alphabetical letter designations.

(d) *Requests for temporary authorization.* In cases of emergency, a request for temporary authorization to proceed with a particular operation, sale, service, construction, extension or acquisition may be included in the application, or may be submitted separately, in accordance with § 157.11.

(e) *Requests for shortened procedure.* A request for the shortened procedure in conformity with § 1.32 (b) of this chapter may be included in a certificate application, or may be filed separately.

(f) *Application processing procedure*—(1) *Notice.* Upon the filing of a certificate application, notice thereof will be published in the FEDERAL REGISTER and copies of such notice mailed to persons, States or other governmental authorities deemed by the Commission to have sufficient interest in the proceeding to be entitled to notice, and to other persons requesting copies. Persons desiring to receive notice of applications for certificates in all cases shall so advise the Secretary.

(2) *Protests and interventions.* (i) Notices of applications will fix a time within which any person desiring to participate in the proceeding or to protest regarding the application, may file a petition to intervene or protest, or within which any interested state commission desiring to intervene may file its notice of intervention. Notices of applications will provide ordinarily that protests, petitions or notices must be filed not later than ten days next preceding the commencement of hearings.

(ii) Petitions to intervene and notices of intervention shall be filed within the time provided in the notice of application, or of amendments thereto, if any; failure to make timely filing will be grounds for denial of participation in the absence of extraordinary circumstances and good cause shown for the untimely filing. (See §§ 1.7, 1.8, 1.10 and 1.37 (f) of this chapter.)

(3) *Hearings.* Upon the filing of a complete application, including such supplemental information as the Commission may require:

(i) *General.* The Commission will schedule the application for public hearing, and will give notice thereof as provided by §§ 1.14 (c) (2), 1.19 (b) and 1.20 (a) and (b) of this chapter: *Provided,* That the Commission will not schedule for hearing an application filed later than fifteen days prior to the commencement of the hearing of the application of another person for service by such other person directly to some or all of the same markets until the Commission has rendered its final decision on the first filed application.

(ii) *Shortened procedure.* If no protest or petition to intervene raises an issue of substance, the Commission may dispose of the application in accordance with the provisions of § 1.32 (b) of this chapter.

(4) *Dismissal of application.* Failure of an applicant promptly to present full proof in support of its application will constitute grounds for the Commission forthwith to dismiss the application and terminate the proceedings.

§ 157.7 *Detailed requirements for applications*—(a) *General.* Except as otherwise permitted by § 157.5, exhibits listed in paragraph (d) of this section shall be submitted, if applicable, at the time the application is filed. Each shall contain:

(1) A title page which will show: Applicant's name, docket number (to be filled in by the Secretary), title of the exhibit, and applicant's letter designation of the exhibit.

(2) If of ten or more pages, an appropriate table of contents, citing by page, section number or subdivision, the component elements or matters therein contained.

(b) *Reference to previous applications.* Applicant may refer to previous applications provided the portions thereof referred to are specified with particularity and the exact page or exhibit numbers are stated (including page numbers in any exhibits).

(c) *Measurement base.* All gas volumes shall be stated upon a uniform pressure of 14.73 psia, at 60° F. temperature.

(d) *Exhibits*—(1) *Exhibit A—Articles of incorporation and bylaws.* If applicant is not an individual, a certified copy or photostat of its articles of incorporation and bylaws, or other similar instruments.

(2) *Exhibit B—State authorization.* A certified copy or photostat of evidence of applicant's authorization to do business in each State affected.

(3) *Exhibit C—Company officials.* A list of the names and business addresses of applicant's officers and directors or similar officials.

(4) *Exhibit D—Subsidiaries and affiliation.* If applicant or any of its officers or directors or similar officials, directly or indirectly, owns, controls, or holds with power to vote, 5 percent or more of the outstanding voting securities of any other person or organized group of persons engaged in production, transportation, distribution, or sale of natural gas, or of any person or organized group of persons engaged in the financing of such enterprises or operations—a detailed specification of such relationship, including the percentage of voting strength represented by such ownership of securities. If any person or organized group of persons, directly or indirectly, owns, controls, or holds with power to vote, 5 percent or more of the outstanding voting securities of applicant—a detailed specification of such relationship.

(5) *Exhibit E—Corporate authorization.* A certified copy or photostat of the resolution or other instrument of the board of directors authorizing the proposed project and the filing of the application.

(6) *Exhibit F—Location of facilities.* A geographical map of suitable scale showing and appropriately differentiating between all of the facilities proposed to be constructed or acquired and those existing facilities of applicant which are related thereto, including:

(i) Location, length and size of pipe lines.

(ii) Location and size (rated horsepower) of compressor stations.

(iii) Location and designation of each point of connection of existing and proposed facilities with main line industrial customers, gas pipeline or distribution systems, gas producing and storage fields, or other sources of gas supply.

(7) *Exhibit G—Design and operation of proposed facilities.* (i) A flow diagram under proposed operating conditions showing the following, together with the effect upon existing facilities of those proposed:

(*a*) Diameter, wall thickness and length of pipe to be installed.

(*b*) For each compressor station proposed or for which changes are proposed in existing stations, the size, type and number of compressor units, horsepower required, horsepower to be installed, volume of gas to be used as fuel, suction and discharge pressures, and compression ratio.

(*c*) Pressures and volumes of gas at the main-line inlet and outlet connections of each compressor station.

(*d*) Pressures and volumes of gas at the beginning and terminus of the proposed facilities, and at each intake and take-off point.

(ii) If the flow diagram submitted in compliance with the next preceding subdivision does not reflect the maximum capacities or deliveries of which applicant's existing and proposed facilities would be capable of achieving under most favorable operating conditions, then include an additional diagram or diagrams to depict the maximum capabilities of the facilities.

(iii) The flow diagram or diagrams submitted in compliance with the next preceding two subdivisions shall be accompanied by a statement of engineering design data in explanation and support of the diagrams and the proposed project, setting forth:

(*a*) Assumptions, bases, formulae and methods used in the development and preparation of such diagrams and accompanying data.

(*b*) A detailed description of the proposed facilities, specifying particularly the diameter, wall thickness, yield and tensile strength and method of fabrication of the pipe to be used.

(*c*) The location and installed horsepower of each compressor station.

(*d*) Type, capacity and location of each natural gas storage field or facility, and of each dehydration, desulphurization, natural gas liquefaction or other similar plant or facility.

(8) *Exhibit H—Gas supply data.* A statement of the gas supply committed to, controlled, or possessed by applicant which is available to it for the acts and the services proposed in the application. The statement shall show:

(i) The estimated total of proven reserves in place.

(ii) The volumes of reserves, held in fee or under lease, by each gas field and horizons or zones thereof, giving names and locations of fields (state and county or parish).

(iii) The names and addresses of persons from whom applicant has contractual commitments and proposes to purchase gas, together with the effective dates and remaining terms in years of its gas purchase contracts; and the estimated volumes of gas reserves applicant has available for purchase under each contract, segrated by gas fields and horizons or zones thereof, giving names and locations of fields (state and county or parish).

(iv) A deliverability study showing the daily volumes of natural gas which can and are proposed to be obtained each year from each source of supply.

(v) A conformed copy of each principal agreement, contract or other instrument, not on file with the Commission, which applicant proposes to rely upon for showing its gas supply. Contracts already filed shall be designated with particularity.

(vi) A map or maps showing: Location of each gas field; acreage committed and dedicated to applicant's project; and pipelines and other facilities to be utilized to deliver gas to applicant's main pipeline system, indicating identity of ownership of said facilities if other than by applicant.

(9) *Exhibit I—Market data*—(i) *New markets.* An estimate of the volumes of gas to be delivered during each of the first five years of operation of the proposed facilities, and historical data for each of the five years next preceding the filing of the application, in the proposed market area, which estimate and data shall state the B. t. u. content. The estimate and data shall show:

(*a*) Names and locations of gas companies and municipalities to which gas is to be sold, and, also, the names and locations of firm direct industrial and interruptible direct industrial customers each of whose estimated consumption totals 100,000 Mcf or more per year. The number of residential, commercial, firm industrial, interruptible industrial, residential space-heating, commercial space-heating, and other types of customers for each distribution system to be served at retail or wholesale.

(*b*) Total annual requirements and the annual requirements of each customer and classification of service listed in subdivision (*a*) of this subparagraph. Include also company use and unaccounted for gas.

(*c*) Total past and expected curtailments of service and the past and expected curtailments for each customer and classification of service listed in subdivision (*a*) of this subparagraph.

(*d*) Total peak day and the peak day requirements for each customer listed in subdivision (*a*) of this subparagraph.

(*e*) Explanation of basic factors used in estimating future requirements, including, for example: Peak day and annual degree-day deficiencies, annual load factors of applicant's system and of its deliveries to its proposed customers; individual consumer peak day and annual consumption factors for each class of consumers, with supporting historical data; and forecasted saturation of space-heating as related to past experience.

(*f*) Conformed copy of each contract, not on file with the Commission, for sale or transportation of natural gas by means of the proposed facilities. Contracts already filed shall be designated with particularity.

(*g*) Copies of all recent market surveys.

(ii) *System markets.* Where a major project is proposed, the estimates and data required by subdivision (i) of this subparagraph shall also be stated for applicant's entire system, including the proposed new markets.

(10) *Exhibit J—Conversion to natural gas.* If manufactured gas service exists in a community proposed to be served, submit with respect to each such community:

(i) Description of existing gas manufacturing facilities and their physical condition, including the type, size, daily output capacity, and installation date of each gas generating unit; daily sendout capacity of plant; capacity of storage holders; heating value of gas distributed.

(ii) Statement of kind and heating value of gas proposed to be distributed; and use proposed to be made of gas manufacturing facilities in connection with such service; estimated cost of converting gas manufacturing facilities to high Btu gas production, if such conversion is planned, and estimated daily capacity upon conversion.

(iii) Study showing estimated cost of converting consumers' appliances to natural gas and a statement as to the accounting proposed for such cost.

(iv) Description, location, and estimated cost of new facilities, if any, to be constructed for the receipt and distribution of natural gas to be purchased.

(v) Detailed estimates of savings, if any, for the first five years of proposed natural gas operation which each resale customer will be able to realize with the use of natural gas.

(vi) Effect of natural gas service upon the ultimate consumers served by each resale customer, including expected reductions in rates and improvements in service.

(vii) Plans for continued use, if any, of manufactured-gas plants.

(11) *Exhibit K—Cost of facilities.* A detailed estimate of total capital cost of the proposed facilities showing the cost of construction by operating units such as compressor stations, main pipe lines, laterals, measuring and regulating stations, and separately stating the cost of right-of-way, damages, surveys, materials, labor, engineering and inspection, overhead, interest during construction, and contingencies.

(12) *Exhibit L—Financing.* Proposed plan of financing applicant's proposal, including:

(i) A full description of the securities applicant has outstanding and those it proposes to issue or the liabilities it proposes to assume in connection with the proposed project, and the purposes therefor, showing the amount (face value and number), interest or dividend rate, dates of issue and of maturity, voting privileges, and terms and conditions applicable to each issue.

(ii) The manner in which applicant proposes to sell or issue the necessary securities, and the persons, if known, to whom they will be sold or issued, and if not known, the class or classes of such persons.

(iii) A statement showing for each proposed issue, by total amount and by unit, the estimated price to the public and estimated net proceeds to the applicant.

(iv) An itemized statement of estimated expenses, fees and commissions to be paid by applicant in connection with each proposed issue.

(v) Whether the consent of any holder of any security of applicant is required in order to permit the issuance of additional securities proposed by applicant; and whether any such restriction upon the future issuance of securities is being included in any securities proposed to be issued presently by applicant.

(vi) Statement of anticipated cash flow, including provision for interest requirements and capital retirements, for the first five years of operation of proposed facilities.

(vii) Statement showing over the life of each issue the annual amount of securities which applicant expects to retire through operation of a sinking fund or other extinguishment of the obligation.

(viii) A balance sheet and income statement of most recent date available.

(ix) Comparative, pro forma balance sheets and income statements for each of the first five years of operation, giving effect to the proposed construction and proposed financing of the project.

(x) Certified or photostatic copies of all agreements, contracts, mortgages, deeds of trust, indentures, agreements to advance materials or supplies or render services in return for applicant's securities, underwriting agreements and other

agreements and documents of a similar nature.

(xi) Certified or photostatic copies of all reports submitted by applicant to underwriters or others regarding financing, including business studies, forecasts of earnings and other similar financial or accounting reports, statements or documents.

(xii) Certified or photostatic copies of all applications and supporting exhibits, registration statements or other similar submittals, if any, to the United States Securities and Exchange Commission.

(xiii) Any additional data and information upon which applicant proposes to rely for showing the adequacy and availability to it of resources for financing its proposed project.

(13) *Exhibit M—Construction, operation and management.* Concise statement setting forth arrangements for supervision, management, engineering or other similar services to be rendered in connection with the construction or operation of the project, if not done by employees of applicant, including reference to any existing or contemplated agreements therefor, together with:

(i) A statement showing such affiliation as may exist between applicant and any parties to such agreements or arrangements.

(ii) Certified or photostatic copies of all construction, engineering, management and other similar service agreements or contracts.

(14) *Exhibit N—Revenues; expenses; income.* Pro forma statements for each of the first five years of operation of the proposed facilities, showing in detail:

(i) Gas system annual revenues and volumes of natural gas related thereto, subdivided by classes of service, and further subdivided by sales to main line industrial customers, sales to other gas utilities, and other sales, indicating billing quantities used for computing charges, e. g., actual demands, billing demands, volumes, heat content adjustment or other determinants; in addition, if enlargement of extension of facilities is involved, the revenues attributable solely to the proposed facilities shall be stated separately.

(ii) Gas system annual operating expenses subdivided by functions, depreciation, depletion, taxes, utility income and rate of return on net investment in gas plant and working capital; in addition, if enlargement or extension of facilities is involved, the costs of service attributable solely to the proposed facilities shall be stated separately.

(15) *Exhibit O—Depreciation and depletion.* Depreciation and depletion rates to be established, the method of determination and the basis therefor.

(16) *Exhibit P—Tariff.* (Need not be submitted by applicants that propose no new or different rates than those currently effective and on file with the Commission.) A pro forma gas tariff or appropriate sections thereof, together with basic data showing:

(i) System cost of service for the first calendar year of operation of the completed proposed facilities.

(ii) A classification of such costs by "demand" and "commodity" components, and the allocation thereof to each particular service classification for which a two-part rate is proposed and a tariff submitted.

(iii) The rate base and rate of return claimed.

(iv) Gas operating expenses segregated functionally by accounts.

(v) Depletion and depreciation.

(vi) Taxes.

(17) *Other exhibits.* Applicant may submit additional exhibits that it considers essential for consideration of the application, or as may be necessary in supplying any additional information that the Commission may require. Such exhibits may be identified and designated with subnumbers of the appropriate single-letter designations referred to in the preceding subparagraphs of this paragraph.

(18) *Additional information.* Upon request in writing by the Commission, applicant shall submit additional data, information, exhibits, or other detail prior to or during the hearing upon any application.

§ 157.8 *Requirements for applications covering acquisitions*—(a) *General contents.* Except as otherwise permitted by § 157.5, applications under section 7 (c) of the Natural Gas Act, as amended, for certificates of public convenience and necessity authorizing acquisition of facilities, in addition to complying with the applicable provisions of §§ 157.6 and 157.7, shall include a statement showing:

(1) The exact legal name of the vendor, lessor, or other party in interest (hereinafter referred to as "vendor"), the state or other jurisdiction under the laws of which vendor was organized, if not an individual, location of vendor's principal place of business, and a description of any existing business, operation or property of vendor covered by the application.

(2) Any certificate held by vendor from the Commission relating directly to the facilities which applicant seeks to acquire, citing the order, date thereof, docket designation and title of the proceeding.

(3) The manner in which the facilities are to be acquired, the consideration to be paid and the method of arriving at the amount thereof, including a statement of all anticipated expenditures to be incurred in the acquisition.

(4) A description of the acquisition, showing the present use of the facilities, their proposed use after acquisition, and whether such facilities constitute all the operating facilities of the parties in interest to the transaction.

(5) Any franchise, license or permit held and applicable to the facilities covered by the application, showing date of expiration, if not perpetual, and including a statement as to the effect of the proposed acquisition thereon.

(6) Whether any application relating to the transaction is required to be filed with any other Federal, state or other regulatory body; if so, set forth the nature and status of such applications.

(b) *Exhibits.* In addition to complying with the applicable requirements of § 157.7, every application involving acquisition of facilities shall include in exhibit form:

(1) *Exhibit Q—Effect on existing contracts and tariffs.* A statement showing the effect of the proposed transaction upon any agreements for the purchase, sale, or interchange of natural gas, and upon any rate schedules or tariffs on file with this Commission or any other regulatory body, together with pro forma rate schedule sheets, notices of cancellation or other gas rate schedule or tariff filings that applicant will need to file with this Commission or with other regulatory bodies.

(2) *Exhibit R—Acquisition contracts.* A statement of, including:

(i) A certified copy or photostat of each contract or other agreement covering the acquisition of the facilities or related thereto.

(ii) Any intermediaries employed in consummating the transaction, including engineering or other service companies or organizations whose services were employed, and estimated compensation and fees of such intermediaries.

(iii) Any affiliation existing between applicant and vendor, or any other party in interest in the proposed acquisition.

(3) *Exhibit S—Accounting.* A statement:

(i) Showing the amounts recorded upon the books of the vendor as being applicable to the facilities to be acquired, and the depreciation, depletion and amortization reserves relating thereto as recorded upon such books.

(ii) Showing original cost of the facilities to be acquired, by accounts prescribed in the Commission's Uniform System of Accounts for Natural Gas Companies. Said statement shall set forth the method by which the original cost was determined, and shall specify whether same has been approved by any regulatory body having jurisdiction over the vendor or applicant.

(iii) If the original cost has not been determined, an estimate thereof, based upon records or data of the vendor or its predecessors, together with an explanation of the manner in which such estimate was made and a statement of the present custodian of all existing pertinent data and records.

(iv) Showing depreciation, depletion and amortization reserve requirements applicable to the original cost of the facilities to be acquired, including a statement of the estimated service lives and the approximate average age of the facilities to which the depreciation reserve applies, the amortization period with respect to the amortization reserves, and the depletion rates and estimated gas reserves upon which accruals to the depletion reserve are to be based.

(v) Showing amount at which the applicant proposes to record the facilities upon its books, setting forth the amount of the original cost to be recorded, the depreciation, depletion, and amortization reserves, and the acquisition adjustments, if any, together with a brief statement showing the manner in which applicant proposes to dispose of such adjustments.

(vi) Showing any duplicate facilities to be acquired which will be retired, or of property which must be extensively rehabilitated, including the estimated amounts of such property, the additional costs to be incurred, and the accounting proposed therefor.

(vii) If acquisition involved is by purchase of capital stock and liquidation of the acquired company, a balance sheet of the company to be acquired as of the most recent date available.

(viii) If acquisition involved is by merger, a pro forma consolidating balance sheet showing the merging of the accounts of vender and applicant and the adjustments relating thereto.

(4) *Other exhibits.* Applicant may submit additional exhibits that it considers essential for consideration of the application or as may be necessary in supplying any additional information that the Commission may require.

APPLICATIONS FOR TEMPORARY CERTIFICATES IN CASES OF EMERGENCY

§ 157.11 *Requirements for temporary certificate applications* (a) Pending the determination of an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, as amended, application may be made in cases of emergency for a temporary certificate authorizing the construction and operation of such minor extensions of existing facilities and such interconnections of pipeline systems as may be required to assure maintenance of adequate service, or to serve particular customers.

(b) Such application for temporary certificate shall be submitted in writing and shall state clearly and specifically the exact character of the emergency, the proposed method of meeting it, and the facts warranting the issuance of a temporary certificate.

MISCELLANEOUS REGULATIONS UNDER THE CERTIFICATE PROVISIONS OF THE NATURAL GAS ACT

§ 157.20 *Reports to be filed.* Every natural gas company constructing facilities pursuant to a certificate issued under Section 7 of the Natural Gas Act shall file (a) notice of the date on which construction begins, (b) each three months after the date on which a certificate is issued, a progress report showing the exact status of the construction authorized, (c) the date on which operation begins, and (d) within 90 days after facilities constructed pursuant to a certificate under section 7 (c) have been placed in service, a detailed statement showing the actual cost of such facilities by operating units and separately the cost of labor, materials, and other costs, as well as the cost of rights-of-way, damages, surveys, engineering, inspection, overhead, interest during construction, and contingencies. An original and four conformed copies of such reports shall be filed in lieu of the original and 14 conformed copies required by § 1.17 (f) of the rules of practice and procedure.

§ 157.21 *Transferability and temporary continuance of certificate—Authorizations.* Certificates of public convenience and necessity issued under section 7 of the Natural Gas Act, as amended, are not transferable. However, authorizations thereunder may continue in effect for a period not to exceed two years, in the event of the involuntary transfers by operation of law (including such transfers to receivers or trustees) of the facilities operated thereunder.

§ 157.22 *Exemption of temporary acts and operations*—(a) *General.* Public interest does not require the issuance of a certificate for the construction and operation of facilities necessary to assure maintenance of adequate natural-gas service where interruption or serious curtailment of service exists or is threatened because of failure of facilities or failure or curtailment of supply or unusual and unexpected demand on such facilities or supply, and where such acts and operations are limited to a single period of not more than sixty days.

(b) *Statement showing purpose.* Any company undertaking any such construction or operation shall immediately advise the Commission and within ten days file a full statement in writing and under oath setting forth the purpose and character thereof and a description of the operation and specific facilities constructed therefor.

(c) *Discontinuance and removal.* Except as provided herein, emergency operations undertaken under authority of paragraph (a) of this section shall be discontinued upon expiration of the sixty-day period, and all facilities installed for such temporary acts or operations shall be removed promptly and the Commission shall be so advised under oath within 10 days of such discontinuance and within 10 days of such removal. If appropriate application is made pursuant to section 7 (c) of the Natural Gas Act, as amended, for a certificate authorizing such facilities and operation thereof and such application also contains a request for a temporary certificate, the emergency operations may be continued until action by the Commission on the request for a temporary certificate.

[F. R. Doc. 51-3253; Filed, Mar. 13, 1951; 8:47 a. m.]

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ATOMIC ENERGY COMMISSION

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PART I—ORGANIZATION

GENERAL

SECTION 1. *Creation and authority.* The Atomic Energy Commission was established by the Atomic Energy Act of 1946 (60 Stat. 755; 42 U. S. C. 1801 et seq.), approved August 1, 1946. Pursuant to section 9 (a) of the act, certain interests, property, and facilities of the Government, including interests, property, and facilities of the Manhattan Engineer District, were transferred to the Commission as of Midnight, December 31, 1946, by Executive Order 9816 of the same date.

SEC. 2. *Purpose.* It is the purpose of the Atomic Energy Act to effectuate the declared policy of the people of the United States that, subject at all times to the paramount objective of assuring the common defense and security, the development and utilization of atomic energy shall, so far as practicable, be directed toward improving the public welfare, increasing the standard of living, strengthening free competition in private enterprise, and promoting world peace.

SEC. 3. *Programs.* The act provides for the following major programs relating to atomic energy:

(a) A program of assisting and fostering private research and development to encourage maximum scientific progress;

(b) A program for the control of scientific and technical information

which will permit the dissemination of such information to encourage scientific progress, and for the sharing on a reciprocal basis of information concerning the practical industrial application of atomic energy as soon as effective and enforceable safeguards against its use for destructive purposes can be devised;

(c) A program of federally conducted research and development to assure the Government of adequate scientific and technical accomplishment;

(d) A program for Government control of the production, ownership, and use of fissionable material to assure the common defense and security and to insure the broadest possible exploitation of the fields; and

(e) A program of administration which will be consistent with the foregoing policies and with international arrangements made by the United States, and which will enable the Congress to be currently informed so as to take further legislative action as may hereafter be appropriate.

SEC. 4. *Operations.* The operations of the Commission are carried out largely by industrial concerns and by private and public institutions under contract with the Commission, in accordance with the requirements and policies established by the Commission pursuant to the Atomic Energy Act. Some of the principal production and research and development activities are conducted by contractors in facilities owned by the Commission. Major production facilities owned by the Commission are located at Oak Ridge, Tennessee, and Hanford, Washington. Production facilities at sites near Paducah, Kentucky, and Augusta, Georgia, are under construction. Major research and development facilities owned by the Commission are the Oak Ridge National Laboratory at Oak Ridge, Tennessee; the Los Alamos Scientific Laboratory at Los Alamos, New Mexico; the Argonne National Laboratory at Chicago, Illinois; the Brookhaven National Laboratory at Upton, Long Island, New York; and the Knolls Atomic Power Laboatory at Schenectady, New York.

SEC. 11. *General outline of organization.* This section outlines the principal elements of the Commission's organization, which is described in greater detail in sections 21 to 49, inclusive.

(a) The Commission is composed of five members, one designated as Chairman, all appointed by the President by and with the advice and consent of the Senate. The Commissioners confer and act as a body on important matters of policy, programs, and administration.

(b) The General Manager, appointed by the Commission, is the principal executive and administrative officer of the Commission.

(1) The General Manager is responsible to the Commission for the formulation of policies and programs by the Commission's divisions. Four of the six program divisions—the Divisions of Research, Production, Engineering, and Military Application—were expressly established by the Atomic Energy Act. The Division of Reactor Development and the Division of Biology and Medicine have been established by the Commission.

(2) The General Manager is also assisted in his executive and administrative duties by the Deputy General Manager, by the Office of the General Counsel, by the Director of Intelligence, by the Director of Classification, and by the Divisions of Finance, Organization and Personnel, Information Services, and Security.

(c) Certain executive and administrative functions have been delegated by the General Manager to the division directors, particularly to the Directors of Production, Military Application, and Reactor Development. The Director of Production is responsible for the Operations Offices at New York, N. Y.; Oak Ridge, Tennessee; Hanford, Washington; and Augusta, Georgia; and the Raw Materials Operations Office in Washington, D. C. The Director of Military Application is responsible for the Operations Office at Santa Fe, New Mexico. The Director of Reactor Development is responsible for the Operations Offices at Chicago, Illinois; Schenectady, New York; and Idaho Falls, Idaho; and for the Division of Engineering in Washington, D. C. These division directors have in turn delegated a large measure of executive and administrative authority to the managers of the Operations Offices. The managers of operations are authorized, within stated limits, to enter into contracts on behalf of the Commission, to act as representatives of the Commission for the administration of contracts executed under their authority or assigned to their offices, and to perform other special functions.

SEC. 12. *Committees.* The Atomic Energy Act provides for three permanent committees. The General Advisory Committee, composed of nine members appointed from civilian life by the President, advises the Commission on scientific and technical matters relating to materials, production, and research and development. The Military Liaison Committee consists of representatives of the Department of Defense, and at the present time has seven members. The Commission advises and consults with the Military Liaison Committee on all atomic energy matters which the Committee deems to relate to military applications, including the development, manufacture, use, and storage of bombs, the allocation of fissionable material for military research, and the control of information relating to the manufacture or utilization of atomic weapons. The Commission keeps the Committee fully informed of all such matters before it, and the Committee keeps the Commission fully informed of all atomic energy activities of the Armed Forces. The Joint Committee on Atomic Energy, composed of nine members of the Senate and nine members of the House of Representatives, makes continuing studies of the activities of the Atomic Energy Commission and of problems relating to the development, use, and control of atomic energy. The Commission keeps the Joint Committee fully and currently informed on the activities of the Commission.

COMMISSION HEADQUARTERS

SEC. 21. *The Commission.* The five Commissioners are appointed by the President, by and with the advice and consent of the Senate. One member is designated by the President as Chairman. The Commissioners establish policies and programs pursuant to the provisions of the Atomic Energy Act, direct the administrative and executive functions of the Commission to be discharged by the General Manager, appoint the principal officers of the Commission's organization, and take such other action as may be required to effectuate the purposes and policies of the Atomic Energy Act.

SEC. 22. *Office of the General Manager.* The General Manager is appointed by the Commission. The Commission has authorized and directed the General Manager to discharge those executive and administrative functions of the Commission which may be necessary to carry out the provisions of the Atomic Energy Act of 1946. The General Manager is authorized to redelegate such authority in writing, with or without authority to make successive redelegations, and under such terms, conditions, and limitations as he may deem appropriate. He is assisted in discharging his responsibilities by a Deputy General Manager, who is authorized to take action for the General Manager on all matters falling within the authority of the General Manager.

SEC. 23. *Office of the General Counsel.* The General Counsel advises the Commission directly regarding the interpretation of the Atomic Energy Act of 1946 and other sources of legal powers, and the authority for and legal implications of all activities of the Commission. The Office of the General Counsel advises and assists the General Manager, the division directors, and the Managers of Operations in all matters of law and legal policy. The Office of the General Counsel has supervision of the Patent Branch, which administers matters relating to patents and inventions.

SEC. 24. *Office of the Director of Intelligence.* The Director of Intelligence advises on intelligence matters.

SEC. 25. *Office of Classification.* The Director of Classification administers and effectuates the Commission's programs for the classification and declassification of information.

SEC. 26. *Division of Research.* The Division of Research develops and supervises programs of research in or involving the physical sciences, including the isotopes program, the transfer of peculiar materials and equipment among research installations, the dissemination and use of technical information in the atomic energy program, and research projects requested by other divisions. The Division also administers the program of cooperation with the Office of Naval Research and the contracts with the National Research Council and the Oak Ridge Institute of Nuclear Studies, Inc. for a fellowship program.

SEC. 27. *Division of Reactor Development.* The Division of Reactor Develop-

ment develops and directs the program for the development of reactors, including the equipment and processes which will make possible their effective and safe use; and integrates into this program the special needs of other divisions. The Director of the Reactor Development Division is authorized to make and administer contracts and to redelegate this authority, except that new or unusual types of transactions are subject to prior consideration of the General Manager.

SEC. 28. *Division of Engineering.* The Division of Engineering handles special engineering and related problems for the Division of Reactor Development.

SEC. 29. *Division of Production.* The Division of Production develops and directs programs of raw materials, production of fissionable materials, and procurement of special materials; supervises construction and related engineering and community activities; maintains accountability records of source and fissionable materials; coordinates mobilization plans, coordinates the use of priorities and allocations powers delegated by control agencies; and administers programs for equipment export control and for source materials and production facilities licensing. The Director of Production is authorized to make and administer contracts, and to redelegate this authority, except that new or unusual types of transactions are subject to prior consideration of the General Manager.

SEC. 30. *Division of Military Application.* The Division of Military Application directs the research, development, production and testing of atomic weapons; manages related AEC installations and communities; and assists in maintaining liaison between the Atomic Energy Commission and the Department of Defense. The Director of Military Application is authorized to make and administer contracts, and to redelegate this authority, except that new or unusual types of transactions are subject to prior consideration of the General Manager.

SEC. 31. *Division of Biology and Medicine.* The Division of Biology and Medicine develops and supervises programs of research in biology, medicine, and biophysics at AEC facilities and through direct contacts with private institutions; supervises measures to guard the health of atomic energy employees and the public; maintains liaison with Federal Civil Defense Administration and other Federal agencies on civil defense matters; coordinates the procurement of radiation detection instruments; supervises fellowship and special training programs in the life sciences.

SEC. 32. *Division of Security.* The Division of Security develops and maintains policies, standards, and procedures to assure the safekeeping of restricted data and other classified matter and to assure the protection of installations and materials of AEC; maintains liaison with the Federal Bureau of Investigation, the National Military Establishment, and other agencies as required for the protection of restricted data and for the clearance of personnel; and operates the security program for the Washington Area.

SEC. 33. *Division of Organization and Personnel.* The Division of Organization and Personnel develops and maintains the independent AEC employee personnel policy and related procedures; provides staff assistance in all matters of organization, management methods, contractor personnel administration, and safety and fire protection; and operates personnel services for the Washington Office.

SEC. 34. *Division of Finance.* The Controller has direct responsibility to the Commission to report the financial status of the agency and the results of its operations in conformity with generally accepted accounting principles; to detect fraud and improper diversion of assets and to prevent such occurrences to the extent possible by the maintenance of reasonable accounting and business-management controls; and to advise on financial implications of proposed courses of action. He is responsible to the General Manager for the performance of the functions assigned to the Division of Finance. The Division of Finance plans, develops, and maintains over-all policies and standards for accounting, auditing, budgeting, insurance, traffic management, records, motor vehicle operation, communications, and the procurement, custody, and disposal of materials, equipment, supplies and real estate; plans, develops, and maintains procedures for program authorization and progress reporting; performs financial and business management services for the Washington Office.

SEC. 35. *Division of Information Services.* The Division of Information Services advises and assists the Commission, General Manager, and Washington principal staff in disseminating scientific, technical and general information arising from policy determinations and program developments in accordance with provisions of the Atomic Energy Act of 1946 and other statutes. The Division assists Managers of Operations in complying with the requirements of the Commission, General Manager, and Directors of Program Divisions for coordination of public and technical information programs through advice to their public and technical information staffs.

SEC. 36. *Secretary to the Commission.* The Secretary to the Commission maintains official minutes and records of the Commission; reviews and processes documents to be presented to the Commission; advises the staff on behalf of the General Manager, of Commission decisions and requests; and provides related services.

OPERATIONS OFFICES

SEC. 41. *Chicago Operations Office.* The Chicago Operations Office, under the direction of a Manager of Operations responsible to the Director of Reactor Development, administers contracts for research and development programs, including those at the Argonne National Laboratory; administers related engineering and construction programs; provides management for the execution of programs at the University of California at Berkeley, Ames Laboratory of Iowa State College at Ames, Iowa, and the Westinghouse Company at Pittsburgh; and makes or approves purchases, contracts and subcontracts, except that each purchase, contract, subcontract, extension or modification in excess of $2 million is subject to the approval of the Director of Reactor Development.

SEC. 42. *Hanford Operations Office.* The Hanford Operations Office, under the direction of a Manager of Operations responsible to the Director of Production, is responsible for the production of fissionable materials and other special materials and fabricated items; manages Richland Village; related engineering and construction programs; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension or modification in excess of $5 million is subject to the approval of the Director of Production.

SEC. 43. *Idaho Operations Office.* The Idaho Operations Office, under the direction of a Manager of Operations responsible to the Director of Reactor Development, provides for the design, construction and operation of nuclear reactors and facilities and services as necessary; manages the Reactor Testing Station and performs other special assigned functions; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension or modification in excess of $2 million is subject to the approval of the Director of Reactor Development.

SEC. 44. *New York Operations Office.* The New York Operations Office, under the direction of a Manager of Operations responsible to the Director of Production, provides for receiving and warehousing source and other raw materials, processing source materials and other raw materials; administers the contract for a research and development program at the Brookhaven National Laboratory; is responsible for source material licensing; supervises the St. Louis and Cleveland Area Offices; administers contracts for research programs in the field of biology and medicine at Rochester, Western Reserve, and Columbia Universities; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $2 million is subject to the approval of the Director of Production.

SEC. 45. *Oak Ridge Operations Office.* The Oak Ridge Operations Office, under the direction of a Manager of Operations responsible to the Director of Production, is responsible for the production of fissionable materials and certain special materials and fabricated items; administers contracts for research programs at Oak Ridge National Laboratory and other AEC installations administered by the Oak Ridge Operations Office; manages the community of Oak Ridge; administers related engineering and construction work; administers the AEC isotope-production and distribution

program in accordance with policies of the Division of Research; supervises the Dayton Area Office, and the Kentucky Area Office; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $5 million is subject to the approval of the Director of Production.

SEC. 46. *Raw Materials Operations Office.* Under the direction of a Manager of Operations responsible to the Director of Production, is responsible for the functions of exploration for, and acquisition and production of, raw materials and the procurement of certain special materials; administers related research, development, engineering, and construction work; supervises the Colorado Raw Materials Office; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $2 million is subject to the approval of the Director of Production.

SEC. 47. *Santa Fe Operations Office.* Under the direction of a Manager of Operations responsible to the Director of Military Application, is responsible for research, development, production, and testing in the field of atomic weapons; supervises facilities at Sandia, New Mexico; manages the community at Los Alamos, New Mexico; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $3 million is subject to the approval of the Director of Military Application.

SEC. 48. *Savannah River Operations Office.* The Savannah River Operations Office, under the direction of a Manager of Operations responsible to the Director of Production, administers assigned programs for the production of fissionable materials, special materials, and fabricated items; administers related engineering and construction programs; supervises the Dana Area Office; and makes or approves purchases, contracts, and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $5 million is subject to the approval of the Director of Production.

SEC. 49. *Schenectady Operations Office.* The Schenectady Operations Office, under the direction of a Manager of Operations responsibile to the Director of Reactor Development, carries out the policies of the Commission for development of nuclear reactors in the Schenectady area, including the Knolls Atomic Power Laboratory; administers related research and development contracts and engineering contracts; supervises work in the Schenectady area performed as assistance to the Hanford Operations Office; and makes or approves contracts and subcontracts, except that each purchase, contract, subcontract, extension, or modification in excess of $1 million is subject to the approval of the Director of Reactor Development.

PART II—PROCEDURES

SECTION 1. *Research assistance*—(a) *Research and development contracts.* The Commission has entered into many contracts with public and private institutions for the prosecution of research and development work in various branches of atomic science and technology. These contracts are negotiated and supervised on behalf of the Commission by the General Manager, the Division of Biology and Medicine, the Managers of Operations and their authorized representatives. The Division of Research is responsible for the development and supervision of the research program involving the physical sciences in AEC installations and outside organizations, including the isotope program, and inquiries regarding participation in this program may be addressed to the Director of the Division of Research in Washington. The Division of Biology and Medicine is responsible for administration of the program for the support of basic research relating to atomic energy in the fields of biology and medicine, and inquiries regarding participation in this program may be addressed to the Director of the Division of Biology and Medicine in Washington.

(b) *Distribution of isotopes.* The Commission assists and fosters research and development by a program for the sale and distribution of various radioactive and stable isotopes, including deuterium, and for the irradiation in an operating nuclear reactor of various samples. Because radioisotopes are at present available only in limited amounts, and because they may present a distinct health hazard unless used with proper care, the Commission desires to insure that they are distributed in a manner that will assure effective use and safe handling. Any scientist working in a recognized academic, medical, or industrial research institution in the United States may address his specific request for isotopes or irradiation service to the United States Atomic Energy Commission, P. O. Box E, Oak Ridge, Tennessee. The Oak Ridge Operations Office processes applications for necessary approvals. The approved application is returned to the applicant for transmittal to the contractor serving as distributor. The contractor, on receipt of the approved application, fills the order and bills the applicant according to a price schedule approved by the Commission.

(c) *Fellowship program.* The Division of Research is responsible for the administration of contracts with the National Research Council and the Oak Ridge Institute of Nuclear Studies for a fellowship program. The fellowship program for the 1951–1952 academic year will be administered for the Commission by the Oak Ridge Institute. Predoctoral fellowships will be given in the physical and biological sciences; postdoctoral fellowships in the physical, biological, and medical sciences. Applications may be submitted to the Oak Ridge Institute of Nuclear Studies, Inc., University Relations Division, P. O. Box 117, Oak Ridge, Tennessee.

SEC. 2. *Information services.* Writers or speakers may submit material to the AEC for security review and for assistance in determining if the material is free of restricted data (as defined in the Atomic Energy Act). Review and assistance will be given insofar as national security permits. Such submission of material, as well as any requests for publicly releasable information concerning the Commission's organization and activities, should be directed to the Division of Information Services, U. S. Atomic Energy Commission, Washington 25, D. C.

SEC. 3. *Material and equipment control.* (a) Pursuant to section 5 (b) of the Atomic Energy Act of 1946, a regulation for licensing the transfer of source materials (uranium and thorium) has been published as Code of Federal Regulations, Title 10, Part 40 (14 F. R. 1156), which sets forth necessary procedures. Correspondence and other inquiries concerning possession, transfer, and use of source materials should be addressed to the U. S. Atomic Energy Commission, New York Operations Office, P. O. Box 30, Ansonia Station, New York 23, New York.

(b) Pursuant to section 4 (e) of the Atomic Energy Act of 1946, a regulation for licensing the manufacture and transfer of facilities for the production of fissionable material has been published as Code of Federal Regulations, Title 10, Part 50 (14 F. R. 3492 as amended), July 1, 1949, which sets forth necessary procedures. Correspondence and other inquiries in this connection should be addressed to the Division of Production, U. S. Atomic Energy Commission, Washington 25, D. C.

SEC. 4. *Patents, inventions, and awards.* (a) Rules and regulations with respect to applications for awards, just compensation or the fixing of reasonable royalty fees in connection with patents and inventions under the provisions of section 11 of the Atomic Energy Act of 1946 have been published as Code of Federal Regulations, Title 10, Part 80 (13 F. R. 3457). Inquiries with respect to such matters should be addressed to the Clerk, Patent Compensation Board, U. S. Atomic Energy Commission, Washington 25, D. C.

(b) Patents and Patent Applications Owned by the Commission Available for Licensing: The Commission grants nonexclusive, royalty-free licenses on Commission-owned patents and declassified patent applications as part of its program to make non-secret technological information available for use by industry. Periodic listings of such patents and patent applications are released in press releases and published in various journals including the U. S. Patent Office, Official Gazette, and the Atomic Energy Commission Nuclear Science Abstracts. Applicants for licenses should apply to the Chief, Patent Branch, Office of the General Counsel, U. S. Atomic Energy Commission, Washington 25, D. C.

SEC. 5. *Domestic uranium program.* The domestic uranium program of the

Commission, under the direction of Raw Materials Operations Office, was put into effect in April 1948. The details of this program have been explained in Domestic Uranium Circulars Nos. 1, 2, 3, and 5 which were published as Code of Federal Regulations, Title 10, Part 60 (13 F. R. 2089; 13 F. R. 2090; 14 F. R. 731). The Raw Materials Operations Office has developed a booklet entitled "Prospecting for Uranium" which provides valuable information and assistance to those interested in prospecting for radioactive materials. This booklet may be obtained from the Superintendent of Documents, U. S. Government Printing Office, Washington 25, D. C., for 30 cents a copy.

(60 Stat. 755–775; 42 U. S. C. 1801–1819)

Dated: March 7, 1951.

WALTER J. WILLIAMS,
Deputy General Manager.

[F. R. Doc. 51-3240; Filed, Mar. 13, 1951; 8:45 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. SA-229]

ACCIDENT OCCURRING AT SIOUX CITY, AIRPORT, SIOUX CITY, IOWA

NOTICE OF HEARING

In the matter of investigation of accident involving aircraft of United States Registry NC-19928, which occurred at Sioux City Airport, Sioux City, Iowa, on March 2, 1951.

Notice is hereby given, pursuant to the Civil Aeronautics Act of 1938, as amended, particularly section 702 of said act, in the above-entitled proceeding that hearing is hereby assigned to be held on Thursday, March 15, 1951, at 9 a. m. (local time) in the Courtroom, United States Post Office Building, Sioux City, Iowa.

Dated at Washington, D. C., March 8, 1951.

[SEAL] RUSSELL A. POTTER,
Presiding Officer.

[F. R. Doc. 51-3259; Filed, Mar. 13, 1951; 8:48 a. m.]

ECONOMIC STABILIZATION AGENCY

Office of Price Stabilization

[Administrative Order 22, Supp. 1]

REDELEGATION OF AUTHORITY WITH RESPECT TO ENFORCEMENT FUNCTIONS

By virtue of the authority vested in me as Assistant Director of Price Stabilization for Enforcement (Director of Enforcement), pursuant to Administrative Order No. 22, Executive Order No. 10161 (15 F. R. 6105), Economic Stabilization Agency General Order No. 2 (16 F. R. 738), and Economic Stabilization Agency General Order No. 5 (16 F. R. 1273), and in order to further define the internal organization of the Office of Price Stabilization, particularly the enforcement functions of the several Regional Enforcement Directors and District Enforcement Directors, *It is hereby ordered:*

SECTION 1. Those functions relating to the enforcement of price stabilization which were delegated to the Assistant Director of Price Stabilization for Enforcement (Director of Enforcement) by Administrative Order 22 are hereby redelegated to the several Regional Enforcement Directors and District Enforcement Directors subject to such rules, regulations and orders as may hereafter be issued by the Assistant Director of Price Stabilization for Enforcement (Director of Enforcement), and further subject to such general supervision, direction and control as the Assistant Director of Price Stabilization for Enforcement (Director of Enforcement) deems necessary and expedient.

SEC. 2. This order shall become effective March 13, 1951.

Issued this 13th day of March 1951.

E. P. MORGAN,
Assistant Director of Price Stabilization for Enforcement (Director of Enforcement).

[F. R. Doc. 51-3379; Filed, Mar. 13, 1951; 11:49 a. m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES AT FIXED PRICES

Pursuant to the Pricing Policy of Commodity Credit Corporation issued March 22, 1950 (15 F. R. 1583), and subject to the conditions stated therein, the following commodities are available for sale in the quantities and at the prices stated:

MARCH DOMESTIC PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Domestic sales price
Dried whole eggs 1950 pack (packed in barrels and drums) in carload lots only, 1,000,000 pounds.[1]	$1.03 per pound f. o. b. cars or trucks at warehouses in Illinois, Indiana, Iowa, Michigan, Ohio, Minnesota, Oklahoma, Texas, Kansas, Missouri, Nebraska, Wisconsin, Pennsylvania, New York, and Delaware.
Nonfat dry milk solids, in carload lots only:	
Spray process, 35,000,000 pounds [1]	14 cents per pound, f. o. b. location of stock in any State.
Roller process, 15,000,000 pounds [1]	12 cents per pound, f. o. b. location of stock in any State.
Linseed oil, raw, 216,000,000 pounds	Market price on date of sale.
Dry edible beans	On all beans, for areas other than those shown below, adjust prices upward or downward by an amount equal to the price support program differential between areas. Where no price differential occurs, the price listed will apply. For other grades of all beans, adjust by market differentials. Prices listed below, on all beans, are at point of production. Amount of any paid-in freight to be added.
Pinto, bagged, 1,700,000 hundredweight.	No. 1 Grade, 1948 [1] and 1949 crops: $8.10 per 100 pounds, basis f. o. b. Denver rate area and California area; $7.70 per 100 pounds, basis f. o. b. Idaho area.
Pea, bagged, 955,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $7.85 per 100 pounds, basis f. o. b. Michigan area.
Red kidney, bagged, 543,000 hundredweight.	No. 1 Grade 1948 and 1949 crops: $9.30 per 100 pounds, basis f. o. b. New York area.
Great Northern, bagged, 1,950,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $7.15 per 100 pounds, basis f. o. b. Twin Falls, Idaho, area; $7.55 per 100 pounds, basis f. o. b. Morrill, Nebr., area.
Baby lima, bagged, 700,000 hundredweight.	No. 1 Grade 1948 [1] and 1949 crops: $7.95 per 100 pounds, basis f. o. b. California area.
Cranberry beans, bagged, 80,000 hundredweight.	No. 1 Grade 1949 crops: $8.60 per 100 pounds, basis f. o. b. California and Michigan area.
Austrian Winter pea seed, bagged 145,000 hundredweight.[1]	$5.26 per 100 pounds, f. o. b. point of production; amount of any paid-in freight to be added.
Blue lupine seed, bagged, 460,000 hundredweight	$5.26 per 100 pounds, f. o. b. point of production amount of any paid-in freight to be added.
Kobe Lespedeza seed, bagged, 3,600 hundredweight.	$13.49 per 100 pounds, f. o. b. point of production; amount of any paid-in freight to be added.
Weeping Lovegrass seed, bagged, 1,300 hundredweight.	$54.33 per 100 pounds f. o. b. point of production; amount of any paid-in freight to be added.
Wheat, bulk, 5,000,000 bushels	This wheat is available only when premium wheat is required or where emergency situations exist. Basis in store, the market price but in no event less than the applicable 1950 loan rate for the class, grade, quality, and location, plus: (1) 30 cents per bushel if received by truck, or (2) 25 cents per bushel if received by rail or barge. Examples of minimum prices, per bushel: Kansas City, No. 1 HW, ex rail or barge, $2.51; Minneapolis, No. 1 DNS, ex rail or barge $2.52; Chicago, No. 1 RW, ex rail or barge, $2.56. NOTE: No wheat will be for sale in the Portland, Oreg., area until further notice.
Oats, bulk, 11,120,000 bushels	At points of production, basis in store, the market price but not less than the applicable 1950 county loan rate plus 15 cents per bushel; at other points, the foregoing plus average paid-in freight. Examples of minimum prices, per bushel: Chicago, No. 3 or better, 98 cents; Minneapolis, No. 3 or better, 94 cents.
Barley, bulk, 19,975,000 bushels	Basis in store, the market price but in no event less than the applicable 1950 loan rate for the class, grade, quality, and location, plus: (1) 22 cents per bushel if received by truck, or (2) 18 cents per bushel if received by rail or barge. Examples of minimum prices per bu.: Minneapolis, No. 1 barley, ex rail or barge, $1.50; San Francisco, No. 1 Western barley, ex rail or barge, $1.57.
Corn, bulk, 50,000,000 bushels	1950 commercial corn-producing area: At points of production, basis in store, the market price but not less than the applicable 1950 county loan rate for No. 3 yellow, plus 20 cents per bushel, but market differentials for other grades, quality, and classes. At other delivery points: (1) The foregoing, plus average paid-in freight, or (2) basis the following fixed minimum terminal prices, with market differentials for grade, quality, and class, and freight differentials for location. Fixed minimum prices, per bushel: Chicago, No. 3 yellow, $1.82; St. Louis, No. 3 yellow, $1.82; Minneapolis, No. 3 yellow, $1.75; Omaha, No. 3 yellow, $1.74; Kansas City, No. 3 yellow, $1.78. Market differentials for other grades, quality, and classes. 1950 non-commercial corn-producing area: At points of production, or originating in a non-commercial county, basis in store, the market price but not less than 133 percent of the applicable 1950 county loan rate for No. 3, plus 20 cents per bushel; at other points, the foregoing plus average paid-in freight. If originating in a commercial county, the county loan rate for No. 3 plus 20 cents, plus average paid-in freight. Examples of minimum price, per bushel: 1950 county loan rate for Brown County, Ind., $1.10 per bushel, No. 3 corn, 133 percent of $1.10, plus 20 cents equals $1.67 per bushel the minimum sales price.

[1] These same lots also are available at export sales prices announced concurrently.

MARCH EXPORT PRICE LIST

Commodity and approximate quantity available (subject to prior sale)	Export sales price
Dried whole eggs; 1950 pack (packed in barrels and drums) in carload lots only. 10,000,000 pounds.	(1) 60 cents per pound, f. a. s. vessel any U. S. Gulf or East Coast port; or (2) 60 cents per pound f. o. b. cars or trucks at warehouse locations, less freight based on the average gross shipping weight calculated at the lowest export freight rate.
Nonfat dry milk solids, in carload lots only: Spray process 38,000,000 pounds [1] Roller process, 15,000,000 pounds [1]	For export to all countries except those listed below: Spray process—12½ cents per pound f. o. b. location of stock in any State. Roller process—10½ cents per pound f. o. b. location of stock in any State. For export to Western Hemisphere countries except Canada and Colonial possessions of foreign countries, and territories and possessions of the U. S.: Spray process—9½ cents per pound f. o. b. location of stock in any State, less freight based on the average gross shipping weight, at the lowest export freight rate from that location to nearest port of export. Roller process—7½ cents per pound f. o. b. location of stock in any State, less freight based on the average gross shipping weight, at the lowest export freight rate from that location to nearest port of export.
Dry edible beans	No. 1 Grade 1948 Crop, f. a. s. vessel at locations shown below:
Pinto, bagged, 930,000 hundredweight [1]	$5.90 per 100 pounds, San Francisco and Portland, Oreg.; $6 per 100 pounds, U. S. Gulf ports. (See note below.)
Pea, bagged, 245,000 hundredweight [1]	$5.50 per 100 pounds, East Coast ports.
Great Northern, bagged, 715,000 hundredweight.[1]	$6 per 100 pounds, Portland, Oreg.; $6.10 per 100 pounds, U. S. Gulf ports. (See note below.)
Baby lima, bagged, 230,000 hundredweight.[1]	$5 per 100 pounds, San Francisco.
	NOTE: "U. S. Gulf ports" means ports with freight rates not greater than to New Orleans. Any excess freight will be for account of the buyer.
	Discounts for grades on all beans: No. 2, 25 cents less than No. 1; No. 3, 50 cents less than No. 1.
	Purchasers of beans for export to Canada must provide proof of re-export from Canada and the beans must not be re-exported to the U. S.
	At CCC's option, 1949 crop beans may be furnished in place of 1948 beans in instances where stocks of 1948 beans of the type and grade desired are exhausted.
Austrian winter pea seed, bagged, 145,000 hundredweight.[1]	Market price on date of sale at place of delivery, provided delivery takes place within 15 days unless otherwise agreed upon.
Fresh Irish potatoes, packed in usual 100-pound burlap sacks, in carload or truckload lots only. Substantial quantities as available in Aroostook County, Maine.	U. S. No. 1 Grade when loaded at CCC's point of purchase—60 cents per sack, f. o. b. cars at country shipping point, for export to areas other than U. S. possessions, Canada, Cuba, Mexico, or the Caribbean area. Consideration will be given to offers to purchase potatoes packed in crates at above price, plus additional costs to CCC. Consideration also will be given to purchases of certified seed potatoes packed in usual 100-pound burlap sacks or crates at the above price plus additional costs to CCC. Communicate with the Director, PMA Commodity Office, 139 Center St., New York 13, N. Y. Tel. REctor 2-3100.
Fresh Irish potatoes, for processing into potato food products for export. Quantities as available in the late potato producing States.	Basis 1 cent per hundredweight bulk ungraded at farm, plus reimbursement for approved marketing services required to be performed.

[1] These same lots also are available at domestic sales prices announced concurrently.

(Pub. Law 439, 81st Cong.)

Issued: March 9, 1951.

RALPH S. TRIGG,
President, Commodity Credit Corporation.

[F. R. Doc. 51-3287; Filed, Mar. 13, 1951; 8:55 a. m.]

Rural Electrification Administration

[Administrative Order 3152]

NEBRASKA

LOAN ANNOUNCEMENT

FEBRUARY 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Nebraska 77AK Norris District Public	$505,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-3290; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3153]

NORTH DAKOTA

LOAN ANNOUNCEMENT

FEBRUARY 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Dakota 27F Emmons	$50,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-3291; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3154]

WYOMING

LOAN ANNOUNCEMENT

FEBRUARY 1, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Wyoming 3N Fremont	$560,000

[SEAL] GEORGE W. HAGGARD,
Acting Administrator.

[F. R. Doc. 51-3292; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3155]

UTAH

LOAN ANNOUNCEMENT

FEBRUARY 13, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Utah 8S Duchesne	$2,366,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3293; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3156]

ILLINOIS

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Illinois 41P Jefferson	$205,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3294; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3157]

ALASKA

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Alaska 6B Golden Valley	$800,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3295; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3158]

GEORGIA

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting

through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Georgia 92K Brantley	$230,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3296; Filed, Mar. 13, 1951; 8:56 a. m.]

[Administrative Order 3159]

MONTANA

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Montana 13K Flathead	$755,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3297; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3160]

ALLOCATION OF FUNDS FOR LOANS

FEBRUARY 15, 1951.

I hereby amend:

(a) Administrative Order No. 2132, dated May 25, 1949, by rescinding the loan of $25,000 therein made for "North Dakota 37F McLean."

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3298; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3161]

MISSISSIPPI

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Mississippi 36W Marion	$760,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3299; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3162]

NORTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Carolina 36S Randolph	$500,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-3300; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3163]

ILLINOIS

LOAN ANNOUNCEMENT

FEBRUARY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Illinois 29N Shelby	$290,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-3301; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3164]

MARYLAND

LOAN ANNOUNCEMENT

FEBRUARY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Maryland 7Y Caroline	$350,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-3302; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administraitve Order 3165]

NORTH DAKOTA

LOAN ANNOUNCEMENT

FEBRUARY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
North Dakota 26G LaMoure	$192,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-3303; Filed, Mar. 13, 1951; 8:57 a. m.]

[Administrative Order 3166]

KENTUCKY

LOAN ANNOUNCEMENT

FEBRUARY 17, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 61A Carter	$1,000,000

[SEAL] WM. C. WISE,
Acting Administrator.

[F. R. Doc. 51-3304; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order 3167]

KENTUCKY

LOAN ANNOUNCEMENT

FEBRUARY 19, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Kentucky 52U Fleming	$960,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3305; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T-14]

TENNESSEE

LOAN ANNOUNCEMENT

FEBRUARY 8, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Powell Telephone Company, Tennessee 502-A	$188,000

[SEAL] CLAUDE R. WICKARD,
Administrator.

[F. R. Doc. 51-3306; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T-51]

WEST VIRGINIA

LOAN ANNOUNCEMENT

FEBRUARY 8, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Admin-

istrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Home Telephone Company, Inc., West Virginia 501–A	$142,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3307; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T–16]

MINNESOTA

LOAN ANNOUNCEMENT

FEBRUARY 12, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Runestone Telephone Association, Minnesota 540–A	$1,028,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3308; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T–17]

NORTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Eastern Rowan Telephone Company, Inc., North Carolina 507–A	$343,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3309; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T–18]

SOUTH CAROLINA

LOAN ANNOUNCEMENT

FEBRUARY 15, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
The Citizens Telephone Company South Carolina 505–A	$167,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3310; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T–19]

INDIANA

LOAN ANNOUNCEMENT

FEBRUARY 20, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Eureka Telephone Company, Indiana 505–A	$666,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3311; Filed, Mar. 13, 1951; 8:58 a. m.]

[Administrative Order T–20]

GEORGIA

LOAN ANNOUNCEMENT

FEBRUARY 21, 1951.

Pursuant to the provisions of the Rural Electrification Act of 1936, as amended, a loan contract bearing the following designation has been signed on behalf of the Government acting through the Administrator of the Rural Electrification Administration:

Loan designation:	*Amount*
Nelson-Ball Ground Telephone Company, Georgia 517–A	$172,000

[SEAL] CLAUDE R. WICKARD, *Administrator.*

[F. R. Doc. 51–3312; Filed, Mar. 13, 1951; 8:59 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 9699]

CHAMPION CITY BROADCASTING CO. (WJEL)

ORDER CONTINUING HEARING

In re application of Champion City Broadcasting Company (WJEL), Springfield, Ohio, Docket No. 9699, File No. BP–6642; for construction permit.

The Commission having under consideration a petition filed on February 26, 1951, by Champion City Broadcasting Company (WJEL), requesting that the hearing now scheduled to be heard on March 12, 1951, on the above-entitled application, be continued for a period of sixty days; and

It appearing, that no opposition has been filed to the above petition by any of the parties to this proceeding;

It is ordered, This 6th day of March 1951, that the petition be, and it is hereby, granted; and that the hearing on the above-entitled application be, and it is hereby, continued to 10:00 a. m., Monday, May 14th, 1951, at Washington, D. C.

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

[F. R. Doc. 51–3269; Filed, Mar. 13, 1951; 8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. E–6343]

GULF STATES UTILITIES CO.

NOTICE OF APPLICATION

MARCH 7, 1951.

Take notice that on March 7, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Gulf States Utilities Company, a corporation organized under the laws of the State of Texas and doing business in the States of Texas and Louisiana, with its principal business office at Beaumont, Texas, seeking an order authorizing the issuance of such number of whole shares of its presently authorized but unissued common stock as will yield an aggregate price to Applicant of $3,500,000 before payment of expenses of issuance, at competitive bidding to underwriters who will agree to make a public offering of all of such shares. Applicant proposes to issue such shares on or about May 1, 1951; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard or to make any protest with reference to said application should, on or before the 28th day of March 1951, file with the Federal Power Commission, Washington, 25, D. C., a petition or protest in accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 51–3263; Filed, Mar. 13, 1951; 8:49 a. m.]

[Docket No. E–6344]

MOUNTAIN STATES POWER CO.

NOTICE OF APPLICATION

MARCH 8, 1951.

Take notice that on March 7, 1951, an application was filed with the Federal Power Commission, pursuant to section 204 of the Federal Power Act, by Mountain States Power Company, a corporation organized under the laws of the State of Delaware and doing business in the States of Idaho, Oregon, Montana, and Wyoming, with its principal business office at Albany, Oregon, seeking an order authorizing the issuance of $5,500,000 Principal Amount of First Mortgage Bonds, Series due April 1, 1981, bearing interest at a rate to be determined later, to be issued April 1, 1951, and to mature April 1, 1981, and 150,000 shares of common stock, par value $7.25 per share, to be issued approximately seven days after acceptable bid therefor. Applicant proposes to issue and sell the bonds and common stock at competitive bidding; all as more fully appears in the application on file with the Commission.

Any person desiring to be heard, or to make any protest with reference to said application should, on or before the 27th day of March 1951, file with the Federal Power Commission, Washington 25, D. C., a petition or protest in

accordance with the Commission's rules of practice and procedure. The application is on file with the Commission for public inspection.

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

[F. R. Doc. 51-3245; Filed, Mar. 13, 1951; 8:46 a. m.]

[Docket No. G-1368]

RIO GRANDE VALLEY GAS CO.

NOTICE OF ORDER AUTHORIZING EXPORTATION OF NATURAL GAS AND RELEASING PRESIDENTIAL PERMIT

MARCH 9, 1951.

Notice is hereby given that, on March 8, 1951, the Federal Power Commission issued its order entered March 6, 1951, in the above-designated matter, authorizing the exportation of natural gas from the United States to a foreign country and releasing Presidential Permit.

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

[F. R. Doc. 51-3262; Filed, Mar. 13, 1951; 8:49 a. m.]

[Docket Nos. G-1399, G-1400]

VIRGINIA GAS TRANSMISSION CORP. AND LYNCHBURG PIPE LINE CO.

NOTICE OF CONTINUANCE OF HEARING

MARCH 7, 1951.

In the matters of Virginia Gas Transmission Corporation, Docket No. G-1399, and Lynchburg Pipe Line Company, Docket No. G-1400.

Upon consideration of the petition of Lynchburg Pipe Line Company, filed March 6, 1951, for further postponement of the hearing now scheduled for March 12, 1951, in the above-designated matters;

Notice is hereby given that the hearing be and it is hereby continued to a date to be hereafter fixed.

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

[F. R. Doc. 51-3248; Filed, Mar. 13, 1951; 8:46 a. m.]

[Docket Nos. G-1518, G-1537, G-1541, G-1561]

TRANSCONTINENTAL GAS PIPE LINE CORP. ET AL.

NOTICE OF FINDINGS AND ORDERS

MARCH 8, 1951.

In the matters of Transcontinental Gas Pipe Line Corporation, Docket No. G-1518; Montana-Dakota Utilities Co., Docket No. G-1537; Southern Natural Gas Company, Docket No. G-1541; El Paso Natural Gas Company, Docket No. G-1561.

Notice is hereby given that, on March 7, 1951, the Federal Power Commission issued its findings and orders entered March 6, 1951, issuing certificates of public convenience and necessity in the above-designated matters.

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

[F. R. Doc. 51-3246; Filed, Mar. 13, 1951; 8:46 a. m.]

[Docket No. G-1565]

EQUITABLE GAS CO.

ORDER FIXING DATE OF HEARING

MARCH 7, 1951.

On December 19, 1950, Equitable Gas Company (Applicant), a Pennsylvania corporation having its principal place of business at Pittsburgh, Pennsylvania, filed an application for a certificate of public convenience and necessity and an amendment thereto January 30, 1951, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural gas facilities replacing the existing Denniston Compressor Station, subject to the jurisdiction of the Commission, as described in the application on file with the Commission and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 b) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 4, 1951 (16 F. R. 101).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on March 20, 1951, at 9:45 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: March 8, 1951.

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

[F. R. Doc. 51-3243; Filed, Mar. 13, 1951; 8:45 a. m.]

[Docket No. G-1569]

PENN-YORK NATURAL GAS CORP.

ORDER FIXING DATE OF HEARING

MARCH 7, 1951.

On December 22, 1950, Penn-York Natural Gas Corporation (Applicant), a Pennsylvania corporation having its principal place of business at Buffalo, New York, filed an application and amendments thereto on January 22 and February 21, 1951, 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 certain natural-gas facilities and the sale of natural gas, subject to the jurisdiction of the Commission as fully described in the application on file with the Commission and open to public inspection.

The Commission finds:

(1) This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure, Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for non-contested proceedings, and no request to be heard, protest or petition presenting any issue of substance having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on January 11, 1951 (16 F. R. 290).

(2) Good cause exists for the setting of a hearing hereof for March 15, 1951, under the abridged procedure rule without 15 days notice being given.

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, as amended, and the Commission's rules of practice and procedure, a hearing be held on March 15, 1951, at 9:30 a. m., in the Hearing Room of the Federal Power Commission, 1800 Pennsylvania Avenue NW., Washington, D. C., concerning the matters involved and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's Rules of Practice and Procedure.

(B) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Date of issuance: March 8, 1951.

By the Commission.

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

[F. R. Doc. 51-3244; Filed, Mar. 13, 1951; 8:45 a. m.]

[Docket No. G-1617]

PIEDMONT GAS CO., INC.

NOTICE OF APPLICATION

MARCH 9, 1951.

Take notice that Piedmont Gas Company, Inc. (Applicant), a North Carolina corporation having its principal place of business at Hickory, North Carolina, filed on February 19, 1951, an application for (1) a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation

of certain natural gas transmission pipe line facilities hereinafter described, and (2) for an order under section 7 (a) of the act directing Transcontinental Gas Pipe Line Corporation (Transcontinental) a natural gas company subject to the jurisdiction of the Commission to establish a physical connection of its transportation facilities with the proposed facilities of Applicant and to sell natural gas to it.

Applicant proposes to construct an interconnecting pipeline system between Transcontinental's pipeline project and the various communities Applicant proposes to serve. The proposed interconnecting system will consist of 6-inch pipe, approximately 28 miles in length.

The communities proposed to be served include the cities of Lincolnton, Maiden, Newton, Conover, Hickory, Granite Falls, Lenoir, Valdese, Morganton, and other intermediate points.

The Applicant estimates that its natural gas requirements on the maximum day in the first year of operation will be 1,203 Mcf, increasing to 4,963 Mcf in the fifth year.

Applicant proposes to finance the project by the sale of first mortgage bonds and common stock.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of March 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-3264; Filed, Mar. 13, 1951; 8:49 a. m.]

[Docket No. G-1620]

PENNSYLVANIA GAS CO.

NOTICE OF APPLICATION

MARCH 9, 1951.

Take notice that on February 23, 1951, Pennsylvania Gas Company (Applicant), a Pennsylvania corporation having its principal place of business in the Borough of Warren, Pennsylvania, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction and operation of certain natural gas transmission pipeline facilities in order to enable Applicant to meet present and future demands of its customers.

Applicant proposes to construct approximately 52 miles of 12¾-inch O. D. pipeline, paralleling its existing transmission lines between Warren and Erie, Pennsylvania. Applicant also proposes to install 3 new gas compressor units totaling 990 horsepower at its Roystone Compressing Station in Warren County, Pennsylvania; 2 compressor units totaling 440 horsepower at its Sackett Compressing Station in Elk County, Pennsylvania; and approximately 3,000 feet of 10¾-inch pipe from its Sackett Station to the point of connection with the lines of United Natural Gas Company. The proposed construction is expected to be completed over a period of three years as materials become available.

The estimated over-all capital cost of the proposed facilities is approximately $2,200,000. The Applicant proposed to finance the cost of construction by selling long term installment promissory notes to National Fuel Gas Company, Applicants' majority stockholder.

The application is on file with the Commission for public inspection. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) before the 28th day of March 1951.

[SEAL] LEON M. FUQUAY,
Secretary,

[F. R. Doc. 51-3265; Filed, Mar. 13, 1951; 8:50 a. m.]

[Docket No. G-1624]

ALABAMA-TENNESSEE NATURAL GAS CO.

NOTICE OF APPLICATION

MARCH 9, 1951.

Take notice that on February 28, 1951, Alabama-Tennessee Natural Gas Company (Applicant), a Delaware corporation of Florence, Alabama, filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing the construction of meter and regulator stations at points in its transmission system near Austinville, Barton, Belle Mina, Flint, Greenbrier, Margerum, Pride School, Pryor, and Tanner, Alabama. Applicant proposes by these facilities to sell natural gas to Muscle Shoals Natural Gas Corporation for resale in these communities, which have no gas utility service at present.

Through these facilities Applicant proposes to sell and deliver a maximum of 91,250 Mcf per year with a daily maximum of 400 Mcf of natural gas. The cost of these facilities is estimated to be $7,470, which will be paid from general funds of Applicant.

Applicant requests that its application be heard under the shortened procedure pursuant to § 1.32 (b) of the rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 28th day of March 1951. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-3266; Filed, Mar. 13, 1951; 8:50 a. m.]

[Project Nos. 1256, 1417, 1490, 1835]

LOUP RIVER PUBLIC POWER DISTRICT ET AL.

NOTICE OF ORDERS DETERMINING ORIGINAL COST AND PRESCRIBING ACCOUNTING THEREOF

MARCH 8, 1951.

In the matters of Loup River Public Power District, Project No. 1256; the Central Nebraska Public Power and Irrigation District, Project No. 1417; Brazos River Conservation and Reclamation District, Project No. 1490; Platte Valley Public Power and Irrigation District, Project No. 1835.

Notice is hereby given that, on March 7, 1951, the Federal Power Commission issued its orders entered March 6, 1951, determining actual legitimate original cost and prescribing accounting therefor in the above-designated matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 51-3247; Filed, Mar. 13, 1951; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2564]

OHIO EDISON CO. AND PENNSYLVANIA POWER CO.

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 7th day of March A. D. 1951.

Ohio Edison Company ("Ohio"), a registered holding company and a public utility company, and its subsidiary Pennsylvania Power Company ("Pennsylvania"), a public utility company, having filed a joint application-declaration pursuant to sections 6, 7, 9, 10, and 12 of the Public Utility Holding Company Act of 1935 (the "act") and Rules U-43 and U-50 promulgated thereunder with respect to the following transactions:

Ohio, the holder of all the issued and outstanding shares of common stock of Pennsylvania, par value $30 per share, proposes to purchase from Pennsylvania and Pennsylvania proposes to issue and sell to Ohio 40,000 additional shares of common stock of Pennsylvania for a total cash consideration of $1,200,000.

In addition to the issuance and sale of the above described common stock, Pennsylvania also proposes to issue and sell, at competitive bidding pursuant to the requirements of Rule U-50, 40,000 shares of $100 par value preferred stock of a new series or class ranking equally with the shares of Pennsylvania's 4.25 percent preferred stock now outstanding. The new preferred stock is to be sold for the lowest actual cost of money obtainable which, however, is to be not more than 4.50 percent per annum. It is represented in the filing that the proceeds from the sale of these securities will be used to assist Pennsylvania in its contemplated construction program for the years 1951 and 1952.

Notice of the filing of this joint application-declaration having been duly given in the form and manner prescribed by Rule U-23 promulgated pursuant to the act and the Commission not having received a request for a hearing and not having ordered a hearing thereon; and

The Commission finding with respect to this joint application-declaration that all of the applicable statutory standards are satisfied and that there is no basis for any adverse findings and

deeming it appropriate in the public interest and in the interest of investors and consumers that said joint application-declaration be granted and permitted to become effective;

It is hereby ordered, Pursuant to said Rule U-23 and the applicable provisions of the act, that said joint application-declaration be and the same is hereby granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following terms and conditions:

(1) That the proposed issuance and sale of the 40,000 shares of $100 par value preferred stock of Pennsylvania shall not be consummated until the results of competitive bidding held with respect thereto have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate;

(2) That jurisdiction be reserved with respect to the payment of any and all fees and expenses incurred or to be incurred in connection with the consummation of the proposed transactions.

It is further ordered, That the granting and permitting of the said application-declaration to become effective forthwith is further subject to the following terms and conditions proposed by applicants-declarants:

(1) So long as any shares of the 4.25 percent and the new preferred stock (collectively referred to herein as "Preferred Stock") are outstanding, the payment of dividends on the Common Stock (other than (i) dividends payable in Common Stock or (ii) dividends paid in cash if immediately thereafter there shall be paid to the Company in cash an amount equal to such dividends for shares of or as a capital contribution with respect to Common Stock) and the making of any distribution of assets to holders of Common Stock by purchase of shares or otherwise (each of such actions being herein embraced within the term "payment of Common Stock dividends") shall be subject to the following limitations (except as such payments may be approved or permitted by subsequent order of the Securities and Exchange Commission or any successor thereto or except as such payments may be permitted in accordance with a waiver of such limitations which shall have been approved by the affirmative vote in favor thereof of the holders of at least 66⅔ percent of the shares of Preferred Stock at the time outstanding):

(a) If and so long as the ratio of the aggregate of the par value of, or stated capital represented by, the outstanding shares of Common Stock and of the surplus of the Company, paid-in, earned or other, (including premiums on Common Stock but excluding premiums on the Preferred Stock) to the aggregate of the total capitalization (which shall mean the aggregate of the principal amount of all outstanding indebtedness of the Company maturing more than twelve months after the date of determination of total capitalization, plus the par value of, or stated capital represented by, the outstanding shares of all kinds and classes of stock of the Company, including any premiums on capital stock) and surplus of the Company at the end of the calendar month immediately preceding the calendar month in which the proposed Common Stock dividend is to be declared, adjusted in each case to reflect the proposed payment of Common Stock dividends, (which ratio is hereinafter referred to as the "capitalization ratio") is less than 20 percent, the payment of Common Stock dividends, including the proposed payment, during the twelve calendar months period ending with and including the date on which the proposed payment is to be made shall not exceed 50 percent of the net income of the Company available for the payment of dividends on the Common Stock for the twelve full calendar months immediately preceding the month in which such dividend is declared;

(b) If and so long as the capitalization ratio is 20 percent or more but less than 25 percent, the payment of Common Stock dividends, including the proposed payment, during the twelve calendar months period ending with and including the date on which the proposed payment is to be made shall not exceed 75 percent of the net income of the Company available for the payment of dividends on the Common Stock for the twelve full calendar months immediately preceding the month in which such dividend is declared;

(c) Except to the extent permitted under paragraphs (a) and (b) above, the Company shall not make any payment of Common Stock dividends which would reduce the capitalization ratio to less than 25 percent.

(2) So long as any shares of the Preferred Stock are outstanding, the Company shall not, without the affirmative vote in favor thereof of the holders of at least 66⅔ percent of the shares of Preferred Stock at the time outstanding, create, authorize or, except within 180 days after such a vote of the Preferred Stock, issue any kind or class of stock preferred as to dividends or assets over the Preferred Stock or any security convertible into shares of any such kind or class of stock.

(3) So long as any shares of the Preferred Stock are outstanding, the Company shall not, without the affirmative vote in favor thereof of the holders of at least a majority of the shares of Preferred Stock at the time outstanding,

(a) Sell, lease or exchange all or substantially all of its property, unless such sale, lease or exchange or the issuance and assumption of all securities to be issued or assumed in connection therewith, shall have been ordered, approved or permitted by a regulatory authority of the Commonwealth of Pennsylvania or of the United States of America having jurisdiction in the premises;

(b) Issue, sell or otherwise dispose of any shares of Preferred Stock (other than the disposition heretofore made of the 41,049 shares of 4.25 percent preferred stock now outstanding and the presently proposed disposition of the 40,000 shares of new preferred stock) or of any shares of any kind or class of stock ranking on a parity with the Preferred Stock as to dividends or as to assets, unless (i) the gross income of the Company available for the payment of interest (determined in accordance with generally accepted accounting practices but in any event after deducting the amount charged by the Company on its books for all taxes and for retirement or depreciation reserve) for a period of twelve consecutive calendar months within the fifteen calendar months immediately preceding the issuance, sale or disposition of such a stock (including, in any case in which such stock is to be issued, sold or otherwise disposed of in connection with the acquisition of new property, the gross income of the property to be so acquired, computed on the same basis as the gross income of the Company available for the payment of interest) is at least equal to one and one-half (1½) times the aggregate of the annual interest requirements (adjusted by provision for amortization of debt discount and expense or of premium on debt, as the case may be) on all indebtedness of the Company and the annual dividend requirements (adjusted by provision for amortization of Preferred Stock premium and expense) on all shares of Preferred Stock and of all kinds of stock over which the Preferred Stock does not have preference as to the payment of dividends and as to assets, including the shares proposed to be issued, to be outstanding immediately following such issuance, sale or disposition and (ii) the aggregate of the par value of, or stated capital represented by, the outstanding shares of Common Stock and of the surplus of the Company (paid-in, earned and other, if any, including any premium on Common Stock but excluding any premium on Preferred Stock) shall be not less than the aggregate amount payable in the event of involuntary liquidation upon all outstanding shares of Preferred Stock and of all kinds of stock over which the Preferred Stock does not have preference as to the payment of dividends and as to assets, including the shares proposed to be issued, and provided further that no portion of the surplus of the Company utilized to satisfy such requirement shall thereafter be available for dividends or other distributions of assets, by purchase of shares or otherwise, on Common Stock or on any other kinds of stock over which the Preferred Stock has preference as to the payment of dividends and as to assets until and to the extent that shares of Preferred Stock are retired or until and to the extent that the par value of, or stated capital represented by, the outstanding shares of Common Stock shall have been increased.

It is further ordered, That the condition in the Commission's order dated October 17, 1945, restricting the payment of common stock dividends by Pennsylvania shall cease to be effective upon the taking effect of the proposed dividend restriction embodied in this instant order.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-3255; Filed, Mar. 13, 1951; 8:47 a. m.]

[File No. 70-2566]

GENTILLY DEVELOPMENT CO., INC., AND MIDDLE SOUTH UTILITIES, INC.

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 March A. D. 1951.

Middle South Utilities, Inc. ("Middle South"), a registered holding company and its wholly owned non-utility subsidiary, Gentilly Development Company, Inc. ("Gentilly"), having filed an application-declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 11 (b) (1), 11 (b) (2), 12 (c), and 12 (f) thereof, and Rule U-46 of the rules and regulations promulgated thereunder with respect to the following proposed transactions:

Gentilly's principal assets consist of two first mortgage notes in the aggregate principal amount of $810,000, maturing January 12, 1953, which notes were received in connection with Gentilly's sale of land which it owned in the City of New Orleans (Holding Company Act Release No. 10328). Pursuant to such mortgages the mortgagors may obtain release of specific parcels of property from time to time upon payment of specified amounts per unit of property to be released. As such property is released Gentilly proposes to pay liquidating dividends to Middle South of such amounts as are received in excess of Gentilly's corporate needs. Such payments will be made as a return of capital out of unearned surplus and will be charged to capital surplus created as a result of the reduction of capital stock authorized by the Commission in 1948 (Holding Company Act Release No. 8452). It is proposed that payments received by Middle South will be credited to the carrying value of its investment in the common stock of Gentilly. It is further proposed that Middle South maintain the corporate existence of Gentilly until such time as the mortgage notes shall have been paid, at which time it is contemplated that appropriate action will be taken for complete liquidation of Gentilly.

The application-declaration states that the sale of the real property of Gentilly and the transactions described herein are in pursuance of the program of Middle South and its subsidiaries to dispose of properties not properly constituting a part of the Middle South system.

Said application-declaration having been filed on February 6, 1951, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in compliance with the applicable sections of the act and that no adverse findings are necessary thereunder, the Commission deeming it appropriate to grant the application and permit the declaration to become effective, and also deeming it appropriate to grant the request of the applicants-declarants that the order herein contain the recitals required by section 1808 (f) and Supplement R of the Internal Revenue Code, as amended:

It is ordered, Pursuant to the applicable provisions of the act and subject to the terms and conditions contained in Rule U-24 that the said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith; and

It is further ordered and recited, That the transactions proposed herein are necessary or appropriate to the integration or simplification of the holding company system of which Gentilly and Middle South are members, and necessary or appropriate to effectuate the provisions of sub-section (b) of section 11 of the act.

By the Commission.

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

[F. R. Doc. 51-3257; Filed, Mar. 13, 1951; 8:48 a. m.]

[File No. 70-2568]

UTAH POWER & LIGHT CO.

ORDER PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission, held at its office in the city of Washington, D. C., on the 8th day of March A. D. 1951.

Utah Power & Light Company ("Utah"), a registered holding company having filed a declaration pursuant to the Public Utility Holding Company Act of 1935, particularly sections 6 (a) and 7 thereof with respect to the following proposed transactions:

Utah proposes, during the year 1951, to borrow from certain banks amounts not to exceed in the aggregate $12,000,000. Such loans will be evidenced by promissory notes payable December 15, 1951, and bearing interest at the rate of 2½ percent per annum.

The declaration states that the proceeds from the proposed borrowings are to be used in connection with Utah's construction program. It is further stated that during the year 1951 Utah proposes to issue and sell 200,000 shares of common stock and to issue and sell first mortgage bonds in an amount presently estimated at not to exceed $10,000,000. Proceeds from such later financing will be used to repay the loans herein proposed and to provide additional funds for Utah's construction program, which, it is estimated, will entail the expenditure of approximately $44,000,000 in the years 1951-53, inclusive, of which the estimated expenditures for the year 1951 are approximately $18,000,000.

Said declaration having been filed on February 9, 1951, notice of said filing having been given in the form and manner required by Rule U-23 promulgated pursuant to said act, the Commission not having received a request for hearing within the time specified in said notice, or otherwise, and the Commission not having ordered a hearing thereon; and

The Commission finding that the proposed transactions are in accordance with the applicable standards of the act, the Commission observing no basis for the imposition of terms and conditions in connection therewith, and the Commission deeming it appropriate to permit said declaration to become effective:

It is ordered, Pursuant to the applicable provisions of the act and subject to the terms and conditions stated in Rule U-24 that said declaration be, and the same hereby is, permitted to become effective forthwith.

By the Commission.

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

[F. R. Doc. 51-3256; Filed, Mar. 13, 1951; 8:47 a. m.]

[File No. 70-2576]

WEST PENN ELECTRIC CO. AND POTOMAC EDISON CO.

NOTICE OF FILING

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 March A. D. 1951.

Notice is hereby given that a joint application-declaration has been filed with this Commission by the West Penn Electric Company ("West Penn Electric"), a registered holding company, and the Potomac Edison Company ("Potomac"), which is an operating public utility company, a registered holding company, and a direct subsidiary of West Penn Electric. The filing designates sections 6, 7, 9, 10, and 12 of the act and Rules U-43, U-44 and U-50 promulgated thereunder as being applicable to the proposed transactions.

Notice is further given that any interested person may, not later than March 20, 1951, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time thereafter, this application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and P-100 thereof.

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

Potomac proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, $10,000,000 principal amount of its First Mortgage

and Collateral Trust Bonds, ___ percent series, due 1981. The bonds are to be issued under and secured by Potomac's present indenture dated as of October 1, 1944, as supplemented by an indenture to be dated as of April 1, 1951.

Potomac also proposes to issue and sell 200,000 shares of common stock, without par value, to West Penn Electric and West Penn Electric proposes to acquire such shares for a total cash consideration of $4,000,000. West Penn Electric will pledge the new shares of common stock to be acquired by it from Potomac as additional collateral security for West Penn Electric's 3½ percent Sinking Fund Collateral Trust Bonds, this pledge being pursuant to the terms of the trust indenture dated as of September 1, 1949. West Penn Electric now owns all of the 450,000 outstanding shares of common stock of Potomac.

The filing indicates that Potomac and its subsidiaries anticipate making expenditures of about $23,850,000 during 1951 and 1952 for the construction of property additions. In order to finance such construction program the companies will utilize the proceeds from the sale of the said securities and cash on hand and estimated to be received from operations. Potomac estimates that, based on the present level of earnings and current expectations as to the progress of the construction program, approximately $5,000,000 of additional cash will have to be provided before the end of 1952 through the sale of additional securities of a type not yet determined.

The joint application-declaration requests that any order of this Commission authorizing the proposed transactions become effective forthwith upon issuance.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 51-3258; Filed, Mar. 13, 1951; 8:48 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

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

[Vesting Order 17414]

GRACE H. VON OERTZEN

In re: Bonds owned by Grace H. Von Oertzen. F-28-23533-A-1.

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

1. That Grace H. Von Oertzen, whose last known address is Adolf Hitler Str. 20, Mecklenburg, Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the property described as follows: Ten (10) New Netherland Bond and Mortgage Company 6 percent Deb. Stpd. Bonds, due February 1, 1938, of $1,000.00 face value each, bearing the numbers 194/203 inclusive, registered in the name of Grace H. Von Oertzen, presently in the custody of The New York Trust Company, 100 Broadway, New York 15, New York, in account number A837, and all rights thereunder and thereto subject, however to any and all lawful liens of the aforesaid company,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on February 21, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3272; Filed, Mar. 12, 1951; 8:51 a. m.]

[Vesting Order 17445]

HEINRICH VON DER NEUSTADT ET AL.

In re: Cash owned by Heinrich von der Neustadt and others. D-28-5428, F-28-12518, F-28-12519, F-28-12520.

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

1. That the persons whose names and addresses are as follows: Herman von der Neustadt, Fladderlohausen, Uber Damme, Oldenburg, Germany, Wilhelmine von der Neustadt, Fladderlohausen, Uber Damme, Oldenburg, Germany and Heinrich von der Neustadt, Bad Schwartan, Lubeck, Germany, are residents of Germany and nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. Cash in the sum of $831.27 presently held by the Alameda County Treasurer, Alameda County Court House, Oakland, California in a blocked account entitled "Estate of George V. Neustadt No. 60941, Heinrich von der Neustadt, German Heir," and any and all rights to demand, enforce and collect the same,

b. Cash in the sum of $831.27 presently held by the Alameda County Treasurer, Alameda County Court House, Oakland, California in a blocked account entitled "Estate of George V. Neustadt No. 60941, Herman von der Neustadt, German Heir," and any and all rights to demand, enforce and collect the same, and

c. Cash in the sum of $831.27 presently held by the Alameda County Treasurer, Alameda County Court House, Oakland, California in a blocked account entitled "Estate of George V. Neustadt No. 60941 Wilhelmine von der Neustadt, German Heir," and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, Heinrich von der Neustadt, Herman von der Neustadt and Wilhelmine von der Neustadt, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on February 26, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3273; Filed, Mar. 13, 1951; 8:51 a. m.]

[Vesting Order 17476]

KAMEKI ARAMAKI

In re: Safe deposit lease and contents owned by Kameki Aramaki, also known as Kameko Aramaki and as K. Aramaki. D-39-2862-F-1.

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

1. That Kameki Aramaki, also known as Kameko Aramaki, and as K. Aramaki, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows:

a. All rights and interests created in Kameki Aramaki, also known as Kameko Aramaki and as K. Aramaki under and by virtue of a safe deposit box lease agreement by and between Kameki Aramaki and Yoneko Aramaki and the Pajaro Valley National Bank, Watsonville, California, relating to safe deposit box No. 1489, located in the vaults of the aforesaid bank including particularly, but not limited to the right of access to said safe deposit box, and

b. All property of any nature whatsoever owned by Kameki Aramaki, also known as Kameko Aramaki and as K. Aramaki in the safe deposit box referred to in subparagraph 2 (a) hereof and any and all rights of said person evidenced or represented by,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3274; Filed, Mar. 13, 1951; 8:52 a. m.]

[Vesting Order 17481]

GIKYO KUCHIBA

In re: Cash owned by Gikyo Kuchiba. D-39-182-E-4.

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

1. That Gikyo Kuchiba, whose last known address is Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: Cash in the sum of $578.47 presently in the possession of the Treasury Department of the United States in Trust Fund Account, Symbol 158915, "Deposits, Funds of Civilian Internees and Prisoners of War," in the name of Gikyo Kuchiba, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3275; Filed, Mar. 13, 1951; 8:52 a. m.]

[Vesting Order 17479]

HEINRICH HOCK

In re: Bonds owned by and debt owing to the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Hock, deceased. F-28-31342.

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

1. That the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Hock, deceased, who their is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

2. That the property described as follows:

a. That certain 4 percent Northern Pacific Railway Co. bond or bonds due 1997, having an aggregate face value of $500.00 and presently in the custody of The American Express Company, Inc., New York Agency, 65 Broadway, New York 6, New York, in a Blocked General Ruling No. 6 Account entitled, "The American Express Company, Inc., Zurich, Switzerland", and any and all rights thereunder and thereto, and

b. That certain debt or other obligation of The American Express Company, Inc., New York Agency, 65 Broadway, New York 6, New York, in the amount of $6,684.20 as of December 15, 1950, representing a portion of funds on deposit in a Blocked General Ruling No. 6 Account entitled, "The American Express Company, Inc., Zurich, Switzerland", maintained by the aforesaid company, and any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

is property within the United States owned or controlled by, payable or deliverable to, held on behalf of or on account of, or owing to, or which is evidence of ownership or control by, the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Hock, deceased, the aforesaid nationals of a designated enemy country (Germany);

and it is hereby determined:

3. That to the extent that the personal representatives, heirs, next of kin, legatees and distributees of Heinrich Hock, deceased, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

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

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

Executed at Washington, D. C., on March 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3276; Filed, Mar. 13, 1951; 8:52 a. m.]

[Vesting Order 17482]

SAKIGAKE MORITA

In re: Debts owing to Sakigake Morita, also known as Sakigaki Morita and as Karo Morita. D-39-1860.

Under the authority of the Trading With the Enemy Act, as amended, Executive Order 9193, as amended, and Executive Order 9788, and pursuant to

law, after investigation, it is hereby found:

1. That Sakigake Morita, also known as Sakigaki Morita and as Karo Morita, whose last known address is 583, 3-chome, Magome Higashi, Omori-ku, Tokyo, Japan, is a resident of Japan and a national of a designated enemy country (Japan);

2. That the property described as follows: That certain debt or other obligation owing to Sakigake Morita, also known as Sakigaki Morita and as Karo Morita, by the Fresno National Farm Loan Association, Fresno, California, representing the proceeds of retirement of ninety-five (95) shares of common stock of the Kerman National Farm Loan Association and dividends thereon owned by Sakigake Morita, also known as Sakigaki Morita and as Karo Morita, together with any and all accruals to the aforesaid debt or other obligation, and any and all rights to demand, enforce and collect the same,

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

and it is hereby determined:

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

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

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

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

Executed at Washington, D. C., on March 1, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3277; Filed, Mar. 13, 1951; 8:52 a. m.]

[Vesting Order 17489]

HELENE SCHOENESHOEFER ET AL.

In re: Real property and insurance policies owned by Helene Schoeneshoefer, also known as Helene Schoneshoefer and others. F-28-31255.

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

1. That Helene Schoeneshoefer, also known as Helene Schoneshoefer, whose last known address is Germany, is a resident of Germany and a national of a designated enemy country (Germany);

2. That the personal representatives, heirs, next of kin, legatees and distributees of William Schoeneshoefer, deceased, who there is reasonable cause to believe are residents of Germany, are nationals of a designated enemy country (Germany);

3. That the property described as follows:

a. Real property situated in the County of Marshall, State of Kansas, particularly described as the South one-half (S½) of Lots One (1) and Two (2) Block "A", Yaussi's Addition to the City of Marysville, Kansas, together with all hereditaments, fixtures, improvements and appurtenances thereto, and any and all claims for rents, refunds, benefits and other payments arising from the ownership of such property, and

b. All right, title, interest and claim in and to all insurance policies covering the premises described in subparagraph 3-a hereof and any and all extensions or renewals thereof,

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

and it is hereby determined:

4. That to the extent that the persons named in subparagraph 1 hereof and referred to in subparagraph 2 hereof, are not within a designated enemy country, the national interest of the United States requires that such persons be treated as nationals of a designated enemy country (Germany).

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

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3-a hereof, subject to recorded liens, encumbrances and other rights of record held by or for persons who are not nationals of designated enemy countries, but not subject to that certain purported deed from Helene Schoeneshoefer, also known as Helene Schoneshoefer, to W. A. Kraemer of Marshall County, Kansas, dated December 30, 1949, and recorded in the Office of the Register of Deeds of Marshall County, Kansas, on the first day of February 1950, in Book 260, at page 211, and

There is hereby vested in the Attorney General of the United States the property described in subparagraph 3-b hereof,

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

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

Executed at Washington, D. C., on March 8, 1951.

For the Attorney General.

[SEAL] HAROLD I. BAYNTON,
Assistant Attorney General,
Director, Office of Alien Property.

[F. R. Doc. 51-3281; Filed, Mar. 13, 1951; 8:54 a. m.]