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Washington, Saturday, July 26, 1952

TITLE 3—THE PRESIDENT

PROCLAMATION 2983

REVOCATION OF THE SUSPENSION OF DUTIES ON ZINC

BY THE PRESIDENT OF THE UNITED STATES OF AMERICA

A PROCLAMATION

WHEREAS the import duties on zinc-bearing ores imposed under paragraph 393 of Title I of the Tariff Act of 1930, as amended, and on zinc in blocks, pigs, and slabs imposed under paragraph 394 of such title, have been suspended by Public Law 258, 82d Congress, approved February 11, 1952 (66 Stat. 7), with respect to imports entered, or withdrawn from warehouse, for consumption during the period beginning February 12, 1952, and ending with the close of March 31, 1953, or the termination of the national emergency proclaimed by me on December 16, 1950, whichever is earlier;

WHEREAS the said Public Law 258 contains the following proviso:

Provided, That when, for any one calendar month during such period, the average market price of slab zinc (Prime Western, f. o. b. East St. Louis) for that month has been below 18 cents per pound, the Tariff Commission, within fifteen days after the conclusion of such calendar month, shall so advise the President, and the President shall, by proclamation, not later than twenty days after he has been so advised by the Tariff Commission, revoke the suspension of duties made by this Act, such revocation to be effective with respect to articles entered for consumption or withdrawn from warehouse for consumption after the date of such proclamation;

AND WHEREAS on the third day of July 1952 the Tariff Commission reported to me that it has found that the average market price of slab zinc (Prime Western, f. o. b. East St. Louis) for the month of June 1952 was below 18 cents per pound:

NOW, THEREFORE, I, HARRY S. TRUMAN, President of the United States of America, pursuant to the said proviso of Public Law 258, 82d Congress, do hereby proclaim the revocation of the suspension of duties provided for in the said Public Law 258, such revocation to be effective with respect to articles entered for consumption or withdrawn from warehouse for consumption after the date of this proclamation.

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 23rd day of July in the year of our Lord nineteen hundred and fifty-two, and of the Independence of the United States of America the one hundred and seventy-seventh.

[SEAL]

HARRY S. TRUMAN

By the President:

DEAN ACHESON,
Secretary of State.

[F. R. Doc. 52-8293; Filed, July 25, 1952; 9:00 a. m.]

TITLE 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 27—EXCLUSION FROM PROVISIONS OF THE FEDERAL EMPLOYEES PAY ACT OF 1945, AS AMENDED, AND THE CLASSIFICATION ACT OF 1949, AS AMENDED, AND ESTABLISHMENT OF MAXIMUM STIPENDS FOR POSITIONS IN GOVERNMENT HOSPITALS FILLED BY STUDENT OR RESIDENT TRAINEES

FREEDMEN'S HOSPITAL

Effective July 1, 1952, the list of positions for which maximum stipends have been prescribed in § 27.2 is amended by revising the maximum stipend for student nurses at Freedmen's Hospital to read as follows:

§ 27.2 *Maximum stipends prescribed.*

* * *

Student nurses—Freedmen's Hospital:	
Total for 3-year training	$2,825

NOTE: This maximum stipend is effective only so long as student nurses at Freedmen's Hospital pay $200 or more for tuition and related expenses for which they would not be charged at other Federal hospitals.

(61 Stat. 727; 5 U. S. C. 1051-1058)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] L. A. MOYER,
Executive Director.

[F. R. Doc. 52-8250; Filed, July 25, 1952; 8:59 a. m.]

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THE PRESIDENT

EXECUTIVE AGENCIES

FEDERAL REGISTER

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TITLE 6—AGRICULTURAL CREDIT

Chapter IV—Production and Marketing Administration and Commodity Credit Corporation, Department of Agriculture

Subchapter B—Export and Diversion Programs

PART 517—FRUITS AND BERRIES, FRESH

SUBPART—LEMON EXPORT PAYMENT PROGRAM SMX 65a 2 (FISCAL YEAR 1952)

1. Section 517.301 *General statement* is hereby amended by deleting paragraph (a) and inserting in lieu thereof the following:

(a) In order to encourage the exportation of fresh and processed lemons produced in the United States, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to United States exporters of such products as defined in paragraph (b) of this section which are sold and exported to an approved country as designated in § 517.302, subject to the terms and conditions herein set forth (§§ 517.301 to 517.312): *Provided*, That no payment will be made to any exporter if the foreign purchaser pays any part of the purchase price from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953, and any payments made to any exporter shall be subject to recovery if the foreign purchaser has paid any part of the purchase price from such funds.

2. Section 517.305 *Claims supported by evidence of compliance* is hereby amended by adding a new paragraph (d) as follows:

(d) The exporter shall file with each claim for payment submitted hereunder the original and one copy of his warranty that none of the purchase price of the fruits or fruit products covered by such claim for payment was paid for from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953.

(Sec. 32, 49 Stat. 774, as amended, Pub. Law 547, 82d Cong.; 7 U. S. C. 612c)

Dated this 22d day of July 1952.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 52-8253; Filed, July 25, 1952; 8:59 a. m.]

PART 517—FRUITS AND BERRIES, FRESH

SUBPART—GRAPEFRUIT EXPORT PROGRAM SMX 23a (FISCAL YEAR 1952)

1. Section 517.320 *General statement* is hereby amended by deleting paragraph (a) and inserting in lieu thereof the following:

(a) In order to encourage the exportation of fresh and processed grapefruit produced in the United States, the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to U. S. exporters of such products as defined in paragraph (b) of this section which are sold and exported to an approved country as designated in § 517.321 hereof, subject to the terms and conditions herein set forth (§§ 517.320 to 517.331): *Provided*, That no payment will be made to any exporter if the foreign purchaser pays any part of the purchase price from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953, and any payments made to any exporter shall be subject to recovery if the foreign purchaser has paid any part of the purchase price from such funds.

2. Section 517.324 *Claims supported by evidence of compliance* is hereby amended by adding a new paragraph (d) as follows:

(d) The exporter shall file with each claim for payment submitted hereunder the original and one copy of his warranty that none of the purchase price of the fruits or fruit products covered by such claim for payment was paid for from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953.

(Sec. 32, 49 Stat. 774, as amended, Pub. Law 547, 82d Cong.; 7 U. S. C. 612c)

Dated this 22d day of July 1952.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 52-8254; Filed, July 25, 1952; 8:59 a. m.]

PART 518—FRUITS AND BERRIES, DRIED AND PROCESSED

SUBPART—FRESH AND PROCESSED ORANGES EXPORT PROGRAM SMX 7a (FISCAL YEAR 1952)

1. Section 518.360 *General statement* is hereby amended by deleting paragraph (a) and inserting in lieu thereof the following:

(a) In order to encourage the exportation of fresh and processed oranges produced in the United States, the Secretary of Agriculture, pursuant to authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to U. S. exporters of such products as defined in paragraph (b) of this section which are sold and exported to an approved country as designated in § 518.361, subject to the terms and conditions herein set forth (§§ 518.360 to 518.371): *Provided*, That no payment will be made to any exporter if the foreign purchaser pays any part of the purchase price from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953, and any payments made to any exporter shall be subject to recovery if the foreign purchaser has paid any part of the purchase price from such funds.

2. Section 518.364 *Claims supported by evidence of compliance* is hereby amended by adding a new paragraph (d) as follows:

(d) The exporter shall file with each claim for payment submitted hereunder the original and one copy of his warranty that none of the purchase price of the fruits or fruit products covered by such claim for payment was paid for from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953.

(Sec. 32, 49 Stat. 774, as amended; Pub. Law 547, 82d Cong.; 7 U. S. C. 612c)

Dated this 22d day of July 1952.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 52-8255; Filed, July 25, 1952; 8:59 a. m.]

[Amdt. 2]

PART 524—HONEY

SUBPART B—HONEY EXPORT PROGRAM (1952 MARKETING SEASON)

The "Honey Export Program (1952 Marketing Season)" 17 F. R. 3397, 5385, is hereby further amended in the manner provided below:

1. Section 524.251 *General statement* is hereby amended by deleting the entire section and inserting in lieu thereof the following:

§ 524.251 *General statement.* In order to encourage the exportation of honey produced in continental United States the Secretary of Agriculture, pursuant to the authority conferred by section 32 of Public Law 320, 74th Congress, as amended, offers to make payments to United States exporters of honey, upon the terms and conditions stated in this subpart: *Provided*, That no payment will be made to any exporter if the foreign purchaser pays any part of the purchase price from funds appropriated by the Congress, under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953, and any payments made to any exporter shall be subject to recovery if the foreign purchaser has paid any part of the purchase price from such funds.

2. Section 524.252 *Eligibility for payment* is hereby amended by deleting the entire section and inserting in lieu thereof the following:

§ 524.252 *Eligibility for payment.* Payments will be made to any individual, partnership, corporation or association located in the continental United States (except as provided in § 524.267), (a) who executes an application in quadruplicate, on the form attached hereto; (b) whose application has been approved by the Director; (c) who enters into a sales contract covering the sale and exportation of honey produced within the continental United States to an eligible destination (see § 524.255), who delivers honey pursuant to such contract, and who furnishes evidence of exportation of such honey as required by § 524.260; (d) who certifies that the producer of the honey exported has received not less than the applicable support price at the time of purchase of such honey; (e) who certifies that payment by the foreign buyer for the honey does not involve the use of funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953; and (f) who otherwise complies with all the terms and conditions of this program. Applications must be based on sales contracts and must be approved before exportation of the honey. Approval of applications will be in the order in which they are submitted (see § 524.253), and as long as funds are available. Applicants may make their sales contracts under this program subject to the condition that the Department of Agriculture will make an export payment on such sales.

3. Section 524.260 *Filing of claim* is hereby amended by adding a new paragraph (d) as follows:

§ 524.260 *Filing of claim.* * * *

(d) The exporter shall file with each claim for payment submitted hereunder, a certification in duplicate that none of the purchase price of the honey covered by such claim for payment was paid from funds appropriated under Chapter XI, entitled Mutual Security, of the Supplemental Appropriation Act, 1953.

Effective date. This amendment shall be effective at 12:01 a. m., e. s. t., July 26, 1952.

(Sec. 32, 49 Stat. 774, as amended, Pub. Law 547, 82d Cong.; 7 U. S. C. 612c)

Dated this 22d day of July 1952.

[SEAL] S. R. SMITH,
Authorized Representative of the Secretary of Agriculture.

[F. R. Doc. 52-8256; Filed, July 25, 1952; 8:59 a. m.]

TITLE 7—AGRICULTURE

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

[Lemon Regulation 445]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

§ 953.552 *Lemon Regulation 445*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953; 14 F. R. 3612), regulating the handling of lemons grown in the State of California or in the State of Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of the quantity of such lemons which may be handled, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication thereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. Shipments of lemons, grown in the State of California or in the State of Arizona, are currently subject to regulation pursuant to said amended marketing agreement and order; the recommendation and supporting information for regulation during the period specified herein was promptly submitted to the Department after an open meeting of the Lemon Administrative Committee on July 23, 1952; such meeting was held, after giving due notice thereof to consider recommendations for regulation, and interested persons were afforded an opportunity to submit their views at this meeting; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period hereinafter specified; and compliance with this section will not require any special preparation on the part of persons subject thereto which cannot be completed by the effective time thereof.

(b) *Order.* (1) The quantity of lemons grown in the State of California or in the State of Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., July 27, 1952, and ending at 12:01 a. m., P. s. t., August 3, 1952, is hereby fixed as follows:

(i) District 1: Unlimited movement;

(ii) District 2: 550 carloads;

(iii) District 3: Unlimited movement.

(2) The prorate base of each handler who has made application therefor, as provided in the said amended marketing agreement and order, is hereby fixed in accordance with the prorate base schedule which is attached hereto and made a part hereof by this reference.

(3) As used in this section, "handled," "handler," "carloads," "prorate base," "District 1," "District 2" and "District 3," shall have the same meaning as when used in the said amended marketing agreement and order.

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

Done at Washington, D. C., this 24th day of July 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

PRORATE BASE SCHEDULE

[Storage date: July 20, 1952]

DISTRICT NO. 2

[12:01 a. m. July 27, 1952, to 12:01 a. m. Aug. 10, 1952]

Handler	Prorate base (percent)
Total	100.000
American Fruit Growers, Inc., Corona	.329
American Fruit Growers, Inc., Fullerton	.380
American Fruit Growers, Inc., Upland	.291
Eadington Fruit Co.	.181
Ventura Coastal Lemon Co.	2.395
Ventura Pacific Co.	2.694
Glendora Lemon Growers Association	1.222
La Verne Lemon Association	.594
La Habra Citrus Association	1.111
Yorba Linda Citrus Association, The	.567
Escondido Lemon Association	2.369
Alta Loma Heights Citrus Association	.678
Etiwanda Citrus Fruit Association	.294
Mountain View Fruit Association	.230
Old Baldy Citrus Association	.764
San Dimas Lemon Association	.860
Upland Lemon Growers Association	6.009
Central Lemon Association	.775
Irvine Citrus Association	.763
Placentia Mutual Orange Association	.395
Corona Citrus Association	.248
Corona Foothill Lemon Co.	3.130
Jameson Co.	.655
Arlington Heights Citrus Co.	.851
College Heights Orange & Lemon Association	2.623
Chula Vista Citrus Association, The	.891
Escondido Co-operative Citrus Association	.193
Fallbrook Citrus Association	1.872
Lemon Grove Citrus Association	.346
Carpinteria Lemon Association	3.245
Carpinteria Mutual Citrus Association	3.207
Goleta Lemon Association	4.636
Johnston Fruit Co.	6.192
Hazeltine Packing Co.	.374

PRORATE BASE SCHEDULE—Continued

DISTRICT NO. 2—continued

Handler	Prorate base (percent)
North Whittier Heights Citrus Association	0.692
San Fernando Heights Lemon Association	.371
Sierra Madre-Lamanda Citrus Association	.369
Briggs Lemon Association	2.892
Culbertson Lemon Association	1.520
Fillmore Lemon Association	.945
Oxnard Citrus Association	6.160
Rancho Sespe	1.121
Santa Clara Lemon Association	3.710
Santa Paula Citrus Fruit Association	3.324
Saticoy Lemon Association	4.561
Seaboard Lemon Association	4.936
Somis Lemon Association	3.934
Ventura Citrus Association	1.183
Ventura County Citrus Association	.467
Limoneira Co.	2.976
Teague-McKevett Association	.686
East Whittier Citrus Association	.508
Leffingwell Rancho Lemon Association	.673
Murphy Ranch Co.	1.711
Chula Vista Mutual Lemon Association	.590
Index Mutual Association	.311
La Verne Cooperative Citrus Association	1.915
Orange Belt Fruit Distributors	.537
Ventura County Orange & Lemon Association	2.302
Whittier Mutual Orange & Lemon Association	.109
Allen, Floyd L.	.000
Evans Bros. Packing Co.	.000
Huarte, Joseph D.	.000
Latimer, Harold	.031
MacDonald Fruit Co.	.000
Paramount Citrus Association, Inc.	.101
Torn Ranch	.001
Valdora, Albert	.000

[F. R. Doc. 52-8289; Filed, July 25, 1952; 9:00 a. m.]

PART 958—IRISH POTATOES GROWN IN COLORADO

LIMITATION OF SHIPMENTS

§ 958.311 *Limitation of shipments*—(a) *Findings.* (1) Pursuant to Marketing Agreement No. 97 and Order No. 58 (7 CFR Part 958), regulating the handling of Irish potatoes grown in the State of Colorado, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended, 7 U. S. C. 601 et seq.), and upon the basis of the recommendation and information submitted by the administrative committee for Area No. 1, established pursuant to said marketing agreement and order, and upon other available information, it is hereby found that the limitation of shipments, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication in the FEDERAL REGISTER (5 U. S. C. 1001 et seq.) in that (i) the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, (ii) more orderly marketing in the public interest, than would otherwise prevail, will be promoted by regulating the shipment of potatoes, in the manner set forth below, on and after the effective date of this section, (iii) compliance with this regulation will not require any preparation on the part of handlers which cannot be completed by the effective date, (iv) a reasonable time is permitted under the circumstances, for such preparation, and (v) information regarding the committee's recommendation has been made available to producers and handlers in the production area.

(b) *Order.* (1) During the period from August 1, 1952 to May 31, 1953, both dates inclusive, no handler shall ship potatoes of any variety grown in Area No. 1, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not meet the requirements of Regulation No. 1, as modified (7 CFR 958.301; 14 F. R. 3979; 17 F. R. 6023), or U. S. No. 2 or better grade, 2 inch minimum diameter or 4 ounces in weight, or larger.

(2) During the period from September 1, 1952, to October 31, 1952, both dates inclusive, no handler shall ship potatoes grown in Area No. 1, as such area is defined in Marketing Agreement No. 97 and Order No. 58, which do not comply with the aforesaid grade and size requirements and which are more than "moderately skinned" as such term is defined in the U. S. Standards for Potatoes (7 CFR 51.366), which means that not more than 10 percent of the potatoes in any lot have more than one-half of the skin missing or feathered.

(3) All terms used in this section shall have the same meaning as when used in Order No. 58 (7 CFR Part 958, et seq.), and the U. S. grades and sizes, including the tolerances therefor, shall have the same meanings assigned such terms in the U. S. Standards for Potatoes (7 CFR 51.366).

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

Done at Washington, D. C. this 24th day of July 1952, to become effective August 1, 1952.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable Branch, Production and Marketing Administration.

[F. R. Doc. 52-8290; Filed, July 25, 1952; 9:00 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter III—Office of Price Stabilization, Economic Stabilization Agency

[Ceiling Price Regulation 34, Amdt. 7 to Supplementary Regulation 3]

CPR 34—SERVICES

SR 3—APPROVAL OF CERTAIN AUTOMOTIVE AND FARM TRACTOR REPAIR SERVICE FLAT RATE MANUALS

ADDITIONAL FLAT RATE MANUALS AND LABOR SCHEDULES

Pursuant to the Defense Production Act of 1950, as amended, Executive Order

10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 7 to Supplementary Regulation 3 (16 F. R. 8828) to Ceiling Price Regulation 34, is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment adds various flat rate manuals and labor schedules and supplements thereof to the list of approved flat rate manuals and labor schedules in section 2 of Supplementary Regulation 3 to Ceiling Price Regulation 34.

The Statements of Consideration which accompanied Supplementary Regulation 3 to Ceiling Price Regulation 34, and Amendment 1 to that regulation are equally applicable to this amendment and are incorporated herein by this reference.

The character of the approval granted by this amendment made it impracticable and unnecessary to consult formally with representatives of the industry and trade associations although in each instance representatives of the publishers of the manuals were consulted and consideration was given to their recommendations. In the judgment of the Director of Price Stabilization the provisions of this amendment are generally fair and equitable and are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended.

AMENDATORY PROVISIONS

Supplementary Regulation 3 to Ceiling Price Regulation 34 is amended in the following respects:

1. Section 2 is amended by adding after paragraph (kk), paragraphs (ll) to (nn) inclusive as follows:

(ll) Consul and Zephyr Six (British built Ford cars)

(mm) Nash Flat Rate Schedule—1952

(nn) National Automobile Parts and Labor Manual, 1952 Supplement.

2. Section 2 (v) is amended to read as follows:

(v) Automotive Digest, First 1952 Edition and Second 1952 Edition, provided, however, that the Second 1952 Edition may contain Appendix V, as approved April 1, 1952.

3. Appendices LL to NN as set forth below are added after Appendix KK.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 7 to Supplementary Regulation 3 to Ceiling Price Regulation 34 shall be effective on July 30, 1952.

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.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

APPENDIX LL

This is the "Notice" for the Suggested Repair Time Schedule for Consul and Zephyr Six (British built Ford cars).

NOTICE

You are permitted by OPS to use this Manual to arrive at your ceiling price for a given job:

If—

(1) You compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor Tune-up, all Blank Models, $____, Relining brakes on 1951 Blank Cars, $____); and

(3) You file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs.

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

IMPORTANT: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX MM

This is the "Notice" for Nash Flat Rate Schedule, 1952.

NOTICE

You are permitted by OPS to use this schedule to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table at the back of the schedule to compute the ceiling price for each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, $____, Relining brakes on 1951 Blank Cars, $____; and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

IMPORTANT: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your manual.

APPENDIX NN

This is the "Notice" for the National Automobile Parts and Labor Manual, 1952 Supplement.

NOTICE

You are permitted by OPS to use this Supplement to arrive at your ceiling price for a given job:

If—

(1) You use the Labor Conversion Table, pages in the back part of the Manual to compute the ceiling price of each job by multiplying the time allowance of each operation by your customers' hourly rate, which you charged in the base period, December 19, 1950, to January 25, 1951, inclusive; and

(2) Your present ceiling price for that job, as determined under section 5 of Ceiling Price Regulation 34, is not a "fixed charge" which is lower than the price you determined by the use of this Manual (a fixed charge is a charge not computed on the basis of the hourly rate. Examples: Minor tune-up, all Blank Models, $____, Relining brakes on 1951 Blank Cars, $____); and

(3) Where you did not use a previous edition of this Manual for the job during the base period, the supplementary statement which you file shows that such job is included among those jobs for which you will hereafter determine your ceiling price by the use of this Manual. (You must file with your District OPS Office in accordance with section 18 of Ceiling Price Regulation 34 a statement of your intention to use all or any part of this Manual for determining your ceiling price of any of your jobs for which you did not use an earlier edition of this Manual during the base period December 19, 1950, to January 25, 1951, inclusive.)

(4) The notice which you post in your place of business, within ten days after you begin to use this Manual states that such job is included among the jobs for which you will hereafter determine your ceiling price by the use of this Manual.

IMPORTANT: In case you are in doubt about your ceiling prices, consult your OPS District Office.

This notice must be attached to your Manual.

[F. R. Doc. 52-8314; Filed, July 25, 1952; 4:00 p. m.]

[Ceiling Price Regulation 134, Amdt. 5]

CPR 134—CEILING PRICES FOR EATING AND DRINKING ESTABLISHMENTS

SALES OF BOTTLED SOFT DRINKS

Pursuant to the Defense Production Act of 1950 (Pub. Law 774, 81st Cong.), as amended by Public Law 96 (82nd Cong.), Executive Order 10161 (15 F. R. 6105), and Economic Stabilization Agency General Order No. 2 (16 F. R. 738), this Amendment 5 to Ceiling Price Regulation 134 is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment permits operators of eating and drinking establishments to increase their ceiling prices for bottled soft drinks for on-premise consumption from five cents to six cents if during the week of February 3 through 9, 1952, they were selling bottled soft drinks both for on-premise and off-premise consumption for five cents, and if, after February 9, 1952, their costs of bottled soft drinks have so increased as to entitle them under an applicable ceiling price regulation to increase the price of bottled soft drinks sold for off-premise con-

sumption to six cents. Off-premise sales of bottled soft drinks are, in most situations, covered by the General Ceiling Price Regulation (GCPR) while those for on-premise consumption are covered by Ceiling Price Regulation 134.

Prior to the Korean outbreak many operators of drinking and eating establishments who sold bottled soft drinks charged a uniform price of five cents, whether or not the drinks were to be consumed on the premises. When the restaurant regulation was issued, on March 28, 1952, it froze that price for on-premise sales. Subsequently, in some areas, bottlers increased their prices, typically from 80 cents to 96 cents a case, as authorized under Supplementary Regulation 43 to the GCPR. Although SR 43 had been issued in mid-1951 some bottlers had not taken advantage of it until fairly recently. As a consequence of the pass-through provision of the GCPR, retailers generally and eating and drinking establishments operators as to their sales for off-premise consumption have been allowed to pass the increase on to consumers. In the usual case this meant increasing the ceiling price from five to six cents a bottle. This has placed some operators of eating and drinking establishments in the anomalous position of being able to charge six cents for bottled soft drinks sold for off-premise consumption while they can charge but five cents for the same drinks sold for on-premise consumption, the latter being the price which was fixed under the restaurant regulation (CPR 134). The position of these operators is especially inconsistent with the fact that their overall costs are higher for sales for on-premise consumption.

It is the judgment of the Director of Price Stabilization that continuation of these diverse ceiling prices for identical commodities in the same establishment is not required in order to carry out the purposes of the price stabilization program. This amendment, therefore, permits the eating and drinking establishment operators involved in this situation to charge six cents for bottled soft drinks sold for on-premise consumption. However, under the amendment, an operator will not be able to increase his ceiling prices for any bottled soft drinks listed on his OPS official poster until he has given notice to his OPS District Office.

Available data indicate that this amendment will in practice for the most part affect small operators. It appears further that any ceiling price increases resulting from the amendment will have only a limited geographical applicability.

In the formulation of this amendment, the Director of Price Stabilization has consulted, so far as practicable, with industry representatives, including trade association representatives, and has given full consideration to their recommendations. In his judgment, the provisions of this amendment are generally fair and equitable, are necessary to effectuate the purposes of Title IV of the Defense Production Act of 1950, as amended, and comply with all the applicable standards of that Act.

AMENDATORY PROVISIONS

Ceiling Price Regulation 134 is amended by inserting after section 11 a new section 11a to read as follows:

SEC. 11a. *Adjustment in ceiling prices of bottled soft drinks.* (a) If you sell a particular bottled soft drink both for on-premise and for off-premise consumption and your ceiling price for sales for off-premise consumption for a bottle of that drink was generally the same during the six month period prior to February 9, 1952 (or during the period of time the establishment you operate was open prior to February 9, 1952), as your selling price for sales for on-premise consumption for a bottle of that drink, you may increase your ceiling price to six cents per bottle for sales of that drink for on-premise consumption, providing that you meet the following conditions.

(1) The highest price charged by you for the bottled soft drink during the week of February 3 through 9, 1952, was five cents, whether the sale was for on-premise or off-premise consumption;

(2) After February 9, 1952, your supplier, as provided in SR 43 to the GCPR, so increased his price to you for a case of the bottled soft drink as to qualify you for an increase in your ceiling price to six cents for sales of a bottle of that drink for off-premise consumption; and

(3) You increased your selling price to six cents for sales of a bottle of that drink for off-premise consumption.

(b) If the soft drink for which you are adjusting your ceiling price under paragraph (a) of this section is one of the items which you are required to list on the OPS official poster as provided in Section 13, you may not charge your adjusted ceiling price until you have mailed to your OPS District Office a notice of any new ceiling prices to be placed on your poster as a result of the adjustment. You must obtain a new OPS official poster and list on the new poster the required items with your ceiling price for each item. The new poster must be displayed within 15 days from the date your notice is mailed to OPS. You are not required to mail a notice to OPS if the bottled soft drink for which you are adjusting your ceiling price is not one of the principal items which you are required to list on your poster.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment 5 to Ceiling Price Regulation 134 is effective July 30, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

[F. R. Doc. 52-8315; Filed, July 25, 1952; 4:00 p. m.]

[General Ceiling Price Regulation, Amdt. 1 to Supplementary Regulation 59]

GCPR, SR 59—CEILING PRICES FOR MURIATE OF POTASH

NEW PRODUCERS OF MURIATE OF POTASH

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to Supplementary Regulation 59 to the General Ceiling Price Regulation is hereby issued.

STATEMENT OF CONSIDERATIONS

This amendment removes new producers from the scope of Supplementary Regulation 59. Supplementary Regulation 59 was issued in September 1951 to enable certain producers to increase their ceiling prices for muriate of potash where, because of peculiar circumstances, their then existing ceiling prices were below the prevailing level of ceiling prices in the industry generally. The regulation established dollars and cents ceiling prices, which represented the general level of such ceiling prices, and permitted producers whose ceiling prices were below these amounts to increase their ceiling prices to these amounts. Since the ceiling prices established by Supplementary Regulation 59 represented the ceiling prices of producers of 97 per cent of the total production of muriate of potash, those prices would have been the prices to which new producers would have been entitled had they established ceiling prices under section 6 of the General Ceiling Price Regulation or applied for ceiling prices under section 7 of the General Ceiling Price Regulation. To obviate the need for new producers reporting under section 6 or applying under section 7, those prices were made applicable to new producers by Supplementary Regulation 59.

Since the issuance of Supplementary Regulation 59, regulations have been issued to give effect to section 402 (d) (4) of the Defense Production Act of 1950 as amended. A number of producers of muriate of potash have applied under these regulations for increases in their ceiling prices and some have received such increases. It appears, therefore that, as a result of the Capehart adjustments the general level of ceiling prices for muriate of potash will be raised. The regulations providing for such increases also provide that a new producer, who establishes his ceiling prices after ceiling prices are adjusted under those regulations, may be "in-lined" with the adjusted ceiling prices. Therefore, but for Supplementary Regulation 59, new producers would be entitled to establish their ceiling prices on the basis of a higher level which may result from the regulations issued pursuant to section 402 (d) (4) of the Defense Production Act. Supplementary Regulation 59, however, does not permit new producers of muriate of potash to establish ceiling prices higher than those set forth in that supplementary regulation, and in that sense denies to new producers of muriate of potash a privilege which producers of other commodities have under the adjustment regulations. In the opinion of the Director this difference in treatment should

be eliminated. This amendment, therefore, removes new producers of muriate of potash from the scope of Supplementary Regulation 59 and permits such producers to establish their ceiling prices in the same manner as producers of other commodities subject to the General Ceiling Price Regulation.

In view of the corrective nature of this amendment, special circumstances have rendered consultation with industry representatives, including trade association representatives, impracticable.

AMENDATORY PROVISION

Supplementary Regulation 59 is amended by deleting therefrom the second sentence of section 1 and the second sentence of section 2.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This Amendment 1 to Supplementary Regulation 59 to the General Ceiling Price Regulation is effective July 30, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

[F. R. Doc. 52-8316; Filed, July 25, 1952; 4:00 p. m.]

[Ceiling Price Regulation 161]

CPR 161—CONSUMER DURABLE GOODS REGULATION

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Ceiling Price Regulation 161 is hereby issued.

STATEMENT OF CONSIDERATIONS

This is a regulation for consumer durable goods.

After September 24, 1952, the ceiling prices of all new commodities listed in Appendix A must be determined under this regulation. For such commodities this regulation replaces the new-commodity sections of Ceiling Price Regulation 22 and of the General Ceiling Price Regulation. The ceiling prices of base-period commodities are not affected by this regulation. Unaffected also are the ceiling prices of new commodities determined before the effective date of this regulation.

This regulation is issued to make price control simpler for manufacturers, and particularly for small manufacturers.

A year's experience has revealed a considerable number of deficiencies in the new-commodity sections of CPR 22 when applied to the consumer durable goods field. Dissatisfaction has been expressed on numerous occasions by individual manufacturers as well as by industry advisory committees. Prompted by these criticisms the businessmen, economists and lawyers of the Consumer Goods Division have made a thorough study of the problems involved in determining ceiling prices for new commodities. A large number of changes in the existing new-commodity sections were suggested by this study. Rather than make a revision within the framework of CPR 22, it was decided to issue an independent new-commodity regulation for consumer durable goods, since many of the problems which the revision aims to solve are peculiar to the consumer durable goods field.

The basic technique used by this regulation is comparison pricing. The ceiling prices of new commodities are established by reference to the ceiling prices of "comparison commodities." The regulation is organized in terms of the degree of similarity between the new commodity and the comparison commodity. Section 3 applies where a new commodity differs only in minor respects from a commodity currently in the manufacturer's line. A new commodity which represents more than a minor change, but which is still comparable to other commodities made by the same manufacturer, falls under section 4. Section 5 covers a commodity so different from anything currently made by the same manufacturer that a competitor's commodity should be chosen for comparison purposes. Where the new commodity is so different from anything else on the market that no comparison commodity can be found, section 6, or section 7 must be used—section 6 where the net sales of the new commodity are likely to exceed $5,000 per month, section 7 where the net sales are unlikely to reach that figure. Special provision for custom-made commodities is made in section 8.

The difference between this regulation and the new-commodity sections of CPR 22 can best be brought out in a section-by-section discussion of this regulation. It is deemed advisable to highlight these differences in considerable detail because of the familiarity with CPR 22 of the manufacturers of consumer durable goods. The easiest way for them to become familiar with this regulation is to see it against the background of CPR 22.

SECTION 3—MINOR CHANGES

Section 3 represents a revision of section 30, the minor-change section of CPR 22. Section 30 was a very limited section. It provided, merely, that the ceiling price of a new commodity which differed only in minor respects from a commodity for which a ceiling price had already been established, should be the same as the ceiling price of the previous commodity. The section was not supposed to be used where the minor change reduced unit manufacturing costs. No report was required.

For consumer durable goods, section 30 operated very unsatisfactorily. One of the difficulties was that "minor change" was not defined. Therefore, the coverage of section 30—where it ended and where section 32 began—was often impossible to determine. Since section 30 ceiling prices went unreported, the dangers of abuse were considerable. The checks on the operation of section 30 which have been made, indicate that abuse has, in fact, been frequent. For example, the prohibition against the use of section 30 where the cost of the new commodity was lower seems often to have been ignored. As a result the section has become a loophole for deterioration in quality.

The new section 3 sets precise limits to what may be considered a minor change. Within these limits section 3 can be used where the "minor change" results in a cost reduction as well as where it produces an increase. Furthermore, the manufacturer is no longer limited to the same ceiling price. The ceiling price of the new commodity is calculated by adding to or subtracting from the ceiling price of the comparison commodity the difference in current unit direct cost resulting from the minor change.

A commodity whose ceiling price has been calculated under this section may not be used as a comparison commodity in making subsequent calculations under this section. The reason for this is that the ceiling price calculation reflects only labor and materials cost changes. It does not take markup into account. Therefore, a certain element of distortion is involved. If repeated minor changes could all be priced under this section, the element of distortion would be multiplied to a point where the ceiling price level would be completely unsatisfactory.

SECTION 4—ADDITIONS TO AN ESTABLISHED LINE

Section 4 of this regulation takes the place of section 32 of Ceiling Price Regulation 22. It is likely to be the most widely used section of this regulation since it applies to all new commodities which are similar to commodities currently made by the same manufacturer, excepting only minor changes.

The method of determining ceiling prices under this section is the same as that of section 32 in that the markup over current unit direct cost of comparison commodities is applied to the current unit direct cost of the new commodity. However, a very basic change has been made by eliminating a limitation on the choice of comparison commodities upon which section 32 insisted. Under section 32 the comparison commodity must have been produced and sold during the base period. The new section 4 permits the use of comparison commodities which were introduced after the base period—commodities whose ceiling prices were determined under the new commodity sections of CPR 22, of the GCPR, or under this regulation. The need for this change has become steadily more obvious as the time interval since the base period has lengthened. Base-period commodities are becoming scarcer. Information about them is ever more difficult to obtain, and therefore of diminishing reliability. In industries where new lines are brought out two or more times a year, the requirement that ceiling prices for new commodities be determined by reference to ceilings for commodities that have been changed three, four and even five times has produced very great difficulties. Of all the changes made by this regulation, permission to use commodities introduced after the base period for comparison purposes was the one most warmly endorsed by a specially convened advisory group of manufacturers of consumer durable goods.

This change will not only make comparison pricing simpler, it will also materially increase the scope of this section and correspondingly restrict the need for the sections requiring the use of competitor's prices or of letter orders. Under CPR 22, the ceiling prices for new commodities in a category not dealt in during the base period had to be established by reference to competitors' prices or by letter order. Resort to competitors' prices or to letter orders was required not merely for the first commodity in the new line, but for every additional commodity brought out subsequently, since a commodity brought out after the base period could never be used for comparison purposes. Under this regulation, as soon as the manufacturer has a ceiling price for one commodity, the ceiling price for all similar commodities can be established under this section.

Because a ceiling price calculated under this section becomes the basis for future ceiling price calculations it is obviously very important that it be calculated accurately. To provide the greater accuracy which is now required, the new section 4 uses a method of calculation slightly different from that of section 32. Under that section the manufacturer applied to the cost of the new commodity the markup over cost of the commodity "most nearly like" the new commodity. Under the new section 4 the average markup over cost of two comparison commodities is added to the cost of the new commodity. As his comparison commodities the manufacturer must choose the commodity whose cost is immediately higher and the commodity whose cost is immediately lower than that of the new commodity. The new method of calculation is an improvement over the section 32 method in two essential respects. First, averaging the markup of a higher-cost and a lower-cost commodity will produce a more accurate ceiling price than can be obtained by the use of only a single comparison commodity. Second, the method of selecting comparison commodities is more objective, and therefore, more precise and less open to abuse.

The coverage of section 4 is slightly different from that of section 32. Under the latter section the test was whether a comparison commodity could be found in the same category. This produced some difficulties since a category frequently included so diverse a range of commodities that it was impossible to make meaningful comparisons. Freak situations turned up such as the comparison of an eggbeater with a mop—both belonging in the category "housewares." Under section 4 the comparison commodities must, wherever possible, be selected from the same product line. Only if there are no other commodities in the same product line may a comparison commodity be chosen from another product line. Strict standards are set up for selecting comparison commodities which are not in the same product line as the new commodity. The comparison commodities must be sufficiently similar to the new commodity in terms of the materials used, the methods of production and of distribution so that a meaningful comparison can be made.

SECTION 5—CEILING PRICES ESTABLISHED BY REFERENCE TO COMPETITORS' COMMODITIES

Section 5 of this regulation represents a revision of section 33 of CPR 22. Both sections cover the situation where a ceiling price for a new commodity must be established by reference to a competitor's ceiling price. Section 33 required that the competitor's commodity be substantially similar to the new commodity; the new commodity had to take the same ceiling price as the competitor's commodity.

The new section 5 represents a considerable amplification of section 33. A great many problems were left unresolved by section 33 in the consumer durable goods field. This resulted in considerable uncertainty. Section 5 clears up these uncertainties. Spelled out in considerable detail is the method of choosing a comparison commodity. Standards of similarity are set up which will insure the choice of a commodity whose price level will be appropriate for comparison purposes. Such problems as differentials between classes of purchasers and terms and conditions of sale are also resolved explicitly.

Two substantive changes have been made. The new commodity is no longer required to take the identical ceiling price as the competitor's commodity. Where the new commodity does not meet the same quality standards as the competitor's commodity, a ceiling price will be established under this section sufficiently below the competitor's to reflect the difference between the two commodities. This change is designed to provide greater flexibility in the use of this section, and by that means to reduce the need for issuing letter orders. It was possible to use section 33 only where the new commodity was so similar to the competitor's as to be fairly entitled to the identical ceiling price. Several cases arose where manufacturers were willing to take lower ceiling prices. However, Section 33 did not permit this. As a result, in cases where a new commodity was not entitled to the same ceiling price as the competitor's commodity, a letter order had to be issued.

The second substantive change provides for the situation where a manufacturer does not know his competitor's ceiling price. Very frequently he may know the competitor's *selling* price. If he does, he may establish a ceiling price for his new commodity by reference to that selling price. Provision is made for raising such a ceiling price if it turns out that the competitor was selling below his ceiling.

SECTION 6—LETTER ORDERS

Sections 6 and 7 of this regulation cover new commodities which are so different from anything else on the market that none of the preceding sections can be used. Under CPR 22 such commodities came under section 34. That section provided that OPS would, upon application by the manufacturer, establish a ceiling price by letter order. Section 6 of this regulation makes similar provision for the establishment of ceiling prices by letter order.

There are a number of innovations. In addition to the standard letter order, section 6 gives OPS authority to grant interim letter orders. Such orders will be limited as to time: ninety days, and as to sales volume: $10,000. Interim orders will be issued where a manufacturer is unable to supply cost estimates based on production experience. They are necessary in order to permit a manufacturer to test his market with experimental models, or the production of a trial run, before regular production commences.

Another innovation in section 6 is the authority to establish formula methods for calculating ceiling prices. It is expected that this authority will be used only in very rare instances, where a manufacturer can prove conclusively that the other methods of this regulation are unworkable in his case.

SECTION 7—SUSPENDED CONTROLS FOR UNIMPORTANT COMMODITIES

The aim of section 7 is to suspend controls from commodities whose effect on the cost of living is certain to be negligible. The section applies to commodities whose net sales are not likely to exceed $5,000 per month and which would otherwise be under section 6. The purpose behind this suspension is to make it easier for manufacturers to experiment with new ideas and to remove from OPS a burden which has been totally out of proportion to its economic significance. A survey of the letter orders issued for consumer durable goods revealed that over half were concerned with gadgets and devices of the "Rube Goldberg" variety. Under section 7 the manufacturer merely sends OPS a description of his new commodity. Nothing further is required if OPS agrees that the commodity is different from anything else on the market and that its net sales are not likely to exceed $5,000 per month. If, in the opinion of OPS, the new commodity is likely to affect the cost of living, a ceiling price will be established under section 6. Similarly, if monthly sales ever exceed $5,000 per month, the manufacturer must apply for a ceiling price under section 6.

SECTION 8—CUSTOM-MADE COMMODITIES

Section 8 of this regulation applies to custom-made commodities. Where these were priced by formula in the base period the manufacturer may apply under this section for authorization to calculate his ceiling prices by formula. The section applies only to commodities specially designed for a single purchaser who is the ultimate user of that commodity. It does not apply to commodities purchased for resale, either in the same form, or incorporated in another commodity.

The need for special treatment for custom manufacturers has long been evident. In custom manufacture each item produced, generally, is a new com-

modity for which a new ceiling price has to be calculated. Custom manufacturers are mostly small enterprises and have traditionally established their prices by individual formulas. They have had considerable difficulty using the new-commodity sections of the GCPR and of CPR 22, and would not be very much better off under sections 3 to 7 of this regulation. It is clearly desirable to provide them with methods for calculating ceiling prices suited to their individual circumstances.

The limitations placed on a formula method of determining ceiling prices are designed to restrict it to a group that has genuine difficulty complying with any other price control techniques.

No specific directions are set out in section 8. The diversity in the types of custom commodities covered by this section is too great to make generalizations meaningful. Each application for a formula will have to be handled on an individual basis. The only rule laid down is that the level of ceiling prices produced by the formula may be no higher than that produced by the sections of this regulation which the manufacturer would be obliged to use if he did not have an individual formula.

REPORTING REQUIREMENTS

One of the most pervasive and difficult problems regarding new commodities is that of reporting requirements. The policy underlying this regulation has been to reduce the reporting burden imposed on manufacturers to a minimum. However, the need for accuracy in the calculation of ceiling prices is far greater under this regulation than it was in the new-commodity sections of CPR 22, since a ceiling price calculated under this regulation may be used for comparison purposes in later ceiling price calculations. Thus, undetected errors would propagate themselves. Nevertheless, the reporting burden has been reduced materially. Where it has not been possible to eliminate reports, the method of reporting has been simplified and streamlined. A printed form, with clear instructions, has been prepared for every report and application required by this regulation. These forms should make it easier for a manufacturer to supply OPS with the required information, since they make it far clearer what OPS wants to know. Forms can be processed far more rapidly than information submitted in any other manner. The number of cases where approval of ceiling prices has to be delayed by supplemental correspondence required to correct incomplete filings should be reduced materially.

For the three sections where the manufacturer calculates ceiling prices himself, sections 3, 4, and 5, no report is reqired except on commodities whose net sales are expected to exceed $25,000. This limitation will materially lighten the reporting burdens, particularly for small manufacturers. Under CPR 22 there was only a $10,000 limitation and it applied merely to section 32 calculations.

For the letter-order section, section 6, an application is required since that is the only way OPS can obtain the information needed to establish a ceiling price. However, the suspension of controls on unimportant commodities, provided by section 7, does away with applications and letter orders in over half of the cases for which they would have been required under CPR 22. Section 8 makes the calculating and reporting of ceiling prices far less burdensome for manufacturers of custom-made commodities. After their application for a formula is approved, they are freed from all further reporting obligations.

In one place the reporting requirements have been increased. Section 30 of CPR 22 did not require a report; the minor-change section of this regulation, section 3, requires one. There are two reasons for this. First, a number of substantive changes have been made which make the new section a much more important section than section 30. These changes have been described previously. Secondly, the absence of a report for section 30 was one of the major flaws of CPR 22 in the consumer durable goods field. Practically speaking, it is impossible to draft new-commodity sections which will not, to some extent, overlap. While the boundary line between sections 3 and 4 of this regulation is considerably clearer than that between sections 30 and 32 of CPR 22, some degree of overlapping is still unavoidable. Manifestly, the control provided by the reporting provisions of one section will be under-cut if another section can be used instead, and its use remains unreported.

For all commodities where a report is required no ceiling price is legally established until after the provisions relating to the report have been observed. Section 411 of the Defense Production Act—which provides that no person shall be required to furnish a report respecting sales at prices which are below ceiling if he certifies that he is selling at such prices—does not apply to reports which are needed in order to establish a ceiling price. Clearly a person cannot certify that he is selling below his ceiling price until a ceiling price is legally established.

SMALL MANUFACTURERS

Before the issuance of this regulation, certain small manufacturers of consumer durable goods had the option to remain under the GCPR. If they so elected, they established the ceiling prices for their new commodities under sections 4, 6 and 7 of the GCPR, which correspond to sections 32, 33 and 34 of CPR 22. From September 24, 1952, on, such manufacturers, too, are required to determine the ceiling prices of their new commodities under this regulation.

Placing these small manufacturers under this regulation will not increase their reporting burden. The $25,000 limitation should serve to excuse reports on practically all new commodities introduced by them, while the $5,000 per month limitation on letter order applications should materially lessen their paper work.

All manufacturers whose net sales in the preceding fiscal year did not exceed $250,000 must file their reports in the nearest district office, rather than in Washington. This applies regardless of whether their base-period ceiling prices were determined under the GCPR or under CPR 22. One reason for having the reports of small manufacturers processed in the district offices is to conform with the Congressional mandate to make price control easier for them. The district offices, located in or near virtually all manufacturing centers, can offer small manufacturers more direct help than the national office. Any difficulties can be more quickly straightened out by personal interviews and by telephone and will not require correspondence with Washington. Furthermore, the work load will be more evenly distributed within OPS with speedier action resulting.

FURTHER ACTION AFFECTING CONSUMER DURABLE GOODS

This is the first OPS regulation which applies specifically to consumer durable goods. It is expected that other problems may arise in the future affecting these commodities. Such problems may be solved by means of supplementary regulations or amendments to this regulation, even though there is no direct relation to new-commodity problems. The reason for this is that manufacturers of consumer durable goods will become familiar with this regulation as an instrument directly affecting them. Therefore, an addition to this regulation will come to their attention far more quickly than an independent regulation.

INDUSTRY CONSULTATION

In the formulation of this regulation there have been extensive consultations with the manufacturers who will have to use this regulation and with trade association representatives. Comments and criticisms from industry representatives were one of the major influences which caused this regulation to be written. As soon as the drafting was under way a special advisory group of consumer durable goods manufacturers was set up. This special group was selected from the membership of various industry advisory committees in the consumer durable goods field. A copy of the first draft of this regulation was sent to each member of the advisory group. A meeting was then held in Washington where the members of the group and officials of the Consumer Goods Division threshed through the regulation section-by-section. After this meeting, the regulation was completely rewritten. The rewritten regulation as well as copies of the five forms which will be used with the regulation, were sent to every member of the special advisory group. The regulation, as well as the reporting forms, have benefited immensely from the criticisms and suggestions of the members of the advisory group. Every section in approximately its final form was endorsed by a majority of the members.

FINDINGS OF THE DIRECTOR

So far as practicable, the Director has given due consideration to the national effort to achieve maximum production in furtherance of the objectives of the Defense Production Act of 1950, as amended, and to relevant facts of gen-

eral applicability. In the judgment of the Director, the provisions of this regulation comply with all the applicable requirements with respect to the establishment of ceiling prices set forth in the Defense Production Act of 1950, as amended.

Every effort has been made to conform this regulation to existing business practices, cost practices or methods, or means or aids to distribution. Insofar as any provisions of this regulation may operate to compel changes in business practices, cost practices or methods, or means or aids to distribution, such provisions are found by the Director of Price Stabilization to be necessary to prevent circumvention or evasion of this regulation.

REGULATORY PROVISIONS

Sec.
1. What this regulation does.
2. Ceiling prices determined before the effective date of this regulation.
3. Ceiling prices for new commodities which differ only in minor respects from commodities currently in your line.
4. Ceiling prices for new commodities which are similar to commodities currently in your line.
5. Ceiling prices for new commodities which are similar to commodities sold by a competitor.
6. Ceiling prices for new commodities not covered by the preceding sections.
7. New commodities whose net sales are unlikely to exceed $5,000 per month.
8. Custom-made commodities.
9. Modification of proposed ceiling prices by Director of Price Stabilization.
10. Petitions for amendment.
11. Adjustable pricing.
12. Excise, sales or similar taxes.
13. Transfers of business or stock in trade.
14. Record-keeping requirements.
15. Requests for additional information.
16. Interpretations.
17. Prohibitions.
18. Evasions.
19. Definitions.

AUTHORITY: Sections 1 to 19 issued under sec. 704, 64 Stat. as amended; 50 U. S. C. App. Sup., 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup., 2101–2110. E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SECTION 1. *What this regulation does.* This is a regulation for consumer durable goods. On and after September 24, 1952, the ceiling prices for all new commodities listed in Appendix A will be established under this regulation. For such commodities this regulation replaces the new-commodity sections of Ceiling Price Regulation 22 and of the General Ceiling Price Regulation. This regulation does not affect the ceiling prices of commodities sold in the manufacturer's base period, nor the ceiling prices of new commodities which were determined before the effective date of this regulation.

The basic technique used by this regulation is comparison pricing. The ceiling prices for new commodities are established by reference to the ceiling prices of "comparison commodities." The regulation is organized in terms of the degree of similarity between the new commodity and the comparison commodity. Section 3 applies where a new commodity differs only in minor respects from a commodity currently in the manufacturer's line. A new commodity which represents more than a minor change, but which is still comparable to other commodities made by the same manufacturer falls under section 4. Section 5 covers a commodity so different from anything currently made by the same manufacturer that a competitor's commodity must be chosen for comparison purposes. Where the new commodity is so different from anything else on the market that no comparison commodity can be found, section 6 or section 7 must be used—section 6 where the net sales of the new commodity are likely to exceed $5,000 per month, section 7 where the net sales are unlikely to reach that figure. Special provision for custom-made commodities is made in section 8.

For certain commodities a report is required in order to establish a ceiling price. Whenever such a requirement is in effect no ceiling price is legally established until after the provisions relating to the report have been observed.

This regulation covers manufacturers located in the United States or in the District of Columbia. It does not cover manufacturers located in the territories and possessions of the United States.

SEC. 2. *Ceiling prices determined before the effective date of this regulation.* All ceiling prices which were determined before the effective date of this regulation, remain in effect. This includes the ceiling prices of all commodities manufactured in the base period as well as the ceiling prices of commodities introduced between the end of the manfacturer's base period and the effective date of this regulation.

SEC. 3. *Ceiling prices for new commodities which differ only in minor respects from commodities currently in your line.* (a) You must use this section to establish a ceiling price for a new commodity which differs only in minor respects from a commodity currently in your line which has a ceiling price. The latter commodity is hereafter referred to as the "comparison commodity." The new commodity may be either a replacement, being substituted for the comparison commodity, or an addition to your line. It may differ from the comparison commodity only because of minor changes in materials, design or construction which do not reduce serviceability. These minor changes may not result in a difference in current unit direct cost exceeding the following limits: ten per cent of the current unit direct cost of the comparison commodity where that cost is less than $5.00; $.50 where the current unit direct cost of the comparison commodity is between $5 and $10; five per cent of the current unit direct cost of the comparison commodity where that cost is more than $10. In case the cost difference between the new commodity and comparison commodity exceeds these limits, you must use section 4. Even though the difference in current unit direct cost is within the prescribed limits, you must use section 4 if the change in materials, design or construction is not a minor one.

(b) You determine your ceiling price for the new commodity by adding to, or subtracting from, the ceiling price of the comparison commodity to its largest buying class of purchaser the dollar-and-cent difference in current unit direct cost between the two commodities. With your ceiling price for the new commodity you must use the same terms and conditions of sale which you use with your comparison commodity. For sales of the new commodity to different classes of purchasers, you must apply the same percentage differentials between classes of purchasers which you apply on your comparison commodity.

(c) Your comparison commodity need not have been dealt in during your base period. It may be a commodity whose ceiling price was determined under this regulation or under the regulation whose new-commodity provisions you used prior to the issuance of this regulation. However, you may not use a commodity whose ceiling price was determined under this section.

(d) *Reports.* For a commodity whose total sales are expected to exceed $25,000 you must file a report in order to establish a ceiling price. You must use OPS Public Form No. 142, following the instructions which are a part of that form. Your report must be sent by registered mail, return receipt requested, to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. However, if the gross sales for your last complete fiscal year of commodities manufactured by you were less than $250,000 you send your report to the OPS District Office for the district in which your principal place of business is located. You may not sell the new commodity until 15 days after receipt of your report by OPS, as shown on the return receipt. Thereafter, you may sell at the reported ceiling price unless and until notified by OPS that your ceiling price has been disapproved.

You need not file a report if total sales of the new commodity are not expected to exceed $25,000. However, you may make no sales of the new commodity which would result in its net sales exceeding $25,000 until after a report has been filed. Even though you need not file a report, you must keep for inspection by OPS the records and worksheets relating to the computation of your ceiling price and to your sales of the new commodity.

SEC. 4. *Ceiling prices for new commodities which are similar to commodities currently in your line*—(a) *Scope.* You must use the comparison technique of this section to determine the ceiling price of a new commodity for which a ceiling price cannot be determined under section 3, but which is similar to commodities currently in your line which have ceiling prices. You determine the ceiling price of the new commodity by applying to its current unit direct cost the average markup over current unit direct cost of two comparison commodities. The way in which you do this is described in the next paragraph.

(b) *Method of calculation.* (1) Find the current unit direct cost of the new commodity.

(2) Select two comparison commodities from the product line in which the new commodity falls. You must choose the commodity whose current unit direct

cost is immediately higher, and the commodity whose current unit direct cost is immediately lower than that of the new commodity. The comparison commodities need not have been dealt in during your base period. They may be commodities whose ceiling prices were determined under this regulation or under the regulation whose new-commodity provisions you used prior to the effective date of this regulation. However, both comparison commodities must have been in regular production and must have been sold in substantial quantities during the preceding twelve months.

If the new commodity falls in a product line in which you are not currently dealing, you may select two comparison commodities from a different product line. To be acceptable these comparison commodities must be similar to the new commodity in the following three respects:

(i) They must not differ appreciably in the type, quantity and quality of the materials used.

(ii) They must be made by substantially the same method of production.

(iii) They must be sold through the same channels of distribution to the same classes of purchasers.

(If you are unable to find two comparison commodities see the note at the end of this paragraph.)

(3) Add the ceiling prices of the two comparison commodities. You must use the ceiling price to the largest buying class of purchaser to which both comparison commodities are sold.

(4) Add the current unit direct cost of the two comparison commodities.

(5) Divide the result in (3) by the result in (4). This is your markup factor for the new commodity.

(6) Multiply the current unit direct cost of the new commodity as found in (1), by the markup factor found in (5). This gives you the ceiling price for the new commodity.

This is your ceiling price to the same class of purchaser to which the comparison commodities' ceiling prices, used in (3), are applicable. For sales of the new commodity to different classes of purchasers you must apply the same differentials between classes of purchasers which you apply on your comparison commodities. With your ceiling price for the new commodity you must use the same terms and conditions of sale which you use with your comparison commodities.

Example: Calculation of Ceiling Price for a New Commodity with a Current Unit Direct Cost of $10.00.

Comparison Commodities

	Ceiling Price	Current Unit Direct Cost
Lower-cost commodity	12.00	8.00
Higher-cost commodity	21.00	12.00
	33.00	20.00

Markup Factor

$$\frac{33.00}{20.00}=165\%$$

Ceiling Price for New Commodity

Current unit direct cost	$10.00
Markup Factor	×165%
Ceiling Price	$16.50

Note: If you are unable to find two comparison commodities either within or outside the same product line, you must calculate the ceiling price for the new commodity using only a single comparison commodity. The following changes in the method of calculation will be required: You omit steps (3) and (4). The markup factor, step (5), is obtained by dividing the ceiling price of the single comparison commodity by its current unit direct cost. Step (6) can be performed as indicated.

(c) *Reports.* For a commodity whose total sales are expected to exceed $25,000 you must file a report in order to establish a ceiling price. You must use OPS Public Form No. 143, following the instructions which are a part of that form. Your report must be sent by registered mail, return receipt requested, to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. However, if the gross sales for your last complete fiscal year of commodities manufactured by you were less than $250,000, you send your report to the OPS District Office for the district in which your principal place of business is located. You may not sell the new commodity until 15 days after receipt of your report by OPS, as shown on the return receipt. Thereafter, you may sell at the reported ceiling price unless and until notified by OPS that your ceiling price has been disapproved.

You need not file a report if total sales of the new commodity are not expected to exceed $25,000. However, you may make no sales of the new commodity which would result in its net sales exceeding $25,000 until after a report has been filed. Even though you need not file a report, you must keep for inspection by OPS the records and worksheets relating to the computation of your ceiling price and to your sales of the new commodity.

Sec. 5. *Ceiling prices for new commodities which are similar to commodities sold by a competitor*—(a) *Scope.* You must use this section to establish a ceiling price for a new commodity for which you cannot determine a ceiling price under sections 3 or 4, because it is unlike any commodity currently sold by you, but which is similar to a commodity sold by a competitor. You use the competitor's commodity as a comparison commodity and establish a ceiling price for your commodity by reference to the competitor's price. To be able to use this section you must know your competitor's ceiling or selling prices to the classes of purchaser to which you intend to sell and the differences between his commodity and yours. If no competitor sells a similar commodity or if you do not have the necessary information regarding your competitor's commodity, you cannot use this section. You must then apply under section 6 and OPS will establish a ceiling price for your new commodity by letter order.

(b) *Comparison commodities.* You must choose as your comparison commodity the most similar commodity currently sold by a competitor. If several competitors sell substantially similar commodities, you must select as your comparison commodity the one sold by your most direct competitor. (The competitor who covers most completely the territory in which you intend to sell is your most direct competitor.)

To be acceptable as a comparison commodity the competitor's commodity must be similar to your new commodity in the following four respects:

(1) It must not differ appreciably in the type, quantity and quality of the materials used.

(2) It must be made by substantially the same method of production.

(3) It must be sold to the same classes of purchasers.

(4) It must serve the same function.

(c) *Ceiling prices.* (1) You establish the ceiling price for your new commodity by reference to your competitor's ceiling price for the comparison commodity. The ceiling price for your new commodity may be no higher than your competitor's ceiling price for the comparison commodity. If your commodity does not meet the same standards of quality and serviceability as the comparison commodity, you must establish a ceiling price for your commodity sufficiently lower than the ceiling price of the comparison commodity to reflect the differences between the two.

(2) If you do not know your competitor's *ceiling* price for the comparison commodity, but you do know his *selling* price, you may establish your ceiling price by reference to that selling price. If subsequent to the date when you established your ceiling price, you learn that your competitor's ceiling price is higher than the selling price on the basis of which you established your ceiling price, you may increase your ceiling price proportionately. Before selling at a price higher than the ceiling price you initially calculated, you must file the supplementary report described in paragraph (d) (2), unless net sales of the new commodity are not expected to exceed $25,000.

The ceiling price which you establish under this section applies to the same class of purchaser to which the ceiling price of the comparison commodity applies. For sales to different classes of purchasers you must use the same differentials between classes which your competitor uses for sales of the comparison commodity. If you do not know your competitor's price for a class to which you intend to sell, you must apply under section 6 and OPS will establish a ceiling price for you by letter order.

You may use either your competitor's terms and conditions of sale or the terms and conditions which you customarily use for sales of the most similar commodities currently in your line. However, the use of terms and conditions of sale differing from those used by your competitor may not result in a cost to the purchaser higher than what he would be required to pay if you used your competitor's terms and conditions; i. e., you may use terms and conditions more

favorable to the purchaser than those used by your competitor, but you may not use terms and conditions less favorable to the purchaser.

(d) *Reports*—(1) *Regular report.* For a commodity whose total sales are expected to exceed $25,000 you must file a report in order to establish a ceiling price. You must use OPS Public Form No. 144, following the instructions which are a part of that form. Your report must be sent by registered mail, return receipt requested, to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. However, if the gross sales for your last complete fiscal year of commodities manufactured by you were less than $250,000, you send your report to the OPS District Office for the district in which your principal place of business is located. (If you are a new seller who has not yet completed a fiscal year, you must file in the district office if you do not expect the gross sales of commodities manufactured by you to reach $250,000 during your first complete fiscal year.) You may not sell the new commodity until 15 days after receipt of your report by OPS, as shown on the return receipt. Thereafter, you may sell at the reported ceiling price unless and until notified by OPS that your ceiling price has been disapproved.

You need not file a report if total sales of the new commodity are not expected to exceed $25,000. However, you may make no sales of the new commodity which would result in its net sales exceeding $25,000 until after a report has been filed. Even though you need not file a report, you must keep for inspection by OPS the records and worksheets relating to the computation of your ceiling price and to your sales of the new commodity.

(2) *Supplementary Report.* If you established your ceiling price upon the basis of your competitor's *selling* price and you want to increase your ceiling price as provided in paragraph (c) (2), you must file a supplementary report. The supplementary report must be sent by registered mail to the OPS office to which your regular report was sent. Your report must include the following information: the trade designation of the commodity; the date on which you filed your original report; the ceiling price originally established; the new ceiling price; the name and address of your competitor; the competitor's selling price on the basis of which you calculated your ceiling price; the competitor's price, selling or ceiling, on the basis of which your new ceiling price is calculated. If you did not file a report on your initial calculation because you did not expect sales to exceed $25,000, you need not file a supplementary report, unless you now expect sales to exceed $25,000.

SEC. 6. *Ceiling prices for new commodities not covered by the preceding sections*—(a) *Generally.* You cannot use the preceding section for a new commodity which is entirely unlike any commodity sold by you or by any of your competitors. If the net sales of the new commodity are likely to exceed $5,000 per calendar month, you must apply under this section and OPS will issue a letter order establishing a ceiling price. If the net sales of the new commodity are not likely to exceed $5,000 per calendar month, you use section 7 which provides for suspension of controls on such commodities.

(b) *Letter orders.* If you are unable to calculate a ceiling price under section 3, 4 or 5 for a new commodity whose net sales are likely to exceed $5,000 per month, you must apply to OPS for the establishment of a ceiling price. The ceiling price established under this section must be in line with the general level of ceiling prices established under this regulation.

Your application must be filed on OPS Public Form No. 145, following the instructions which are a part of that form. Your report must be sent to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. However, if the gross sales for your last complete fiscal year of commodities manufactured by you were less than $250,000, you send your report to the OPS District Office for the district in which your principal place of business is located. (If you are a new seller who has not yet completed a fiscal year, you must file in the district office if you do not expect the gross sales of commodities manufactured by you to reach $250,000 during your first complete fiscal year.) You may not sell the new commodity until OPS issues an order establishing a ceiling price, or a formula for calculating ceiling prices.

In appropriate instances OPS may establish a formula for calculating ceiling prices, rather than an individual ceiling price. This will be done only where there was an industry-wide practice of pricing by formula between July 1, 1949, and June 30, 1950, and where, in the judgment of the Director of Price Stabilization, use of any other method produces a severe hardship.

(c) *Temporary ceiling prices.* If, at the time you file your application for a ceiling price for a new commodity, you are unable to provide cost estimates based on production experience, OPS may issue a letter order establishing a temporary ceiling price for you. Such an order will be subject to the following two limitations: It will terminate 90 days after issuance; total net sales while it is in effect may not exceed $10,000. If either of these limitations is unduly restrictive in your case, you may propose different limitations. Your application must include an explanation why the limitations established by the regulation are too restrictive for you, as well as a justification for the limitations which you propose.

When selling the commodity at a temporary ceiling price, you must inform the purchaser that the ceiling price is a temporary one. Provided this notice is given a sale made at the temporary ceiling price is final, unless the contract of sale specifically provides otherwise.

OPS will issue a letter order without time or sales volume limitation as soon as you are able to provide cost estimates based on production experience.

(d) *Sales to a new class of purchaser.* Where you are planning to sell a commodity to a class of purchaser for which you do not have an established price differential, you must apply under this section. Your application must include the price differentials you propose to use and your reasons for proposing them.

The application must be sent to the Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. OPS will then issue an order establishing appropriate differentials.

SEC. 7. *New commodities whose net sales are unlikely to exceed $5,000 per month.* (a) This section applies to a new commodity whose net sales are *not* likely to exceed $5,000 per calendar month and which is not covered under section 3, 4 or 5 because it is entirely unlike any commodity sold by you or by any of your competitors. You need not calculate a ceiling price for such a commodity until its net sales volume exceeds $5,000 during any calendar month, unless OPS specifically requires you to do so.

(b) Before selling the commodity you must send a report by registered mail, return receipt requested, to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C. Your report must contain the following information: the trade name of the commodity; a picture, diagram or sample and any additional information which may be necessary for adequate identification and description; the price at which you propose to sell the commodity to each of the classes of purchasers to which you propose to sell it. You may sell the commodity fifteen days after receipt of your report by OPS, as shown on the return receipt. However, if, in the opinion of OPS, the commodity is likely to affect the cost of living, you will be required to file an application for a ceiling price under section 6.

(c) If, during any calendar month, the net sales of the commodity exceed $5,000 you must file an application for a ceiling price under section 6 not more than ten days following the end of the month.

(d) Adequate records must be kept of all sales of the new commodity for inspection by OPS.

SEC. 8. *Custom-made commodities.* (a) Under this section you may apply to OPS for the establishment of a formula for calculating the ceiling price of a custom-made commodity which by customary industry practice was priced by formula between July 1, 1949 and June 30, 1950. A custom-made commodity is one specially designed for a single purchaser who is the ultimate user of that commodity and is not purchasing it for resale either in the same form or incorporated in another commodity. The custom-made commodity must differ in more than minor respects from a stock commodity.

(b) Your application must be filed on OPS Public Form No. 146, following the instructions which are a part of that form. Your report must be sent by registered mail to Consumer Goods Division, Office of Price Stabilization, Washington 25, D. C.

(c) Your proposed formula will be approved only if you can prove to the satisfaction of OPS that the level of ceiling prices calculated under it will be no higher than the level of ceiling prices produced by the section of this regulation which would otherwise be applicable, i. e.,

section 3, 4 or 5. You may not use the proposed formula until OPS issues an order authorizing you to do so. The order will specify the commodities or product lines for which the formula is to be used. For these commodities you must use that formula instead of the preceding sections of this regulation.

(d) There are two limitations on the use of the formula: (1) The formula may be used only where you sell one or two individual units of the commodity, or a group or set of individual commodities which are so closely related as to be considered a single unit or installation. It may not be used where you sell three or more separate units even though they are all sold to the same purchaser. Ceiling prices for such multi-unit sales must be calculated under the methods of the preceding sections of this regulation. (2) You may not use the formula for more than one repeat order. The ceiling price for all additional repeat orders must be calculated under the preceding sections of this regulation. In making that calculation you may not use the ceiling price calculated under your formula as a comparison commodity ceiling price under section 3 or 4.

(e) If either of these limitations is unduly restrictive in your case, you may propose different limitations. Your application must include an explanation why the limitations established by the regulation are too restrictive for you, as well as a justification for the limitations which you propose.

SEC. 9. *Modification of proposed ceiling prices by Director of Price Stabilization.* The Director of Price Stabilization may at any time disapprove or reduce ceiling prices reported or proposed under this regulation so as to bring them into line with the level of ceiling prices otherwise established by this regulation.

SEC. 10. *Petitions for amendment.* If you wish to have this regulation amended, you may file a petition for amendment in accordance with the provisions of Price Procedural Regulation No. 1, Rev. 2.

SEC. 11. *Adjustable pricing.* Nothing in this regulation prohibits you from making a contract or offer to sell at (a) the ceiling price in effect at the time of delivery, or (b) the lower of a fixed price or the ceiling price in effect at the time of delivery. You may not, however, deliver or agree to deliver at a price to be adjusted upward in accordance with any increase in ceiling prices after delivery.

SEC. 12. *Excise, sales or similar taxes.* (a) Where the tax is included in your selling price.

(1) If the ceiling price for a comparison commodity used under any section of this regulation includes an excise, sales or similar tax, you must exclude the appropriate amount of such tax before making the computations necessary to establish a ceiling price for the new commodity. After completing your computations you may then add the appropriate amount of such tax for inclusion in your ceiling price for the new commodity.

(2) If subsequent to the establishment of ceiling prices which include an excise, sales or similar tax, the amount of such tax is reduced or eliminated, you must recompute and reduce your ceiling prices to reflect the appropriate reduction or elimination of such a tax. Where subsequent to the establishment of ceiling prices such a tax is increased or a similar tax is first imposed, you may recompute and adjust your ceiling prices to reflect the appropriate addition of the new tax.

(b) *Where the tax is separately stated and collected.* If your base-period practice was to state and collect any excise, sales or similar tax separately from your selling price, you may, in addition to the ceiling price determined under this regulation, collect the amount of any such tax paid by you. Where subsequent to the establishment of your ceiling price such a tax is increased or a similar tax first imposed, you may, in addition to your ceiling price, if not prohibited by the tax law, collect the amount of such increase or new tax as is actually paid by you. In all such cases the amount of the tax must be separately stated. A tax once stated separately from your ceiling price may not thereafter be included in your ceiling price under this regulation.

SEC. 13. *Transfers of business or stock in trade.* If any business, or the assets, or stock in trade of any business, are sold, or otherwise transferred, after the issue date of this regulation, and the transferee carries on the business, or continues to deal in the same type of commodity, in an establishment separate from any other establishment previously owned or operated by him, the ceiling prices of the transferee shall be the same as those to which his transferor would have been subject if no such transfer had taken place, and his obligation to keep records sufficient to verify such prices shall be the same. The transferor shall either preserve and make available, or turn over, to the transferee all records of transactions prior to the transfer which are necessary to enable the transferee to comply with the provisions of this regulation.

SEC. 14. *Record-keeping requirements.* With respect to any commodity covered by this regulation, you must prepare and preserve for the life of the Defense Production Act of 1950, as amended, and for two years thereafter, all records necessary to determine whether you have computed your ceiling prices correctly. You must also preserve for a period of two years all records showing the prices at which sales of the commodities covered by this regulation have been made. Such records shall be available for inspection by OPS.

SEC. 15. *Requests for additional information.* Sections 3 through 8 specify the reports which must be filed in order to obtain ceiling prices. In the event that your report is incomplete or is otherwise inadequate, you may be requested to submit additional information. Such a request for additional information does not operate to prohibit you from selling the commodity, with respect to which the request is made unless such a prohibition is included with the letter of request. However, you must comply with the request for additional information within fifteen days from the date of the request. If you fail to comply within fifteen days you are prohibited from selling the commodity. However, if for any reason, the fifteen-day period is inadequate, you may request OPS to grant you additional time. Unless OPS notifies you that your time has been extended, you must provide the requested information within fifteen days.

SEC. 16. *Interpretations.* If you want an official interpretation of this regulation, you should write to the District Counsel of your nearest OPS District Office. Any action taken by you in reliance upon and in conformity with a written official interpretation will constitute action in good faith pursuant to this regulation. Further information on obtaining official interpretations is contained in Price Procedural Regulation No. 1, Rev. 2.

SEC. 17. *Prohibitions.* You shall not do any act prohibited or omit to do any act required by this regulation, nor shall you offer, solicit, attempt, or agree to do or omit to do any such acts. Specifically (but not in limitation of the above), you shall not, regardless of any contract or other obligation, sell, and no person in the regular course of trade or business shall buy from you at a price higher than the ceiling price established by this regulation, and you shall make and preserve true and accurate records and reports, required by this regulation. If you violate any provisions of this regulation, you are subject to criminal penalties, enforcement action, and action for damages.

SEC. 18. *Evasions.* Any device which results in obtaining indirectly a higher price than is permitted by this regulation or in concealing or falsely representing information as to which this regulation requires records to be kept is a violation of this regulation. This prohibition includes, but is not limited to, devices making use of commissions, services, cross sales, transportation arrangements, premiums, discounts, special privileges, up-grading, tie-in agreements and trade understandings, as well as the omission from records of true data and the inclusion in records of false data.

SEC. 19. *Definitions.* Unless the context otherwise requires, the definitions and explanations in this section shall be controlling.

Base period. Your base period is determined by the regulation which covers the commodities sold by you prior to the effective date of this regulation. For example, if that regulation is CPR 22, then your base period is the period from April 1 through June 24, 1950, or any previous calendar quarter ended not earlier than September 30, 1949, depending upon which period you used in making your CPR 22 calculations. If that regulation is the General Ceiling Price Regulation, then your base period is the period, from December 19, 1950, through January 25, 1951.

Class of purchaser. Class of purchaser is determined in the first instance by reference to your own practice of setting different prices for sales to different pur-

chasers or groups of purchasers. The practice may (but need not) be based on the characteristics or distributive level of the buyer (for instance, manufacturer, wholesaler, individual retail store, retail chain, mail order house, government agency, public institution). It may (but need not) be based on the location of the purchaser, or the quantity purchased by him. If you have followed the practice of giving an individual customer a price differing from that charged others, that customer is a separate class of purchaser.

If in your industry a practice prevails of charging different prices for sales to groups of buyers based on their characteristics or distributive level, any such group to which you did not make sales during your base period and for whom you did not have a customary differential in effect during or before your base period, is a separate class of purchaser as to you.

Commodity. This term includes any item, object, material, article, product or supply.

Current unit direct cost. This is the sum of the direct labor cost and the direct materials cost applicable to a single unit of the commodity. The direct materials cost shall be computed upon the basis of current replacement prices. The direct labor cost shall be computed upon the basis of current wage rates. The method used for computing the current unit direct cost for the new commodity and for the comparison commodity shall be the same in every respect.

Delivered. A commodity shall be deemed to have been delivered if it was received by the purchaser or by any carrier, including a carrier owned or controlled by the seller, for shipment to the purchaser.

Largest buying class of purchaser. This term refers to the class of purchaser of a particular commodity which, during your base period, bought the largest dollar amount of that particular commodity. If the commodity was not sold during the base period, you determine the largest buying class of purchaser on the basis of sales during your most recently completed accounting period. You may have a different "largest buying class of purchaser" for different commodities. Only if no sales of the particular commodity were made to any other class of purchaser can one of the following be the largest buying class of purchaser: the United States or an agency thereof; a foreign purchaser; or a person to whom the only sales made during the period were under a written contract of at least six months' duration entered into prior to January 1, 1950.

Manufacturer. This term applies to you if you:

(1) Sell a commodity on which you have performed one or more operations in its fabrication, processing, finishing or assembling;

(2) Sell a commodity which has been produced to your order from materials or parts owned by you;

(3) Sell a commodity under your own brand or trade name where you own and control tools and dies which are specially designed for that commodity and which require a substantial investment.

You are *not* a manufacturer if you:

(1) Merely package, label, market, promote or sell a commodity without changing its form;

(2) Merely rebuild, recondition, renew or otherwise restore a used commodity;

(3) Merely perform an industrial service on a commodity for the account of others;

(4) Merely assemble a "knocked-down" commodity, all parts of which are obtained from the same source.

Net sales. This term refers to gross sales after trade discounts, less returns and allowances. In the case of sales where the selling price is a delivered price, transportation charges should not be deducted. This term does not include sales of commodities of which you are not the manufacturer.

Product line. This term refers to a group of related commodities which serve the same function, and are made by the same manufacturing process from substantially the same materials.

Records. This term means books or accounts, sales lists, sales slips, orders, vouchers, contracts, receipts, invoices, bills of lading, and other papers and documents.

Sell. This term includes sell, supply (with respect to either commodities or services), dispose, barter, exchange, transfer and deliver, and contracts and offers to do any of the foregoing. The terms "buy" and "purchase" shall be construed accordingly.

You. "You" means the person subject to this regulation. "Your" and "yours" are construed accordingly.

Effective date. The mandatory effective date of this regulation is September 24, 1952. You may, however, elect to make this regulation effective as to you on any date between July 24, 1952, and September 24, 1952. If you elect an earlier effective date, this regulation becomes effective on that date for all your commodities covered by this regulation.

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.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 24, 1952.

APPENDIX A

The following commodities are covered by this regulation as well as all repair parts for these commodities when made by the manufacturer of the finished product:

1. *Appliances, household, electrical and other,* such as but not limited to:
   - Air conditioners, window and console (self-contained).
   - Dehumidifiers.
   - Dishwashers.
   - Floor cleaning and polishing machines.
   - Freezers.
   - Household appliance parts (except when sold by the parts manufacturer to the manufacturer of the completed item).
   - Humidifiers, portable.
   - Laundry washers and driers.
   - Ranges.
   - Refrigerators.
   - Sewing machines and attachments.
   - Vacuum cleaners and attachments.
2. *Automobile seat covers.*
3. *Business equipment and accessories,* such as but not limited to:
   - Accounting machines.
   - Adding machines.
   - Addressing machines, plates and stencils.
   - Artists' supplies (except colors and oils).
   - Bookkeeping machines.
   - Bulletin boards.
   - Calculating machines including electronic computers.
   - Cash registers and devices in which a cash register or a basic mechanism is a component part.
   - Chalk, manufactured: (billiard, bowling, carpenter, etc.).
   - Commercial furniture and equipment: office, store or institutional of the following types:
     - Baskets and carts.
     - Cabinets.
     - Chairs and public seating equipment designed to be permanently attached to floor.
     - Counters, partitions and shelving.
     - Desks.
     - Files.
     - Lockers.
     - Show and display cases (except refrigerated).
     - Tables.
   - Dictating machines.
   - Dispensers: store, office, and restaurant (soap, towel, milk, cream, etc.).
   - Duplicating machines (includes Mimeograph and Multigraph).
   - Fare-registering machines and turnstiles.
   - Fountain pens and desk sets.
   - Measuring devices for yard goods, screens, linoleum, etc.
   - Name plates.
   - Office machines, fixtures, and equipment.
   - Pencils.
   - Restaurant fixtures and equipment.
   - Safes, vault doors, and cash boxes.
   - Scales and balances, store and office.
   - School and office supplies (including carbon paper but no other paper products).
   - Signs (except car, lithographed and printed).
   - Soda fountain and beer dispensing equipment.
   - Stenographic machines.
   - Store machines, fixtures and equipment including store displays and display fixtures.
   - Time clocks.
   - Tool cases, boxes and benches.
   - Typewriters.
   - Vending, amusement, and other coin-operated machines.
   - Water coolers, non-electric.
4. *Cabinets, metal, wood: portable* (radio, television, phonograph, sewing machine, utility and kitchen).
5. *Clocks and watches* (except time clocks and industrial timing devices).
   - Clock cases, containers and guards.
   - Clock type watches.
   - Crystals, watch.
   - Electric clocks.
   - Spring clocks, including alarm, decorative, etc.
   - Timers, clock.
   - Watchcases, containers and guards.
   - Watch and clock parts except jewels, springs and printed dials.
6. *Compasses* (except marine and aircraft).
7. *Ecclesiastical ware* including statuary and church goods (excluding vestments and shoes).
8. *Electric lamp bulbs and tubes:* arc, carbon, fluorescent, gaseous, incandescent, miniature (except auto), therapeutic.
9. *Floor coverings,* except soft surface floor coverings woven from cotton, wool, and rayon.
   - Asphalt tile.
   - Cotton rugs and carpets, tufted.
   - Felt base rugs and yard goods.

Linoleum.
Plastic.
Rug cushions and carpet linings.

10. *Funeral supplies and appurtenances* (except embalming fluids).

11. *Garden and agricultural hand tools and equipment*, such as but not limited to:
Corn and cane knives.
Forks.
Garden hose (except rubber) and attachments (couplings, clamps, and nozzles).
Grass hooks.
Hoes.
Huskers.
Lawnmowers, power and hand.
Lawn rollers.
Lawn sprinklers.
Machetes.
Pruning equipment.
Pushcarts (garden type).
Rakes, garden, hay, and lawn.
Shears, hedge, grass and pruning.
Shovels and spades.
Sickles
Sprayers and dusters of the simple pump type which are hand held and hand operated.

12. *Glassware*, such as but not limited to:
Artware, specialties, and novelties.
Heat resisting kitchen and table glassware.
Hotel, restaurant, bar, and institutional glassware.
Household glassware.
Lamp chimneys and lantern globes except those covered by CPR 30.
Lighting fixture glassware (blown and pressed only).

13. *Hardware items, miscellaneous.*
Batteries, dry cell.
Carbide lamps.
Curry combs.
Flashlights and other portable battery lights and hand lanterns.
Game traps.
Handles (except wood handles).
Hog scrapers.
Hog and bull rings.
Horseshoes and horseshoe nails.
Ladders.
Oilers, hand.
Pumps, tire, manually operated.
Rulers and tapes, non-mechanical.
Saddlery and parachute hardware, including buckles, loops, rings, etc.
Wheelbarrows.

14. *Housewares, miscellaneous*, such as but not limited to:
Asbestos mats.
Ash sifters.
Awnings, textile and metal.
Bath sprays.
Bathroom equipment.
Bathroom fixtures.
Baskets, clothes, picnic, fiber sidings, wood bottom.
Baskets, wastepaper.
Brushes.
Butcher saws.
Can sealers and canning equipment.
Candles (except handmade).
Candlesticks and candelabra.
Carpet sweepers.
Casseroles.
Churns, household.
Cleaning supplies (mops, brooms, etc.) except soaps, detergents, and chemicals.
Closet fixtures.
Clothesline reels.
Clothespins (except wooden).
Clothes wringers, hand operated.
Coasters.
Coffee makers and accessories.
Cooking utensils.
Cutlery.
Dish drainers.
Dishpans and wash basins.
Dust pans.
Drapery hardware.
Egg beaters.
Filters and sprayers, water faucet.
Fireplace equipment.
Fly swatters.
Food choppers and extractors.
Galvanized ware.
Garbage and ash cans.
Garment bags (except paper).
Garment hangers (except paper).
Hampers, bathroom.
Ironing boards.
Juice extractors.
Kitchen stools.
Kitchen tools and gadgets.
Medicine cabinets.
Pails and tubs.
Pantryware.
Pewterware.
Picnic supplies such as jugs and ice chests.
Plastic housewares.
Racks.
Radiator covers and brackets.
Ricers.
Scales: bath, baby.
Scissors and shears.
Scourers, pot.
Screens, decorative, household.
Shelves: window, canister, etc.
Sponges (except rubber and natural).
Steel wool.
Stretchers, curtain, glove, sweater, and trouser.
Telephone accessories.
Thermostats for use on gas and electric cooking ranges.
Tinware.
Tongs.
Trays.
Vacuum bottles and specialties.
Venetian blinds.
Washboards.
Window shades and wind shade rollers.
Window ventilators.
Wire goods.
Wood slat shades.
Woodenware and baskets (except shipping baskets).

15. *Housewares, small electrical*, such as but not limited to:
Bakers.
Blankets, electric.
Broilers.
Buffet servers.
Casseroles.
Chafing dishes.
Coffee makers.
Cookers.
Curling irons.
Deodorizers.
Door chimes.
Fans: portable, pedestal, ceiling, wall mounted and window fans sets, 24 inches dia. and under.
Freezers, ice cream.
Hair driers.
Heaters: space and immersion, portable.
Heating pads.
Hot plates, grills and table stoves (except those using gas as fuel).
Irons, flat.
Kettles.
Mixers and juice extractors.
Ovens, portable.
Percolators.
Pressers, trouser and tie.
Roasters.
Shavers, electric.
Sterilizers.
Toasters.
Vaporizers.
Vibrators.
Waffle irons.
Warmers, bottle and plate.
Washers, portable: apartment size.

16. *Industrial safety equipment*, excepting shoes and scientific instruments covered by CPR 30. This category includes items such as but not limited to:
Canisters, industrial gas mask.
Clothing designed for protection against specific industrial hazards: coats, pants, suits, aprons, sleeves, gloves, and like articles containing (1) metal or mineral insulation or reinforcement (such as asbestos); or (2) fabric or leather specially treated to resist extreme heat, extreme cold or chemical reagents.
Fire extinguishers, hand (except feldspar).
Fire hose, except rubber.
Gloves, sleeves, aprons and like articles made of natural synthetic and substitute rubber which are not covered by or under the jurisdiction of CPR 22, S. R. 8. Work clothes above and work gloves (whether of fabric or leather) without the features enumerated above are excluded.
Goggles, face shield, goggle cases, etc.
Handcuffs, billies, etc.
Helmets, safety hats, etc.
Industrial gas masks.
Protective shields, toe guards, etc.
Respirators.
Safety belts.
Safety lamps.
Tear gas guns and equipment.
Torches, roadside.
Welders' masks.

17. *Jewelry* (gold, platinum, silver, goldplate, goldfilled, silverplate, etc.).

18. *Jewelry, novelty*, such as but not limited to:
Badges.
Belt buckles.
Bracelets.
Collar pins and buttons.
Costume jewelry.
Cuff links.
Earrings.
Fraternal and school jewelry.
Jewelry findings.
Key chains.
Lockets.
Medals.
Necklaces.
Rings.
Tie clasps and chains.
Watch bands, metal.

19. *Kitchen equipment, commercial:* Commercial and institutional kitchen equipment irrespective of the type of fuel used for use in hotels, restaurants, schools, hospitals, industrial and public cafeterias and similar establishments, such as but not limited to:
Bain-maries.
Baker stoves.
Broilers, including salamanders and combination types.
Canopies.
Choppers.
Coffee grinders, coffee urns, and coffee making systems.
Deep fat fryers.
Dishwashers.
Egg boilers.
Glass washers.
Griddles.
Hot plates.
Mixers, mashers, strainers, juice extractors.
Ovens.
Plate warmers.
Potato peelers.
Pot racks.
Pot sinks and vegetable sinks.
Ranges.
Silver burnishers.
Slicing machines.
Steam jacketed kettles.
Steam tables.
Stock kettles, electric.
Toasters.
Vegetable steamers.
Wire baskets.

20. *Luggage*, such as but not limited to:
Brief cases.
Instrument cases.
Sample cases.
Suitcases.
Trunks.

21. *Marine articles* as follows:
All boats and canoes under 25' except those with inboard motors.
Oars and paddles.
Outboard motors, portable.

22. *Meteorological instruments* (for household, office, and advertising use only).
Barometers.
Hygrometers.
Thermometers.

23. *Mirrors and mirror frames.*

24. *Musical instruments, parts and accessories* except piano sounding boards and plates.

25. *Notions and personal accessories* (except cosmetics), such as but not limited to:
Barrettes.
Beads.
Bookends.
Braids, metallic.
Brushes, shoe.
Brushes, toilet.
Buckles.
Button hooks.
Buttons.
Christmas home decorations (except those made of natural vegetable products).
Clasps.
Combs.
Curlers, hair (except wood).
Fasteners, slide and snap.
Files, nail.
Hair goods, including braids, etc. (except hair rolls).
Hair nets.
Hooks and eyes.
Knitting needles and sets.
Manicure sets.
Measuring tapes.
Military buttons.
Military insignia, except fabric.
Music boxes, novelty.
Needles; hand, knitting and crochet.
Pins; safety, straight, hat, bobby, hair.
Razors and razor blades.
Sewing boxes.
Sewing kits.
Sharpeners: scissors, razor blade, etc.
Shoe trees, except wooden.
Specialty display boxes (other than paper) in which individual items of consumer durable goods (such as fountain pens, watches, razors, jewelry, etc.) are customarily packaged and sold.
Thimbles.
Tie racks.
Toilet sets.
Trays, household and decorative.
Vanity cases.

26. *Optical and ophthalmic goods,* such as but not limited to:
Artificial eyes.
Binoculars.
Cases, frames and mounting for eyeglasses, spectacles, sunglasses and goggles.
Contact lenses.
Eyeglasses and spectacle frames and mountings.
Eyeglasses and spectacles.
Field glasses.
Goggles and goggle lenses (except those classified as industrial safety equipment).
Lenses, finished and semi-finished for optical, ophthalmic and scientific use.
Lenses for eyeglasses and spectacles, white and colored.
Loupes.
Magnifying glasses.
Opera glasses.
Ophthalmic chairs, stools, tables, etc.
Ophthalmic diagnostic units.
Optical measuring instruments.
Prisms.
Readers.
Refracting units.
Scientific optical instruments including microscopes and accessories.
Scientific refracting instruments for oculists and optometrists.
Shooting glasses.
Sunglasses and goggles.
Telescopes.

27. *Photographing and photocopying equipment and allied supplies,* such as but not limited to:
Cameras and photographic films, equipment, accessories and materials.
Photocopying (including photostating and micro-filming) machines, apparatus and supplies.
Photoflash bulbs and photoflood lamps.
Photographic equipment carrying cases.
Motion picture cameras, projectors and apparatus, including sound equipment and parts for recording, reproducing, and projecting (for studio, theatre, commercial, and industrial use).

28. *Pictures and picture mounts and frames.*

29. *Plated ware,* miscellaneous.
Chrome plate.
Nickel plate.
Plastic handle flatware.
Stainless steel flatware and chrome plated flatware.
Trophies.

30. *Portable lamps and shades* other than industrial lighting fixtures.

31. *Pottery and chinaware,* such as but not limited to:
Art pottery.
Casseroles.
Dinnerware.
Dishes.
Flower pots.
Garden pottery and stoneware.
Miscellaneous tableware.
Ovenware.
Stoneware.

32. *Professional goods and health supplies equipment and subassemblies* thereof, not including drugs, chemicals and medicines except when packed in and sold as a part of first aid kits; and not including rubber drug sundries covered by CPR 22, S. R. 8. This includes items such as but not limited to:
Anesthesia, oxygen, and respiratory equipment.
Beauty parlor and barber shop furniture, fixtures and equipment.
Chiropody instruments, equipment, and supplies.
Clinical thermometers.
Corrective equipment, including knitted elastic corrective garments, trusses, stump socks, prosthetic devices, foot appliances, supplies and orthopedic braces, abdominal belts, etc.
Crutches.
Dental instruments, equipment, and supplies.
Electro-medical equipment and supplies.
Exercise machines and devices, etc.
First aid kits.
Fracture equipment and supplies.
Hospital and physician examining room and diagnostic equipment and supplies.
Laboratory fixtures and equipment (except those covered by CPR 30).
Parts and sub-assemblies designed especially for the foregoing items, except those covered by CPR 30.
Surgical dressings and surgical dressing materials.
Surgical instruments, equipment, and supplies.
Sutures and suture needles.
Veterinarian instruments, equipment, and supplies.

33. *Radio, television, phonographic, and other electronic equipment and accessories,* such as but not limited to:
Antennas: household radio and television, automobile radio.
Automobile radios.
Batteries, radio and hearing aid.
Hearing aids and accessories.
Phonograph records and record blanks.
Phonographs, including coin-operated.
Radio and television sets, including amateur and marine.
Radio, television and phonograph combinations.
Record changers.
Signaling systems and parts, electronic (not covered by CPR 30).
Sound recording and reproducing equipment for home use.
Tubes, radio and television.

34. *Silverware* such as but not limited to:
Silver chests.
Silverplated flatware.
Silverplated hollow ware.
Sterling silver flatware.
Sterling silver hollow ware.

35. *Smokers' articles and accessories* (except tobacco, cigars, and cigarettes), such as but not limited to:
Ash trays.
Cigarette cases.
Cigarette and cigar holders.
Cigarette, cigar and pipe lighters.
Humidors.
Lighters, cigarette, cigar, and pipe.
Pipe cleaners.
Pipes.

36. *Sporting goods* (except apparel and shoes).

37. *Toys, dolls, and games.*

38. *Umbrellas, parasols, canes, and cane trimmings.*

39. *Wall coverings: felt-base, plastic, linoleum, asphalt tile.*

40. *Wheel goods* such as but not limited to:
Baby carriages, strollers, and walkers.
Beach carts.
Bicycle accessories and parts except tires and tubes.
Bicycles.
Go carts.
Motor bicycles, motor scooters and power cycles.
Scooters.
Tricycles.
Wheel chairs.
Wheeled play cars.

[F. R. Doc. 52-8281; Filed, July 24, 1952; 3:44 p. m.]

[General Overriding Regulation 5, Amdt. 5]

GOR 5—Exemptions of Certain Consumer Durable Goods

Additional Exemptions

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161 and Economic Stabilization Agency General Order No. 2, this Amendment to General Overriding Regulation 5 is hereby issued.

Statement of Considerations

This amendment to General Overriding Regulation 5 extends the coverage of that regulation so as to exempt the additional commodities listed in this amendment from any ceiling price regulation issued by the Office of Price Stabilization.

The commodities exempted by the amendment are of minor significance to the economy and have but a trifling effect on the cost of living, the cost of the defense effort and general current industrial costs. These commodities are not so related to any commodities which are important to the cost of living, the cost

of the defense effort or to general current industrial costs, as to have any effect on the controls of commodities remaining under ceiling price restrictions. Furthermore, any ceiling price restrictions imposed on these commodities would involve an administrative and enforcement burden out of all proportion to the importance of keeping them under price control. Considering the types of commodities exempted, the amendment will not have any material effect on the general level of prices.

In view of the nature of this amendment, the Director has not found it necessary or practicable to consult formally with industry representatives. The actions taken, however, follow in general the recommendations of individual industry and trade association representatives.

AMENDATORY PROVISIONS

General Overriding Regulation 5 is hereby amended as follows:

1. The following paragraph is added at the end of section 6:

Non-metallic buttons for apparel.

2. The following paragraph is added at the end of section 8:

Hand-made candles.

3. The following paragraph is added at the end of section 10:

Cork stoppers.

4. The following paragraphs are added at the end of section 14:

Finished film strips and finished projection slides.
Figure balloons for advertising, display, publicity and similar purposes.
Non-electronic devices sold for the aid of hearing.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective July 25, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

[F. R. Doc. 52-8311; Filed, July 25, 1952; 11:50 a. m.]

[General Overriding Regulation 17, Revision 1]

GOR 17—SALES BY CONCESSIONERS OF THE NATIONAL PARK SERVICE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this General Overriding Regulation 17, Revision 1, is hereby issued.

STATEMENT OF CONSIDERATIONS

This General Overriding Regulation 17, Revision 1, suspends from ceiling price regulation all sales by concessioners of the National Park Service of commodities and services for which prices or markups are specified in a contract with, or rate schedule approved by, the National Park Service.

Under existing law, the National Park Service of the Department of the Interior is responsible for the administration of the national parks, monuments, and other areas, and for the conservation and enjoyment thereof. In carrying out its responsibilities, the National Park Service enters into contracts with concessioners for the purpose of providing necessary accommodations, commodities, facilities, and services for visitors to such areas. These contracts provide that all rates and prices charged to the visiting public by the concessioners shall be subject to regulation and control by the National Park Service.

During the many years that the National Park Service has exercised control over such concession operations, it has developed a system of review prior to approval and of policing after approval which utilizes the superintendent of the area concerned and his staff, technical concession management personnel in the regional offices of the National Park Service, and personnel of the Concessions Management Division in the National office. This control is designed to provide reasonable rates to the visiting public, taking into consideration the many factors involved in furnishing commodities and services in the areas, such as the seasonal nature of the operations, accessibility, availability and cost of labor and materials, prices charged for comparable items and services outside such areas, and the necessity of permitting the concessioners to earn a fair profit on their operations as a whole.

As originally issued under date of August 22, 1951, General Overriding Regulation 17 established ceiling prices for sales by concessioners of the National Park Service by approving contracts and rate schedules which were submitted to and approved by the National Park Service for the calendar year 1951. It also made provision for the adjustment of such ceiling prices by requiring the National Park Service to file a copy of any proposed increase with the Office of Price Stabilization, which proposed price would then become the adjusted ceiling price if not objected to by the Office of Price Stabilization within 30 days.

Under the regulation, as revised, sales by concessioners of the National Park Service are suspended from ceiling price regulation if the price or markup of the commodity or service being sold is currently being controlled by the National Park Service and as such is specified in a contract with or rate schedule approved by the National Park Service. Thus, it will no longer be necessary for the National Park Service or the concessioners to obtain OPS approval of a proposed increase in the price or markup of any such commodity or service or to wait any period of time before putting the proposed increase into effect. However, the requirement that the National Park Service submit a copy of the proposed increase to the Office of Price Stabilization, together with justification for such increase, is being continued in order to maintain a general review of all such actions.

In the statement of considerations which accompanied GOR 17 as originally issued, it was stated that the Office of Price Stabilization has compared many of the prices being charged by concessioners of the National Park Service and has found them to be generally in line with those prevailing for comparable items in areas outside the jurisdiction of the National Park Service. It was also stated that the regulation was deemed necessary to eliminate the filing of numerous applications with the District and National offices of the Office of Price Stabilization and to permit the National Park Service to give force and effect to its contracts, of which rate control over concession operations is an integral part. Almost a year's experience in handling the applications for price adjustment which have been filed with the Office of Price Stabilization under this regulation, supports these statements. Within that period of time, the National Park Service has developed general criteria for the processing of applications for price increases by its concessioners, which criteria were submitted to the Office of Price Stabilization under date of June 3, 1952. In its letter, the National Park Service advised the OPS that it would faithfully observe such criteria as the basis of rate approval and would welcome any periodic checks OPS would care to make to insure that the stabilization objectives are being accomplished. These criteria have been carefully reviewed by the Office of Price Stabilization and it is believed that adherence to them by the National Park Service will substantially achieve such objectives with respect to the National Park concessioners. As a further guarantee, the revised regulation provides for the filing with OPS of a copy of the proposed price together with justification for such price under the general criteria submitted to the Office of Price Stabilization.

In the judgment of the Director of Price Stabilization, the provisions of this regulation are generally fair and equitable and are consistent with the purpose of Title IV of the Defense Production Act of 1950, as amended.

In the formulation of this revised regulation, and in view of its nature, the Director has found that consultation with industry representatives is not necessary or practicable. However, prior to its issuance, the Director consulted with the National Park Service and has given consideration to its recommendation.

REGULATORY PROVISIONS

Sec.
1. Suspension of certain sales by concessioners of the National Park Service.
2. Reports.
3. Records.

AUTHORITY: Sections 1 to 3 issued under Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154. Interpret or apply Title IV, 64 Stat. 803, as amended; 50 U. S. C. App. Sup. 2101-2110, E. O. 10161, Sept. 9, 1950, 15 F. R. 6105; 3 CFR, 1950 Supp.

SEC. 1. *Suspension of certain sales by concessioners of the National Park Service.* No ceiling price regulation heretofore or hereafter issued by the Office of Price Stabilization shall apply to the sale by a concessioner of the National Park Service of any commodity or service for which a price or markup is specified in any contract with or rate schedule approved by the National Park Service.

SEC. 2. *Reports.* Any such price or markup hereafter approved by the National Park Service, shall, within 15 days after such approval, be filed by the National Park Service with the Coordinator for Government Purchases and Sales, Office of Price Stabilization, Washington 25, D. C., together with justification for such price under the general criteria submitted to the Office of Price Stabilization by the National Park Service on June 3, 1952.

SEC. 3. *Records.* A seller of commodities and services, the sale of which is suspended from ceiling price regulation by this General Overriding Regulation 17, Revision 1, shall not be required to comply with the reporting or record keeping provisions of any other price regulation but must preserve and keep available for examination by the Director of Price Stabilization, for the length of the Defense Production Act and two years thereafter, records in his possession showing the prices charged by him for the commodities and services which he delivered or offered to deliver during the base period December 19, 1950 to January 25, 1951.

Effective Date. This General Overriding Regulation 17, Revision 1, is effective July 25, 1952.

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

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

[F. R. Doc. 52-8312; Filed, July 25, 1952; 11:50 a. m.]

[General Overriding Regulation 27, Amdt. 1]

GOR 27—APPROVAL OF PRICES IN LONG TERM CONTRACTS FOR SALES OF CERTAIN CHEMICALS SELLERS OF RARE EARTH FLUORIDE AND RARE EARTH OXIDE

Pursuant to the Defense Production Act of 1950, as amended, Executive Order 10161, and Economic Stabilization Agency General Order No. 2, this Amendment 1 to General Overriding Regulation 27 is hereby issued.

STATEMENT OF CONSIDERATIONS

On April 2, 1952, General Overriding Regulation 27 (GOR 27) was issued to permit a seller of certain chemicals under a long term contract made prior to price control to apply for permission to put into effect the pricing provisions of the contract in lieu of his present ceiling prices. It was pointed out in the Statement of Considerations made in connection with the issuance of that regulation that it applies only to certain limited situations where sellers entered into long term contracts in good faith prior to price control and then found themselves unable, because of price control, to put into effect certain pricing provisions of the contract. The terms of the regulation are limited also to certain specified commodities.

The Director of Price Stabilization has found a similar situation affecting a manufacturer of rare earth fluoride and rare earth oxide. This amendment therefore extends the scope of GOR 27 to sellers of these commodities. The Statement of Considerations in GOR 27 applies equally to the commodities covered by this amendment and therefore is incorporated herein.

In the formulation of this regulation, special circumstances have rendered consultation with industry representatives, including trade association representatives, impractical.

AMENDATORY PROVISION

Section 2 of General Overriding Regulation 27 is amended by substituting a comma for the period at the end of section 2, and adding the following:

(e) rare earth fluoride, (f) rare earth oxide.

(Sec. 704, 64 Stat. 816, as amended; 50 U. S. C. App. Sup. 2154)

Effective date. This amendment is effective July 25, 1952.

ELLIS ARNALL,
Director of Price Stabilization.

JULY 25, 1952.

[F. R. Doc. 52-8313; Filed, July 25, 1952; 11:51 a. m.]

Chapter VI—National Production Authority, Department of Commerce

[NPA Order M-41, as Amended July 25, 1952]

M-41—METALWORKING MACHINES—DELIVERY

This order as amended is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this amended order, there has been consultation with industry representatives, including trade association representatives, and consideration has been given to their recommendations.

This amended order revises NPA Order M-41, as amended April 18, 1952, by making certain changes, among which are the following:

1. Paragraphs (i) and (j) of section 2 are eliminated, and paragraph (k) is relettered paragraph (i).
2. Section 3 is completely revised.
3. Minor changes are made in sections 4 (b), 7 (c), 10, and 13.

REGULATORY PROVISIONS

Sec.
1. What this order does.
2. Definitions.
3. Limitations on deliveries and acceptance of orders.
4. Allocation of deliveries to service and other purchasers.
5. Distribution of production among service groups.
6. Treatment of fractions.
7. Operation of Numerical Preference List.
8. Additional information to be furnished with rated purchase orders.
9. Changes and amendments.
10. Frozen period.
11. Effect of this order on NPA Reg. 2.
12. Replacement parts.
13. Pool orders.
14. Request for adjustment or exception.
15. Records and reports.
16. Communications.
17. Violations.

AUTHORITY: Sections 1 to 17 issued under sec. 704, 64 Stat. 816, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2154. Interpret or apply sec. 101, 64 Stat. 799, Pub. Law 429, 82d Cong.; 50 U. S. C. App. Sup. 2071; 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; 3 CFR, 1951 Supp.; secs. 402, 405, E. O. 10281, Aug. 28, 1951, 16 F. R. 8789; 3 CFR, 1951 Supp.

SECTION 1. *What this order does.* (a) This order regulates the delivery of metalworking machines. It requires all producers to schedule their deliveries in accordance with the provisions of this order.

(b) Persons seeking ratings for metalworking machines are referred to NPA Order M-41A, which sets forth certain eligibility standards for ratings.

SEC. 2. *Definitions.* As used in this order:

(a) "Metalworking machine" means any new, nonportable, power-driven item of plant equipment which is listed on Exhibit A, appearing at the end of this order, and has a producer's list price for the basic machine itself of $1,000 or more. The producer's list price for the basic machine itself means the sale price at which the producer's catalog or other price publication lists the basic machine, exclusive of the motor, motor drive, or any attachments therefor, unless the motor, motor drive, or attachments are initially built into the basic machine itself, as an integral part thereof, in which case the producer's list price for the basic machine shall be the sale price at which the producer lists the machine as an assembled unit. The term "metalworking machine" includes all fixtures, equipment, and tooling covered by the original purchase order which are required to be delivered with the basic machine to make it usable in production for the purposes intended. It does not include replacements, spare parts or equipment, or extra tooling.

(b) "Producer" means any person engaged in the manufacture and production of metalworking machines.

(c) "Service group" means a subdivision of the Department of Defense. For the purposes of this order, there are deemed to be seven such subdivisions, consisting of the following: Ordnance, Army less Ordnance, Bureau of Ordnance (Navy), Bureau of Ships (Navy), Miscellaneous Bureaus and Offices (Navy), Bureau of Aeronautics (Navy), and Air Force.

(d) "Service purchasers" means those persons whose purchase orders for metalworking machines call for delivery to a service group, or to one of such group's prime contractors, or to a subcontractor of such a prime contractor. However, no such purchaser shall be considered a service purchaser unless his order is accompanied by a DO rating in accordance with existing regulations.

(e) "Other purchasers" means all purchasers other than service purchasers, whether or not a DO rating has been assigned to their purchase orders.

(f) "Size" includes all of those dimensions or variations of a particular type of metalworking machine which can be used interchangeably for production purposes. Size classification shall be that used by each producer on the effec-

tive date of this order, unless he is hereinafter authorized to use a different classification. Producers may apply for such permission by letter to the National Production Authority (hereinafter called "NPA").

(g) "Firm order" means an order which is accompanied by specification or other description of a metalworking machine in sufficient detail to enable a producer to place such machine in his production schedule.

(h) "Person" means any individual, corporation, partnership, association, or any other organized group of persons, and includes any agency of the United States Government or of any other government.

(i) "GSA" means the United States Government agency known as the General Services Administration, created under the Federal Property and Administrative Services Act of 1949 (63 Stat. 377); or such other Federal agency to which the Defense Materials Procurement Agency may hereafter redelegate the functions specified or described in section 13 of this order under E. O. 10281 (16 F. R. 8789), and the Defense Production Act of 1950, as amended (64 Stat. 798, as amended; 50 U. S. C. App. Sup. 2061–2166); or the Defense Materials Procurement Agency if said agency does not redelegate such functions.

SEC. 3 *Limitations on deliveries and acceptance of orders.* (a) The provisions of this paragraph (a) apply only to metalworking machines of the classifications not listed in Exhibit D of this order. A producer may schedule for production and deliver any metalworking machine against a purchase order that is not rated when such action will not postpone the required delivery of any metalworking machine against a purchase order that is rated. Notwithstanding the fact that a producer may have properly scheduled the production and delivery of a metalworking machine against a purchase order that is not rated, he shall not continue work on such unrated order when such action will postpone the required delivery of any metalworking machine against a purchase order that is rated. If a producer receives a rated order for a metalworking machine with specifications which match a machine in production to fill an unrated order, he shall divert such machine to fill the rated order instead of the unrated order. The provisions of section 10 of this order do not apply to purchase orders that are not rated.

(b) No producer shall accept a purchase order that is not rated for any metalworking machine of the classifications listed in Exhibit D of this order unless specifically authorized by NPA pursuant to a request filed in accordance with section 14 of this order. No producer shall deliver against a purchase order that is not rated any metalworking machine of the classifications listed in Exhibit D of this order unless specifically authorized by NPA pursuant to a request filed in accordance with section 14 of this order.

SEC. 4. *Allocation of deliveries to service and other purchasers.* (a) Starting April 1, 1951, and on the first of each succeeding month, each producer shall schedule his deliveries of each size of metalworking machines in accordance with the provisions of this section for the fourth ensuing month (hereinafter in section 10 of this order being referred to for convenience as the "delivery month"—for example, deliveries for the month of July would be scheduled on April 1st, and July would be the "delivery month").

(b) If a producer can, under the provisions of section 3 of this order, schedule a metalworking machine for delivery against a purchase order that is not rated, he shall arrange his schedule so as to fill all rated orders requiring deliveries in the month being scheduled in preference to any unrated order.

(c) If a producer can fill from his production all rated orders requiring delivery in the month being scheduled, then he shall arrange his schedule so as to fill all such rated orders.

(d) If a producer cannot fill from his production all rated orders requiring delivery in the month being scheduled, then he shall arrange his schedule of deliveries as follows:

(1) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled of less than 70 percent of his production of any size in that month, he shall arrange his schedule so as to fill all rated orders for that size requiring delivery to service purchasers in that month, and schedule the balance so as to fill rated orders from other purchasers.

(2) To the extent that a producer has rated orders on hand from service purchasers requiring delivery in the month being scheduled of more than 70 percent of his production of any size in that month, he shall arrange his schedule so as to fill rated orders for that size to service purchasers equivalent to 70 percent of his production of that size, and shall schedule so much of the balance as may be necessary to fill rated orders on hand from other purchasers requiring delivery in the month being scheduled and thereafter, if any balance still remains, he shall schedule additional rated orders from service purchasers.

SEC. 5. *Distribution of production among service groups.* In connection with scheduling deliveries for each month pursuant to section 4 of this order, each producer shall schedule deliveries among the several service groups as follows:

(a) Subject to the provisions of this paragraph, each producer shall determine the number of orders on his books for each size of metalworking machine for each of the seven service groups as of 90 days prior to the first day of the month being scheduled, or, at the producer's option, the nearest date within 10 days thereof on which he may have compiled his records of orders. Only those orders which by their terms require delivery in the month being scheduled or in a month previous thereto shall be counted. The number of orders so determined for each such size and service group shall be termed the "net backlog" of each service group for that size of metalworking machine.

(b) Each producer shall then determine the "total net backlog" of all service groups by adding together the orders for each particular size of metalworking machine as determined for each service group in accordance with the provisions of paragraph (a) of this section.

(c) Each producer shall then determine, in accordance with the provisions of section 4, the total number of metalworking machines of a particular size being scheduled for all service groups for that month and such total shall be termed the "total service group quota." The quota of each size of metalworking machine for any particular service group shall be that proportion of the total service group quota which the net backlog of such particular service group bears to the total net backlog. Each producer shall then schedule deliveries for the month being scheduled so that each service group shall be scheduled for its service quota for that month, determined as provided in this section. An example of the calculation required by this paragraph appears at the end of this order as Exhibit C.

(d) During each month each producer shall deliver for each service group the number of metalworking machines of each size equal to its quota of that size for that month. However, no producer shall schedule delivery of any metalworking machine for any service group earlier than the date on which the purchaser requires delivery unless all required delivery dates on other orders for the same size of metalworking machine are being met.

SEC. 6. *Treatment of fractions.* Where the number of metalworking machines which results from any computation required by this order contains a fraction of more than one-half, the fraction shall be counted as a whole metalworking machine. A fraction under one-half shall be disregarded, except that where the computation results in a fraction only (less than one whole metalworking machine) for any one month and such fraction is less than one-half, it shall be counted in computing the next month's service quota. Where each of the computations of two or more different service quotas for the same month shows a fraction of one-half, and there is only one remaining metalworking machine to which such fraction can apply, such metalworking machine shall be allotted to the service group having the largest service quota, and the other fractions of one-half shall be disregarded for that month, but shall be counted in computing the other service quota or quotas for the next month.

SEC. 7. *Operation of Numerical Preference List.* A Numerical Preference List will be supplied to producers. This list will be designated "Restricted." In connection with scheduling deliveries for each month pursuant to sections 4 and 5 of this order, this list shall determine the sequence of scheduling of purchase orders for delivery as between service purchasers within each service group as follows:

(a) In scheduling purchase orders for delivery, service purchasers who are on

the list shall take precedence over service purchasers who are not on the list.

(b) As between purchase orders having conflicting required delivery dates, delivery of which is to be made to service purchasers on the list within the particular service group, the purchase order of the service purchaser with the higher urgency standing shall be scheduled for delivery ahead of the service purchaser with the lower urgency standing. The highest urgency standing is No. 1.

(c) Delivery to a sub-contractor, not specifically named on the list, shall take the urgency standing of his prime contractor. However, no sub-contractor may use the urgency standing of his prime contractor unless such use is approved by the prime contractor and endorsed by the service department, supply arm, or bureau concerned.

(d) If the urgency standing certified by the purchaser differs from the urgency standing shown for the particular defense contractor for the particular defense contract in question on the Numerical Preference List, the latter shall govern.

(e) Regardless of the urgency standing certified with the purchase order, no delivery of metalworking machines shall be made prior to the required delivery dates, unless all required delivery dates on other orders for the same size of metalworking machines are being met.

(f) Changes may be made in the Numerical Preference List from time to time by NPA. Where an urgency standing between existing standings is assigned, the new urgency standing will consist of a number including a decimal. Such an urgency standing will take a position in the sequence of deliveries as indicated by the following example: Urgency standing 92.1 will be delivered after 92 and before 93.

(g) The sequence of conflicting deliveries to service purchasers who are not listed on the Numerical Preference List within each service group shall be determined in accordance with the provisions of NPA Reg. 2.

SEC. 8. *Additional information to be furnished with rated purchase orders.* In applying or extending a rating to an order for a metalworking machine, any service purchaser must indicate the service group which placed or sponsored the prime contract or subcontract for which the metalworking machine being purchased is to be used, the required delivery date thereof, and the urgency standing assigned to the delivery of the metalworking machine, if any, with the number of the specific contract on which the metalworking machine will be used. Any other purchaser must indicate the claimant agency, if any, which placed or sponsored the prime contract or subcontract for which the metalworking machine being purchased is to be used and the required delivery date thereof. All purchasers must indicate specifications or other descriptions of the metalworking machine being ordered in sufficient detail to enable the producer to place the same on his production schedule.

SEC. 9. *Changes and amendments.* Notwithstanding any other provision of this order, NPA may amend this order and any of its exhibits, may direct or change any schedule of production or delivery of metalworking machines, allocate any order for metalworking machines from one producer to another producer, and divert or otherwise direct the delivery of any metalworking machine from one person to another person.

SEC. 10. *Frozen period.* No rated order, which may be received by a producer within the 3-month period immediately preceding any delivery month as defined in section 4 of this order, shall operate to postpone, advance, or in any way affect or change the delivery of any metalworking machine which has been scheduled for delivery during such delivery month pursuant to another rated order.

SEC. 11. *Effect of this order on NPA Reg. 2.* To the extent that this order is in conflict with NPA Reg. 2, the provisions of this order shall control. In all other respects, NPA Reg. 2 shall continue in full force and effect.

SEC. 12. *Replacement parts.* CMP Regulation No. 5 as now effective or as hereafter amended, or any other NPA order or regulation concerning maintenance, repair, and replacement items, shall control with respect to the delivery by a producer of repair and replacement parts, irrespective of any provisions contained in this order.

SEC. 13. *Pool orders.* NPA will from time to time furnish GSA with recommendations for ordering metalworking machines. Under a working arrangement between GSA and NPA, GSA will place firm orders (herein sometimes called "pool orders") with producers of metalworking machines in accordance with such recommendations. The pool orders so placed by GSA will contain, among other provisions, a provision requiring any producer, on or after the date therein specified, to eliminate items from any such order to the extent that equivalent items manufactured by such producer are invoiced or shipped (whichever is earlier) by such producer to others pursuant to purchase orders from others or to orders and directions of NPA. Notwithstanding the provisions of section 3 (b) of this order, a producer may accept a pool order from GSA and if he has entered into a pool order with GSA, may, as to metalworking machines of the classifications listed in Exhibit D, which such producer is unable to ship on rated orders, store such metalworking machines and invoice them to GSA, in accordance with the provisions of such pool order.

SEC. 14. *Request for adjustment or exception.* Any person affected by any provision of this order may file a request for adjustment or exception upon the ground that his business operation was commenced during or after the base period, that any provision otherwise works an undue or exceptional hardship upon him not suffered generally by others in the same trade or industry, or that its enforcement against him would not be in the interest of the national defense or in the public interest. In examining requests for adjustment or exception claiming that the public interest is prejudiced by the application of any provision of this order, consideration will be given to the requirements of the public health and safety, civilian defense, and dislocation of labor and resulting unemployment that would impair the defense program. Each request shall be in writing, by letter in triplicate, and shall set forth all pertinent facts, the nature of the relief sought, and the justification therefor.

SEC. 15. *Records and reports.* (a) Each person participating in any transaction covered by this order shall make and preserve, for at least 3 years thereafter, accurate and complete records of receipts, deliveries, inventories, production, and use, in sufficient detail to permit the determination, after audit, whether each transaction complies with the provisions of this order. This order does not specify any particular accounting method and does not require alteration of the system of records customarily used, provided such records supply an adequate basis for audit. Records may be retained in the form of microfilm or other photographic copies instead of the originals by persons who, at the time such microfilm or other photographic records are made, maintain such copies of records in the regular and usual course of business.

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

(c) Persons subject to this order shall make such records and submit such reports to the National Production Authority as it shall require, subject to the terms of the Federal Reports Act of 1942 (5 U. S. C. 139–139F).

SEC. 16. *Communications.* All communications concerning this order shall be addressed to the National Production Authority, Washington 25, D. C., Ref: NPA Order M–41.

SEC. 17. *Violations.* Any person who wilfully violates any provision of this order, or any other order or regulation of NPA, or who wilfully furnishes false information or conceals any material fact 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 any 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: All reporting 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 as amended shall take effect on July 25, 1952.

NATIONAL PRODUCTION AUTHORITY,
By JOHN B. OLVERSON,
Recording Secretary.

EXHIBIT A OF NPA ORDER M-41

All types of the following classifications are included herewith for regulation under this order based on past procurement experience. Additions shall be made as new and changed requirements are developed:

Ammunition machinery.
Balancing machines.
Beading machines.
Boring machines.
Brakes.
Broaching machines.
Buffing machines.
Centering machines.
Chamfering machines.
Cut-off machines.
Die-sinking machines.
Drilling machines.
Duplicating machines.
Extruding machines.
Filing machines.
Forging machines.
Forging rolls.
Gear-cutting machines.
Gear-finishing machines.
Grinding machines.
Hammers.
Headers.
Key-seating machines.
Lapping machines.
Lathes.
Levelers.
Marking machines.
Measuring and testing machines.
Milling machines.
Nibbling machines.
Oil-grooving machines.
Pipe flanging-expanding machines.
Planers.
Polishing and buffing machines.
Presses.
Profiling machines.
Punching machines.
Reaming machines.
Rifle and gun working machines.
Riveting machines.
Rolling machines.
Sawing machines.
Screw and bar machines.
Shapers.
Swagers.
Tapping machines.
Threading machines.
Shearing machines.
Slotters.
Upsetters.

EXHIBIT B OF NPA ORDER M-41

(Discontinued)

EXHIBIT C OF NPA ORDER M-41

ILLUSTRATION OF PARAGRAPH (c) OF SECTION 3 OF M-41 FOR AUGUST 1952

Producer's total scheduled production of a particular size for August	40
"Total service group quota" determined pursuant to section 4 (70 percent of total if that many service group orders)	28
"Total net backlog" of all service groups	50

Item	Ordnance	Army, less Ordnance	Bureau of Ordnance	Bureau of Ships	Miscellaneous bureaus and offices	Bureau of Aeronautics	Air Force	Total
Net backlog by service group (orders on hand May 1 requiring delivery in August or prior to August)	10	2	20	0	3	3	12	50
Proportion of "net backlog" of each service group to "total net backlog".	10:50	2:50	20:50	0	3:50	3:50	12:50	----
Multiplied by "total service group quota"	28	28	28	----	28	28	28	----
Equals quota for each service group	6	1	11	0	2	2	6	28

EXHIBIT D TO NPA ORDER M-41

I. Boring machines:
(a) Vertical boring and turning machines, 54 inches and larger.
(b) Vertical boring and turning machines, all automatic cycle.
(c) Horizontal boring, drilling, and milling machines—table, floor, and planer type—4-inch spindle and larger.
(d) Jig-boring machines.
II. Die-sinking machines:
(a) Manual type.
(b) Automatic type.
III. Drilling machines:
(a) Radial drilling machines.
IV. Gear-cutting machines:
(a) Gear-hobbing machines—6-inch pitch diameter by 10-inch face and smaller.
V. Grinding machines:
(a) Long bed surface grinders—60 inches travel and larger.
(b) Table-type rotary surface grinders—30 inches capacity and larger.
(c) Jig-grinding machines.
(d) Face-coupling grinders.
VI. Lathes:
(a) Duplicating and tracer type.
(b) Turret lathes, saddle type, 3½ inches bar capacity and larger.
VII. Milling machines:
(a) No. 4 and larger—knee and column type and bed type.
(b) Planer or rail type mill.
(c) Duplicating or copying type.
(d) Skin-milling machines.
(e) Spar-milling machines.
(f) Jig-milling machines.
VIII. Planers:
(a) 60 inches by 60 inches double housing and larger.
(b) 48 inches open side and larger.
IX. Shapers:
(a) Draw-cut shapers.

[F. R. Doc. 52-8305; Filed, July 25, 1952; 11:14 a. m.]

Chapter XVII—Housing and Home Finance Agency

[Appendix to CR 3, Amdt. 1]

CR 3—RELAXATION OF RESIDENTIAL CREDIT CONTROLS: REGULATION GOVERNING PROCESSING AND APPROVAL OF EXCEPTIONS AND TERMS FOR CRITICAL DEFENSE HOUSING AREAS

MISCELLANEOUS AMENDMENTS

Statement. On July 18, 1952, there was published in the FEDERAL REGISTER (17 F. R. 6585), Housing and Home Finance Agency Regulation CR 3 with an appendix (17 F. R. 6590) which listed and described critical defense housing areas designated under CR 3, and the dates such areas were so designated. This list contained 186 critical defense housing areas.

Under the provisions of said regulation CR 3 (see sec. 3 thereof) additional critical defense housing areas will be designated by this Agency from time to time, for the purposes of this regulation where such areas have been determined by proper authority to be critical defense housing areas within the meaning of the Defense Housing and Community Facilities and Services Act of 1951 or the Housing and Rent Act of 1947, as amended. As such additional critical defense housing areas are designated, the appendix to CR 3 published at 17 F. R. 6590, July 18, 1952, will be amended to include such additional areas. The amendments will be numbered consecutively for each succeeding publication. As circumstances warrant, there may be publication of a revised appendix to CR 3 to include all areas contained in such appendix from time to time. Amendment Number 1 to the appendix to CR 3 appears below.

The appendix to CR 3 is amended by adding to the list of designated critical defense housing areas published in the appendix to CR 3 on July 18, 1952 (17 F. R. 6590) the following additional critical defense housing areas:

Area, Including Geographical Description and Date Designated

187. Hibbing-Grand Rapids, Minnesota, Area. (That portion of the State of Minnesota bounded as follows: Beginning at the northeast corner of Great Scott Township and the eastern boundary of range 19 in St. Louis County, and thence directly west along the northern boundary line of township line 59 to the northwest corner of Marcell township in Itasca County; thence directly south along the western boundary line of range 27 to the southwest corner of township 52, range 27 in Aitkin County; thence east along the southern boundary line of township 52 to the southeast corner of Ness Township in St. Louis County; thence north along the eastern boundary line of range line 19 to the northeast corner of Great Scott Township in St. Louis County including Buhl Village, Chisholm City, Fraser City, Hibbing Village, Kinney Village, Meadowlands Village, Orr Village, Hill City, Grand Rapids Village, La Prairie Village, Calumet Village, Marble Village, Taconite Village, Keewatin Village, Nashwauk Village, Warba Village, Zemple Village, Cooley Village, Coleraine Village, Cohasset Village, Bovey Village and Big Fork Village except lands in State and National Forests, all in Aitkin, Itasca and St. Louis Counties, Minnesota), July 26, 1952.

188. Virginia, Minnesota, Area. (The Townships of Biwabik, Owens, T-62-R-17, T-62-R-16, Breitung, Angora, T-61-R-17, Vermillion Lake, Kugler, T-61-R-14, T-60-R-18, Sandy, Pike, Embarrass, Wassa, T-59-R-18 (PT), Wouri, T-59-R-16 (PT), White Mesaba, T-58½-R-17, Missabe Mountain, T-58-R-14, Clinton, Fayal, T-57-R-16, T-57-R-14, McDavitt, T-56-R-17, T-56-R-16, Colvin, T-56-R-14, T-55-R-18, Ellsburg, T-55-R-15, T-55-R-14, Kelsey, Cotton, T-54-R-15, T-54-R-14, Payne, Northland, T-53-R-16, T-53-R-15, Nichols, including Aurora Village, Biwabik City, Iron Junction Village, Eveleth City, Franklin Village, Gilbert City, McKinley Village, Leonidas Village, Virginia City, and Mountain Iron Village, except lands in State and National Forests; all in St. Louis County, Minnesota), July 26, 1952.

189. Las Vegas, Nevada, Area. (The Townships of Las Vegas, Henderson and Nelson, including the City of Las Vegas, the City of Henderson and Boulder City, all in Clark County, Nevada), July 26, 1952.

(Sec. 704, 64 Stat. 816, as amended, Pub. Law 139, 82d Cong.; 50 U. S. C. App. Sup. 2154)

RAYMOND M. FOLEY,
Housing and Home Finance Administrator.

[F. R. Doc. 52-8252; Filed, July 25, 1952 8:59 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 8—POSTAGE STAMPS AND OTHER STAMPED PAPER AND SECURITIES

SPECIAL-REQUEST ENVELOPES

In § 8.13 *Special-request envelopes*, amend paragraph (b) (1) to read as follows:

(1) *Requirement.* Postmasters at delivery offices shall require the purchaser to pay the entire cost of the envelopes in advance and the envelopes will be delivered to the patron by parcel-post truck promptly upon arrival. At non-delivery offices the payment of the entire amount in advance is optional with the patron. However, the requirement of a minimum deposit sufficient to cover the cost exclusive of the postage value must be paid in advance by the purchaser.

(R. S. 161, 396, 3915; sec. 1, 18 Stat. 231, sec. 1, 27 Stat. 783, 34 Stat. 476, secs. 304, 309, 42 Stat. 24, 25; 5 U. S. C. 22, 369, 39 U. S. C. 354)

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

[F. R. Doc. 52-8175; Filed, July 25, 1952; 8:45 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 1—PRACTICE AND PROCEDURE

APPLICATION FOR AUTHORITY TO OPERATE STATION IN RADIO AMATEUR CIVIL EMERGENCY SERVICE; CERTIFICATION OF CIVIL DEFENSE RADIO OFFICER

In the matter of adoption of FCC Forms 481-1-2-3 and 482,[1] and amendment of Part 1 of the Commission's rules.

At a session of the Federal Communications Commission held at its offices in Washington 25, D.C., on the 10th day of July 1952;

The Commission having under consideration the adoption of FCC Forms 481-1-2-3, Application, Authorization, and Record Card, respectively, for Radio Amateur Civil Emergency Service; Form 482, Certification of Civil Defense Radio Officer; and appropriate amendments to Part 1 of the Commission's rules; and

It appearing, that the Forms and associated rule amendments herein proposed are in accordance with the recently adopted Subpart B of Part 12 of the Commission's rules and, as such, involve no substantive change requiring general notice of proposed rule making under section 4 (a) of the Administrative Procedure Act; and

It further appearing, that authority for adoption of the subject forms and rules amendments is contained in sections 4 (i), 303 (r), and 308 (b) of the Communications Act of 1934, as amended;

It is ordered, That FCC Form 481-1-2-3, Application, Authorization, and Record Card, respectively, for use by licensed amateurs requesting authority to operate in the Radio Amateur Civil Emergency Service, and FCC Form 482, Certification of Civil Defense Radio Officer, be adopted as set forth in the attachments hereto; and

It is further ordered, That Part 1 of the Commission's rules be amended in accordance with the amendments set forth below; and

It is further ordered, That this order shall become effective August 15, 1952.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies secs. 303, 308, 48 Stat. 1082, 1085; 47 U. S. C. 303, 308)

Released: July 16, 1952.

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

1. Recapitulation page: The "Table showing forms in effect and where they are referred to in Part 1 of the rules and regulations" is amended as follows:

Insert in the appropriate place in the table the following new forms:

481 ---------- 1.318 (b)
482 ---------- 1.335

2. Under "Rules Relating to Filing of Applications and Descriptions of Application Forms":

a. Add new subparagraph to 1.318 (b) as follows:

§ 1.318 *Application for station license where no construction permit is required.* * * *

(b) * * *

(13) FCC Form 481, "Application for Authority to Operate a Station in the Radio Amateur Civil Emergency Service."

b. Add the following new section:

§ 1.335 *FCC Form 482, "Certification of Civil Defense Radio Officer."* To be used by the local Civil Defense Official when certifying as to the loyalty, integrity, and the technical and administrative qualifications of the Radio Officer.

[F. R. Doc. 52-8215; Filed, July 25, 1952; 8:57 a. m.]

[Docket No. 10203]

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

REVISED TENTATIVE ALLOCATION PLAN FOR CLASS B FM BROADCAST STATIONS

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 16th day of July 1952;

The Commission having under consideration a proposal to amend its Revised Tentative Allocation Plan for Class B FM Broadcast Stations; and

It appearing, that notice of proposed rule-making (FCC 52-502) setting forth the above amendment was issued by the Commission on May 22, 1952, and was duly published in the FEDERAL REGISTER (17 F. R. 5044), which notice provided that interested parties might file statements or briefs with respect to the said amendment on or before July 1, 1952; and

It further appearing, that no comments were received either favoring or opposing the adoption of the proposed reallocation;

It further appearing, that the immediate adoption of the proposed reallocations would facilitate consideration of pending applications requesting Class B assignments in Berlin, New Hampshire, and Jasper, Alabama;

It is ordered, That effective August 25, 1952, the Revised Tentative Allocation Plan for Class B FM Broadcast Stations is amended as follows:

General area	Channels	
	Delete	Add
1. Berlin, N. H.		279
2. Jasper, Ala.		273
Birmingham, Ala.	273	

Released: July 17, 1952.

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

[F. R. Doc. 52-8178; Filed, July 25, 1952; 8:46 a. m.]

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

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS

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

The Commission has before it for consideration the following pleadings: Petition for reconsideration filed June 19, 1952 by Chesapeake Television Broadcasting, Inc.; petition for reconsideration or rehearing, filed June 20, 1952, by Lebanon Broadcasting Company; answer to petition for reconsideration filed June 27, 1952, by Lebanon Broadcasting Company;[1] and a response filed July 17, 1952, by Eastern Radio Corporation (WHUM), applicant for Channel 61 in Reading, Pennsylvania; Hawley Broadcasting Company, applicant for Channel 61 in Reading, Pennsylvania; WHP, Inc.,

[1] Filed as part of the original document.

[1] On July 8, 1952, Eastern Radio Corporation filed a memorandum in this matter. This memorandum was, however, withdrawn on July 17, 1952.

applicant for Channel 33 in Harrisburg, Pennsylvania; Baltimore Radio Show, Inc., applicant for Channel 30 in Baltimore, Maryland; and WITH-TV, Inc., which states that it intends to file an application for Channel 18 in Baltimore, Maryland; and a pleading entitled partial withdrawal of petition of reconsideration filed by Chesapeake Television Broadcasting, Inc., on July 17, 1952.

In the third notice of further proposed rule making (FCC 49-948) issued on March 22, 1951, in these proceedings the Commission proposed assignments, among others, of Channels 15 and 30 to Lebanon, Pennsylvania, and Baltimore, Maryland, respectively, and Channels 18 and 33 to Baltimore, Maryland, and Harrisburg, Pennsylvania, respectively. In the sixth report and order in these proceedings the Commission finalized the assignments of these channels. In the third notice of further proposed rule making the Commission proposed minimum transmitter separations of 75 miles for UHF channels separated in frequency by 15 channels as are Channels 15 and 30 and Channels 18 and 33 in order to avoid picture image interference and in the sixth report and order this distance was finalized for assignment separations and station separations on such channels.

Chesapeake Television Broadcasting, Inc., in its petition for reconsideration requested that the Commission reconsider its sixth report and order and enter an order modifying the table of assignments contained in § 3.606 of the rules to delete Channel 33 from Harrisburg, Pennsylvania, and substitute Channel 55 therefor, delete Channel 55 from Reading, Pennsylvania, and substitute Channel 33 therefor, and substitute Channel 60 for Channel 30 in Baltimore, Maryland, or add Channel 60 thereto. In support of its request, the petition stated that Baltimore and Harrisburg assigned Channels 18 and 33, respectively, are separated by a distance of only 68 miles and that Baltimore and Lebanon, assigned Channels 30 and 15, respectively, are separated by a distance of only 72 miles, whereas under § 3.610 (c) of the rules, separations of 75 miles are necessary to avoid picture image interference. In its pleading filed July 17, 1952, Chesapeake Television Broadcasting, Inc., withdrew its request that Channel 30 be deleted from Baltimore and 60 substituted in its place.

Lebanon Broadcasting Company in its petition for reconsideration or rehearing requests that the Commission reconsider its sixth report and order in the proceedings and modify § 3.611 (b) of its rules (reference points and distance computations) by adding the following subparagraph:

(5) Where the allocation tables provide a separation less than otherwise required by the rules, the difference between the resulting separation and the required separation may be divided by the applicants in each city so as to assure the required separation.

or reopen the record for further hearing with respect to the assignment of Channels 15 and 30 to Lebanon, Pennsylvania, and Baltimore, Maryland, respectively. In support of its request, petitioner points out that there is insufficient spacing between the assignment of Channels 15 and 30 at Lebanon and Baltimore to meet the standards adopted in the proceeding. In its answer to petition for reconsideration filed by Chesapeake Television Broadcasting, Inc., Lebanon Broadcasting Company requests that the Commission take no action leading to the removal of Channel 15 from Lebanon, or in any way further restricting the use of such channel, other than presently contemplated by the rules or as proposed in its petition for reconsideration or rehearing and, if action is taken to the contrary, that an opportunity be afforded to be heard.

The assignment of Channels 18 and 33 to Baltimore and Harrisburg, respectively, with a separation of 68 miles and the assignment of Channels 30 and 15 to Baltimore and Lebanon, respectively, with a separation of 72 miles do not meet the prescribed standards for an assignment separation of 75 miles for UHF channels 15 channels apart adopted in the sixth report in this proceeding. Such assignments, therefore, appear in the table of assignments by error and must be corrected. We have examined the proposals for making such corrections contained in the petition for reconsideration filed by Chesapeake Television Broadcasting, Inc., and believe that the proposal contained therein to correct the errors by substituting Channel 60 for Channel 30 in Baltimore,[2] and by substituting Channel 55 for Channel 33 in Harrisburg and Channel 33 for Channel 55 in Reading will achieve these objectives in the best possible manner. In view of the fact that these proposals were contained in the petition for reconsideration properly filed in this proceeding and in view of the further fact that interested parties have had a full opportunity to submit any comments or counterproposals with respect to such proposals as they may have wished, we believe that it would be unnecessary at this time to go through the notice procedures set forth in section 4 of the Administrative Procedure Act. We shall, therefore, adopt without further proceedings the following changes in the table of assignments adopted in the sixth report and order:

City	Channel No.	
	Delete	Add
Baltimore, Md.	30	60
Harrisburg, Pa.	33	55
Reading, Pa.	55	33

The assignment of channels in the manner requested would be in accordance with the standards adopted in this proceeding.

In view of our disposition of the matters presented we deem it unnecessary to give further consideration to the requests made by Lebanon in its pleadings as the matters raised therein are rendered moot by the assignment changes adopted herein.

Chesapeake Television Broadcasting, Inc., in its petition for reconsideration has also suggested the assignment of an additional channel to Batlimore. We believe, however, it is inappropriate in connection with petitions for reconsideration to consider requests for the assignment of additional channels to a community where such proposals have not heretofore been properly made in these proceedings.

Eastern Radio Corporation together with the other parties to the "Response" filed July 17, 1952 urged the Commission to make the assignment changes in Reading and Harrisburg effective immediately. They argue that good cause exists for making such changes effective immediately for the following reasons:

(a) The proposal does not add to or subtract from the number of channels in any community.

(b) Channel assignments are not changed in any community except Reading and Harrisburg. In these two communities, one UHF channel is substituted for another.

(c) By making the change effective immediately, the Commission can act expeditiously on applications on file from communities which are at the top of the processing line and thus make possible UHF television service at an early date to areas which have no television service. Such action will be of advantage not only to viewers in the area served by such stations but will also strengthen the cause of UHF television throughout the country.

(d) No person can be prejudiced by action of the Commission making the changes effective immediately. Persons desiring to file applications in the communities in question have been on notice since April 14, 1952—the date of the sixth report—concerning the number of channels available in the various communities. No change in this respect is made by the Chesapeake proposal. The substitution of one UHF channel for another in Reading and Harrisburg is of no significance to potential applicants since the Commission has held in its sixth report that "The record contains no basis for distinguishing between channels in the UHF band for the purpose of establishing a table of assignments."

[2] We are aware that Chesapeake Television Broadcasting, Inc., has filed a pleading entitled partial withdrawal of petition for reconsideration relating to the separation between Baltimore and Lebanon. This withdrawal was apparently based on the belief of petitioner that because applicants for Channels 15 and 30 in Lebanon and Baltimore have secured antenna sites which would be more than 75 miles from one another, that the defect in the table of assignments had been cured and grants could be made to both cities consistent with the standards prescribed in the sixth report. This is not the case. The sixth report makes it completely clear that in order for an assignment to appear in the table a minimum separation must be met on a city-to-city basis as well as on a transmitter-site basis. And the fact that proposed transmitter sites were available which would be separated by more than the minimum distance from cities in which other assignments were being made was expressly rejected in the sixth report as a basis for making assignments in the table of assignments.

Section 4 (c) of the Administrative Procedure Act provides that rule changes shall be effective not earlier than 30 days after publication in the FEDERAL REGISTER "* * * except as otherwise provided by the agency upon good cause found * * *." We cannot find in the circumstances here presented such "good cause." If, as alleged by these parties, no person could be prejudiced by making the changes effective immediately, the request that the Commission do so might be meritorious. This is, however, not the case. It is not sufficient to say that all parties had notice in the sixth report of the total number of channels available to each community and this will remain the same. For they also had notice of the specific channel assigned, and this fact is of critical import to prospective applicants in determining upon transmitter sites. Sites which might work for one channel might not for another. This fact may have prevented some persons from filing for the particular channel; others planning to file on a channel now in the table and in process of completing their engineering work for the application might find the proposed channel shift makes all such plans impossible.

Just what these complications may be cannot be foretold in advance, especially since the changes affect prospective applicants as well as those who have already filed. The only way in which it can be insured that all persons are treated fairly by the change is to give an adequate period of time between the date upon which the Commission publicly takes action to change the table and the date on which the change becomes effective, to permit interested persons to adjust themselves accordingly. For these reasons, we do not believe that making channels available for use in the communities involved 30 days earlier than they would normally be available outweighs benefits to be derived from compliance with normal procedure.

In view of the foregoing, the above named petitions are hereby granted insofar as they request reconsideration of channel assignments and in all other respects are denied. *It is ordered*, That effective 30 days after publication in the FEDERAL REGISTER, the table of assignments contained in § 3.606 of the Commission's rules and regulations is amended to read as follows:

	Channel No.
Maryland:	
Baltimore	2+, 11−, 13+, 18, *24+, 60−
Pennsylvania:	
Harrisburg	27−, 55+, 71+
Reading	33+, 61−

Adopted: July 23, 1952.

Released: July 24, 1952.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

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

[F. R. Doc. 52-8263; Filed, July 25, 1952; 8:59 a. m.]

No. 146——4

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

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS

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

On June 23, 1952, Polan Industries filed a petition with the Commission requesting that the Commission reconsider its sixth report and order in the above entitled proceedings and assign an additional UHF channel, Channel 21, to Youngstown, Ohio, by substituting Channel 67 for Channel 21 at Warren, Ohio, or in the alternative that Channel 82 be assigned as an additional channel to Youngstown without making changes in the channel assignments to any other city. The petition also requested in the event the above not be granted that Channel 21 or Channel 82 be assigned to Youngstown in the manner described above in substitution for Channel 33 which is now assigned there. On July 15, 1952, Polan Industries withdrew this petition.

In the third notice of further proposed rule making (FCC 49-948), issued on March 22, 1951 in these proceedings, the Commission proposed the assignment of two channels, UHF Channels 27 and 33 to Youngstown, Ohio, and the assignment of UHF Channels 19, 21 and 47 to Cleveland, Ohio, Warren, Ohio, and Pittsburgh, Pennsylvania, respectively. In the sixth report and order the Commission finalized the assignment of these channels and assigned one additional UHF channel, Channel 73 to Youngstown.

The assignment of Channels 33 and 47 to Youngstown and Pittsburgh, respectively, is not in accordance with the Commission's mileage separation requirements adopted in these proceedings in that Youngstown and Pittsburgh are separated only 57 miles whereas § 3.610 of the Commission rules requires an assignment spacing of 60 miles between Channels 33 and 47 to avoid sound image interference. These assignments, therefore, appear in the table of assignments by error and must be corrected.

We are aware that Polan has filed a letter requesting the withdrawal of its petition for reconsideration. This withdrawal is apparently based on the belief that because petitioner has secured a transmitter site which would be more than 60 miles from Pittsburgh that the defect in the table of assignments referred to above has been cured and grants may be made in both Youngstown and Pittsburgh consistent with the standards prescribed in the sixth report. This is not the case. The sixth report makes it completely clear that an order for an assignment to appear in the Table a minimum separation must be met on a city-to-city basis as well as on a transmitter site basis. And the fact that proposed transmitter sites were available which would be separated by more than the minimum distance from cities in which other assignments were being made was expressly rejected in the sixth report as a basis for making assignments in the table of assignments.

We have examined the proposals for making the necessary corrections which were contained in the original petition for reconsideration filed by Polan and we believe that the alternative proposal contained therein which would eliminate the substandard separation by assigning Channel 21 to Youngstown in place of Channel 33 and by substituting Channel 67 for Channel 21 in Warren, Ohio, will best achieve these objectives in the best possible manner. These assignment changes are to be preferred to the assignment of Channel 82 in Youngstown in lieu of Channel 33 in view of the fact that the assignment changes we are making herein create a more efficient use of available channels in the Ohio area. This is so because in view of the assignments that have already been made in the UHF there is only a limited area in Ohio in which Channel 67 may be used. For example, Channel 67 cannot be used under our rules and standards in Youngstown. On the other hand, Channel 82 may be used throughout a much wider area in Ohio and in view of this fact we think it is clear that the Commission should maintain Channel 82 not assigned at this time so as to be in a position to take advantage of the greater flexibility in assignment which is permitted in connection with that channel.[1]

In view of the fact that the changes being adopted herein were contained in a petition for reconsideration properly filed in this proceeding and in view of the further fact that interested parties have had a full opportunity to submit any comments or counterproposals with respect to such proposals as they may and wished to make, we believe that it would be unnecessary at this time to go through the notice procedures set forth in section 4 of the Administrative Procedure Act. We shall, therefore, adopt without further proceedings the follow-

[1] On July 18, 1952 after the expiration of the 10 day period specified in § 1.730 of the Commission's rules for filing any opposition to a petition for reconsideration an opposition to this request was filed by the Warren Tribune Radio Station, Inc., an applicant for a television station on Channel 21 at Warren, Ohio. The basis for this opposition appears to be that making the changes adopted herein will require the Warren Tribune Radio Station, Inc., to amend its present application to specify Channel 67 in place of Channel 21. We have considered this opposition on its merits in spite of its late filing but in view of the fact that Channel 67 will work in Warren equally as well as Channel 21 and that the transmitter site specified in the Warren Tribune application will work equally as well on Channel 67 as on Channel 21, we believe that the opposition filed by Warren does not state any valid grounds of objection to the changes herein being made.

ing changes in the Table of Assignments adopted in the sixth report and order:

City	Channel No.	
	Delete	Add
Youngstown, Ohio	33	21
Warren, Ohio	21	67

The assignment of the channels in the manner prescribed will be in accordance with the standards adopted in this proceeding.

In view of the foregoing, *It is ordered*, That effective 30 days after publication in the FEDERAL REGISTER, the Table of Assignments contained in § 3.606 of the Commission's rules and regulations is amended to read as follows:

Ohio:	Channel No.
Warren	67+
Youngstown	21—, 27, 73—

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 307, 48 Stat. 1081, 1082, as amended, 1084; 47 U. S. C. 301, 303, 307)

Adopted: July 23, 1952.

Released: July 24, 1952.

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

[F. R. Doc. 52-8284; Filed, July 25, 1952; 8:59 a. m.]

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

PART 3—RADIO BROADCAST SERVICES

TABLE OF ASSIGNMENTS

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

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952;

It appearing, that the Commission on April 14, 1952, issued its Sixth Report and Order in the above entitled proceedings which, among other things, adopted and revised the Table of Assignments of television channels in § 3.606 of its rules and regulations and provided by footnote 1 of this section for offset carrier identifications then in the course of preparation to be included in such Table of Assignments as soon as practicable to do so; and

It further appearing, that the Commission has now completed such preparation of and is in a position to announce the offset carrier identifications; and

It further appearing, that television broadcast stations now licensed should be afforded sufficient time in which to adjust carrier frequencies to conform with the offset carrier identifications adopted herein; and

It further appearing, that authority for the amendments adopted herein is contained in sections 4 (i), 301 and 303 of the Communications Act of 1934, as amended;

It is ordered, That § 3.606 of Part 3 of the Commission's Rules and Regulations is amended, without change in the channel assignment numbers listed therein, by the deletion of the present wording of footnote 1 and the substitution of the following:

[1] Television broadcast stations authorized as of July 10, 1952, are permitted to operate with carrier frequencies not offset in the manner required by this section until April 1, 1953. Offset carrier frequencies of such television stations operating on channels so affected will be listed in all construction permits, licenses, or renewal of licenses, upon issuance thereof. Permitees and licensees who wish to so operate prior to the time offset carrier frequencies are specified in their authorizations may request authority for such operation by filing informal requests therefor.

and by the addition of the offset carrier identifications for channel assignment numbers as set forth below.

It is further ordered, That to facilitate the processing of applications for authority to construct new television stations this order shall be effective immediately.

(Sec. 4, 48 Stat. 1066, as amended; 47 U. S. C. 154. Interprets or applies secs. 301, 303, 48 Stat. 1081, 1082; 47 U. S. C. 301, 303)

Released: July 11, 1952.

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

(b) *Table of assignments.*

	Channel No.
ALABAMA	
Andalusia	29
Anniston	37—
Auburn	*56
Bessemer	54
Birmingham	6—, *10—, 13—, 42+, 48
Brewton	23+
Clanton	14
Cullman	60+
Decatur	23—
Demopolis	18
Dothan	9+, 19—
Enterprise	40+
Eufaula	44
Florence	41
Fort Payne	19
Gadsden	15+, 21+
Greenville	49—
Guntersville	40—
Huntsville	31+
Jasper	17
Mobile	5+, 8, *42, 48+
Montgomery	12, 20, *26+, 32
Opelika	22—
Selma	58+
Sheffield	47—
Sylacauga	24—
Talladega	64
Thomasville	27—
Troy	38—
Tuscaloosa	45, 51—
Tuskegee	16—
University	*7
ARIZONA	
Ajo	14—
Bisbee	15
Casa Grande	18—
Clifton	25—
Coolidge	30+
Douglas	3—
ARIZONA—Con.	
Eloy	24
Flagstaff	9, 13
Globe	34+
Holbrook	14
Kingman	6—
Mesa	12—
Miami	28+
Morenci	31
Nogales	17—
Phoenix	3+, 5—, *8+, 10—
Prescott	15
Safford	21
Tucson	4—, *6+, 9—, 13—
Williams	25
Winslow	16—
Yuma	11—, 13+
ARKANSAS	
Arkadelphia	34+
Batesville	30—
Benton	40
Blytheville	64+, 74
Camden	50
Conway	49+
El Dorado	10—, 26—
Fayetteville	*13—, 41—
Forrest City	22+
Fort Smith	5—, *16, 22
Harrison	24
Helena	54—
Hope	15—
Hot Springs	9+, 52+
Jonesboro	8, 39+
Little Rock	*2—, 4, 11+, 17—, 23+
Magnolia	23+
Malvern	46
Morrilton	43—
Newport	28
Paragould	44
Pine Bluff	7—, 36
Russellville	19
Searcy	33
Springdale	35—
Stuttgart	14+
CALIFORNIA	
Alturas	9
Bakersfield	10—, 29
Brawley	25+
Chico	12—
Corona	52
Delano	33+
El Centro	16
Eureka	3—, 13—
Fresno	12+, *18—, 24, 47, 53
Hanford	21
Los Angeles	2, 4, 5, 7, 9, 11, 13, 22, *28, 34
Madera	30+
Merced	34—
Modesto	14+
Monterey (see Salinas).	
Napa	62
Oakland (see San Francisco).	
Oxnard	32
Petaluma	56
Port Chicago	15
Red Bluff	16—
Redding	7
Riverside	40, 46
Sacramento	3, *6, 10, 40—, 46+
Salinas-Monterey	8+, 28—
San Bernardino	18, *21—, 30
San Buenaventura	38—
San Diego	8, 10, *15+, 21—, 27, 33, 39
San Francisco-Oakland	2+, 4—, 5+ 7—, *9+, 20—, 26—, 32+, 38, 44—
San Jose	11+, 48, *54, 60
San Luis Obispo	6+
Santa Barbara	3—, 20, 26
Santa Cruz	16
Santa Maria	44
Santa Paula	16+
Santa Rosa	50
Stockton	13+, 36, *42
Tulare	27+
Ukiah	18
Visalia	43, 49
Watsonville	22—
Yreka City	11
Yuba City	52—

Colorado	Channel No.
Alamosa	19+
Boulder	*12, 22+
Canon City	36
Colorado Springs	11, 13, *17+, 23+
Craig	19
Delta	24—
Denver	2, 4—, *6—, 7, 9—, 20, 26+
Durango	6+, 15
Fort Collins	44+
Fort Morgan	15+
Grand Junction	5—, 21+
Greeley	50
La Junta	24
Lamar	18—
Leadville	14+
Longmont	32
Loveland	38
Montrose	10+, 18
Pueblo	3—, 5, *8, 28—, 34—
Salida	25
Sterling	25—
Trinidad	21—
Walsenburg	30—

Connecticut	
Bridgeport	43—, 49—, *71
Hartford	3+, 18—, *24
Meriden	65—
New Britain	30+
New Haven	8+, 59+
New London	26+, 81
Norwalk (see Stamford)	
Norwich	57+, *63—
Stamford-Norwalk	27
Waterbury	53

Delaware	
Dover	40
Wilmington	12, 53—, *59—

District of Columbia	
Washington	4+, 5, 7+, 9—, 20+, *26—

Florida	
Belle Glade	25—
Bradenton	28—
Clearwater	32+
Daytona Beach	2—
De Land	44+
Fort Lauderdale	17—, 23—
Fort Myers	11+
Fort Pierce	19
Gainesville	*5+, 20+
Jacksonville	4+, *7, 12—, 30+, 36—
Key West	14+, 20
Lake City	33+
Lakeland	16+, 22+
Lake Wales	14
Leesburg	26—
Marianna	17+
Miami	*2, 4, 7—, 10+, 27+, 33
Ocala	15+
Orlando	6—, 9, 18, *24
Palatka	17
Panama City	7+, *30, 36+
Pensacola	3+, 15—, *21, 46
Quincy	54+
St. Augustine	25+
St. Petersburg (see Tampa)	
Sanford	35+
Sarasota	34+
Tallahassee	*11—, 24+, 51
Tampa-St. Petersburg	*3, 8—, 13—, 38
West Palm Beach	5, 12, *15, 21+

Georgia	
Albany	10, 25
Americus	31
Athens	*8, 60—
Atlanta	2, 5—, 11+, *30, 36
Augusta	6+, 12+
Bainbridge	35—
Brunswick	28+, 34—
Cairo	45+
Carrollton	33
Cartersville	63—
Cedartown	53—
Columbus	4, 28, *34
Cordele	43

Georgia—Con.	Channel No.
Dalton	25+
Douglas	32—
Dublin	15
Elberton	16+
Fitzgerald	23
Fort Valley	18+
Gainesville	52
Griffin	39+
La Grange	50
Macon	13+, *41+, 47+
Marietta	57+
Milledgeville	51+
Moultrie	48—
Newnan	61+
Rome	9, 59
Savannah	3—, *9—, 11
Statesboro	22
Swainsboro	20—
Thomasville	6, 27
Tifton	14—
Toccoa	35
Valdosta	37+
Vidalia	26
Waycross	16

Idaho	
Blackfoot	33
Boise	*4+, 7, 9—
Burley	15—
Caldwell	2
Coeur d'Alene	12—
Emmett	26—
Gooding	23
Idaho Falls	3, 8+
Jerome	17
Kellogg	33—
Lewiston	3—
Moscow	*15
Nampa	6, 12+
Payette	14+
Pocatello	6—, 10
Preston	41
Rexburg	27+
Rupert	21
Sandpoint	9+
Twin Falls	11, 13—
Wallace	27—
Weiser	20—

Illinois	
Alton	48
Aurora	16
Belleville	54+
Bloomington	15—
Cairo	24—
Carbondale	34, *61—
Centralia	32+, 59+
Champaign-Urbana	3+, *12—, 21, 27, 33
Chicago	2—, 5, 7, 9+, *11, 20, 26, 32, 38, 44
Danville	24
Decatur	17, 23+
De Kalb	*67
Dixon	47+
Elgin	28+
Freeport	23
Galesburg	40—
Harrisburg	22
Jacksonville	29
Joliet	48+
Kankakee	14
Kewanee	60—
La Salle	35
Lincoln	53+
Macomb	61+
Marion	40
Mattoon	46—
Moline (see Davenport, Iowa)	
Mt. Vernon	38—
Olney	16—
Pekin	49+
Peoria	8, 19, *37—, 43+
Quincy	10—, 21+
Rockford	13+, 39+, *45+
Rock Island (see Davenport, Iowa)	
Springfield	2+, 20+, *26—
Streator	65—
Urbana (see Champaign)	
Vandalia	28—
Waukegan	22+

Indiana	Channel No.
Anderson	61
Angola	15+
Bedford	39
Bloomington	4, *30—, 36
Columbus	42—
Connersville	38+
Elkhart	52
Evansville	7, 50—, *56, 62
Fort Wayne	21+, *27+, 33—
Gary	50, *66
Hammond	56—
Indianapolis	6, 8—, 13—, *20—, 26+, 67—
Jasper	19+
Kokomo	31
Lafayette	*47, 59
Lebanon	18
Logansport	51
Madison	25—
Marion	29+
Michigan City	62+
Muncie	49, 55+, *71
Richmond	32—
Shelbyville	58+
South Bend	34—, *40+, 46
Tell City	31—
Terre Haute	10, *57+, 63—
Vincennes	44+
Washington	60+

Iowa	
Algona	37+
Ames	5, 25—
Atlantic	45—
Boone	19—
Burlington	32—, 38+
Carroll	39
Cedar Rapids	2, 9—, 20—, *26+
Centerville	31—
Charles City	18—
Cherokee	14
Clinton	64
Creston	43
Davenport-Rock Island-Moline, Illinois	4+, 6+, *30+, 36+, 42—
Decorah	44+
Des Moines	8—, *11+, 13—, 17+, 23—
Dubuque	56+ 62—
Estherville	24+
Fairfield	54
Fort Dodge	21
Fort Madison	50+
Grinnell	46+
Iowa City	*12+, 24—
Keokuk	44—
Knoxville	33—
Marshalltown	49
Mason City	3+, 35—
Muscatine	58
Newton	29—
Oelwein	28
Oskaloosa	52+
Ottumwa	15+
Red Oak	32+
Shenandoah	20+
Sioux City	4—, 9, *30, 36—
Spencer	42+
Storm Lake	34+
Waterloo	7+, 16—, *22—
Webster City	27

Kansas	
Abilene	31+
Arkansas City	49
Atchison	60+
Chanute	50—
Coffeyville	33—
Colby	22—
Concordia	47—
Dodge City	6+, 23
El Dorado	55+
Emporia	39—
Fort Scott	27
Garden City	9, 11+
Goodland	21
Great Bend	2, 13
Hays	7—, 10—
Hutchinson	12, 8
Independence	20
Iola	44+

KANSAS—Con.	Channel No.
Junction City	29+
Larned	15−
Lawrence	*11, 17−
Leavenworth	54−
Liberal	14
McPherson	26−
Manhattan	*8, 23+
Newton	14+
Olathe	52−
Ottawa	21−
Parsons	46−
Pittsburg	7+, 38−
Pratt	36+
Salina	34
Topeka	13+, 42, *48+
Wellington	24−
Wichita	3−, 10−, 16−, *22+
Winfield	43+
KENTUCKY	
Ashland	59−
Bowling Green	3, 17+
Campbellsville	40+
Corbin	16
Danville	35+
Elizabethtown	23
Frankfort	43−
Glasgow	28+
Harlan	36−
Hazard	19−
Hopkinsville	20
Lexington	27−, 33+
Louisville	3−, 11+, *15, 21−, 41−, 51−
Madisonville	26
Mayfield	49−
Maysville	24+
Middlesborough	57, 63+
Murray	33−
Owensboro	14−
Paducah	6+, 43
Pikeville	14−
Princeton	45−
Richmond	60
Somerset	22−
Winchester	37+
LOUISIANA	
Abbeville	42−
Alexandria	5, 62+
Bastrop	53+
Baton Rouge	10, 23, *34, 40−
Bogalusa	39
Crowley	21+
De Ridder	14
Eunice	64−
Franklin	46+
Hammond	51+
Houma	30+
Jackson	18−
Jennings	43
Lafayette	38−, 67−
Lake Charles	7−, *19, 25
Minden	30
Monroe	8+, 43+
Morgan City	36+
Natchitoches	17+
New Iberia	15+
New Orleans	*2, 4+, 6+, 20−, 26, 32+, 61
Oakdale	54+
Opelousas	58
Ruston	20
Shreveport	3−, 12
Thibodaux	24
Winnfield	22−
MAINE	
Auburn	23+
Augusta	10−, 29+
Bangor	2−, 5−, *16−
Bar Harbor	22−
Bath	65
Belfast	41−
Biddeford	59
Calais	7, 20−
Dover-Foxcroft	18+
Fort Kent	17+
Houlton	24
Lewiston	8−, 17
Millinocket	14+
Orono	*12−
Portland	6+, 13+, *47−, 53+

MAINE—Con.	Channel No.
Presque Isle	8, 19
Rockland	25−
Rumford	55−
Van Buren	15−
Waterville	35+
MARYLAND	
Annapolis	14−
Baltimore	2+, 11−, 13+, 18, *24+, 30−
Cambridge	22+
Cumberland	17+
Frederick	62+
Hagerstown	52
Salisbury	16+
MASSACHUSETTS	
Barnstable	52
Boston	*2+, 4−, 5, 7+, 44+, 50−, 56
Brockton	62
Fall River	40+, 46−
Greenfield	42+
Holyoke (see Springfield).	
Lawrence	38+
Lowell	32+
New Bedford	28−, 34+
North Adams	15
Northampton	36+
Pittsfield	64+
Springfield-Holyoke	55, 61
Worcester	14, 20
MICHIGAN	
Alma	41+
Alpena	9+, 30−
Ann Arbor	20+, *26−
Bad Axe	46−
Battle Creek	58−, 64−
Bay City	5−, 63−, *73+
Benton Harbor	42
Big Rapids	39
Cadillac	13−, 45
Calumet	13+
Cheboygan	4+, 36+
Coldwater	24−
Detroit	2+, 4, 7−, 50−, *56, 62
East Lansing	60+
East Tawas	25−
Escanaba	3+
Flint	12−, 16−, *22−, 28
Gladstone	40−
Grand Rapids	8+, *17+, 23−
Hancock	10−
Houghton	19
Iron Mountain	9, 27
Iron River	12−
Ironwood	31−
Jackson	48
Kalamazoo	3−, 36−
Lansing	6−, 54
Ludington	18+
Manistee	15−
Manistique	14+
Marquette	5+, 17
Midland	19+
Mount Pleasant	47−
Muskegon	29−, 35+
Petoskey	31
Pontiac	44+
Port Huron	34+
Rogers City	24
Saginaw	51−, 57−
Sault Ste. Marie	8, 10+, 28−, *34
Traverse City	7+, 20−, *26+
West Branch	21
MINNESOTA	
Albert Lea	57−
Alexandria	36
Austin	6−, 51+
Bemidji	24−
Brainerd	12
Cloquet	44
Crookston	21−
Detroit Lakes	18+
Duluth-Superior, Wis.	3, 6+, *8−, 32, 38
Ely	16
Fairmont	40+
Faribault	20
Fergus Falls	16−
Grand Rapids	20−
Hastings	29+
Hibbing	10+

MINNESOTA—Con.	Channel No.
International Falls	11
Little Falls	14+
Mankato	15−
Marshall	22+
Minneapolis-St. Paul	*2−, 4, 5−, 9+, 11−, 17, 23+
Montevideo	19
New Ulm	43−
Northfield	26
Owatonna	45
Red Wing	63
Rochester	10, 55−
St. Cloud	7, 33
St. Paul (see Minneapolis).	
Stillwater	39−
Thief River Falls	15
Virginia	25+
Wadena	27+
Willmar	31+
Winona	61
Worthington	32
MISSISSIPPI	
Biloxi	13, *44+, 50−
Brookhaven	37+
Canton	16
Clarksdale	6, 32
Columbia	35+
Columbus	28−
Corinth	29−
Greenville	21−, 27
Greenwood	24+
Grenada	15
Gulfport	56−
Hattiesburg	9−, 17−
Jackson	12+, *19+, 25−, 47
Kosciusko	52−
Laurel	33−
Louisville	46−
McComb	31−
Meridian	11, 30−, *36−
Natchez	29+
Pascagoula	22
Picayune	14−
Starkville	34−
State College	*2+
Tupelo	38
University	*20+
Vicksburg	41+
West Point	8, 56+
Yazoo City	49
MISSOURI	
Cape Girardeau	12, 18+
Carthage	56−
Caruthersville	27−
Chillicothe	14−
Clinton	49−
Columbia	8+, 16+, 22−
Farmington	52
Festus	14+
Fulton	24+
Hannibal	7−, 27+
Jefferson City	13, 33+
Joplin	12+, 30+
Kansas City	4, 5+, 9+, *19+, 25+, 65
Kennett	21
Kirksville	3−, 18
Lebanon	23
Marshall	40+
Maryville	26
Mexico	45
Moberly	35+
Monett	14
Nevada	18−
Poplar Bluff	15+
Rolla	31
St. Joseph	2−, 30−, *36
St. Louis	4−, 5−, *9, 11−, 30, 36−, 42+
Sedalia	6−, 28+
Sikeston	37
Springfield	3+, 10, *26+, 32
West Plains	20−
MONTANA	
Anaconda	2+
Billings	2, 8, *11
Bozeman	*9, 22−
Butte	4, 6+, *7−, 15+
Cut Bank	20+
Deer Lodge	25+

Montana—Con.	Channel No.
Dillon	20
Glasgow	16
Glendive	18−
Great Falls	3+, 5+, *23−
Hamilton	17+
Hardin	4+
Havre	9+, 11+
Helena	10+, 12
Kalispell	8−
Laurel	14+
Lewistown	13
Livingston	16−
Miles City	3−, *6, 10
Missoula	*11−, 13−, 21+
Polson	18
Red Lodge	18+
Shelby	14−
Sidney	14
Whitefish	16+
Wolf Point	20−

Nebraska	
Alliance	13−, 21
Beatrice	40
Broken Bow	14−
Columbus	49+
Fairbury	35
Falls City	38
Fremont	52
Grand Island	11−, 21+
Hastings	5−, 27−
Kearney	13, 19
Lexington	23−
Lincoln	10+, 12−, *18+, 24
McCook	8−, 17
Nebraska City	50
Norfolk	33+
North Platte	2−, 4+
Omaha	3, 6+, 7, *16, 22, 28−
Scottsbluff	10−, 16+
York	15

Nevada	
Boulder City	4+
Carlin	14
Carson City	37
Elko	10−
Ely	3−, 6+
Fallon	29−
Goldfield	5−
Hawthorne	31
Henderson	2−
Las Vegas	8−, *10+, 13−
Lovelock	18+
McGill	8+
Reno	4, 8, *21+, 27−
Tonopah	9−
Winnemucca	7+
Yerington	33

New Hampshire	
Berlin	26
Claremont	37
Concord	27+
Durham	*11
Hanover	*21+
Keene	45−
Laconia	43
Littleton	24−
Manchester	9−, 48+
Nashua	54
Portsmouth	19+
Rochester	51

New Jersey	
Andover	*69
Asbury Park	58
Atlantic City	46, 52+
Bridgeton	64−
Camden	*80
Freehold	*74
Hammonton	*70
Montclair	*77
Newark	13−
New Brunswick	*19−, 47+
Paterson	37+
Trenton	41+
Wildwood	48−

New Mexico	Channel No.
Alamogordo	17
Albuquerque	4+, *5+, 7+, 13+
Artesia	21+
Atrisco-Five Points	18+
Belen	24+
Carlsbad	6−, 23
Clayton	27−
Clovis	12+, 35
Deming	14+
Farmington	17−
Gallup	3, *8−, 10
Hobbs	46
Hot Springs	19
Las Cruces	22−
Las Vegas	14−
Lordsburg	23+
Los Alamos	20−
Lovington	27
Portales	22+
Raton	46−, *52
Roswell	*3+, 8, 10−
Santa Fe	2+, *9+, 11−
Silver City	*10+, 12
Socorro	15+
Tucumcari	25+

New York	
Albany-Schenectady-Troy	6, *17+, 23−, 41
Amsterdam	52−
Auburn	37−
Batavia	33−
Binghamton	12−, 40−, *46+
Buffalo (also see Buffalo-Niagara Falls)	17, *23
Buffalo-Niagara Falls	2, 4−, 7+, 59
Cortland	56+
Dunkirk	46
Elmira	18+, 24−
Glens Falls	39+
Gloversville	29−
Hornell	50
Ithaca	*14+, 20−
Jamestown	58+
Kingston	65−
Malone	20+, *66
Massena	14−
Middletown	60
New York	2−, 4, 5+, 7, 9+, 11+, *25, 31−
Niagara Falls (see Buffalo-Niagara Falls)	
Ogdensburg	24+
Olean	54+
Oneonta	62−
Oswego	31
Plattsburg	28+
Poughkeepsie	21−, *83
Rochester	5−, 10+, 15−, *21, 27+
Rome (see Utica)	
Saranac Lake	18
Schenectady (also see Albany)	35
Syracuse	3−, 8, *43+
Troy (see Albany)	
Utica-Rome	13, 19, *25+
Watertown	48

North Carolina	
Ahoskie	53
Albemarle	20
Asheville	13−, *56−, 62+
Burlington	63
Chapel Hill	*4
Charlotte	3, 9+, 36+, *42+
Durham	11+, *40−, 46+
Elizabeth City	31+
Fayetteville	18−
Gastonia	48
Goldsboro	34
Greensboro	2−, *51−, 57−
Greenville	9
Henderson	52−
Hendersonville	27
Hickory	30−
High Point	15+
Jacksonville	16
Kannapolis	59+
Kinston	45
Laurinburg	41−

North Carolina—Con.	Channel No.
Lumberton	21+
Mount Airy	55
New Bern	13−
Raleigh	5−, *22−, 28−
Roanoke Rapids	30+
Rocky Mount	50
Salisbury	53+
Sanford	38
Shelby	39
Southern Pines	49
Statesville	64−
Washington	7
Wilmington	6, 29−, *35+
Wilson	56
Winston-Salem	12, 26+, *32−

North Dakota	
Bismarck	5, 12−, 18, *24
Bottineau	16+
Carrington	26−
Devils Lake	8+, 14−
Dickinson	2+, 4, *17
Fargo	6, 13−, *34−, 40
Grafton	17
Grand Forks	*2, 10
Harvey	22+
Jamestown	7−, 42
Lisbon	23
Minot	*6+, 10−, 13+
New Rockford	20+
Rugby	38−
Valley City	4−, 32−
Wahpeton	45+
Williston	8−, 11−, *34+

Ohio	
Akron	49+, *55−, 61+
Ashtabula	15
Athens	62−
Bellefontaine	63
Cambridge	26
Canton	29
Chillicothe	56+
Cincinnati	5−, 9, 12, *48−, 54−, 74−
Cleveland	3, 5+, 8, 19, *25+, 65+
Columbus	4+, 6+, 10+, *34, 40−
Coshocton	20
Dayton	2, 7+, *16+, 22+
Defiance	43
Findlay	53
Gallipolis	18+
Hamilton-Middletown	65
Lancaster	28−
Lima	35−, 41
Lorain	31−
Mansfield	36+
Marion	17−
Massillon	23+
Middletown (see Hamilton).	
Mount Vernon	58
Newark	60−
Oxford	*14+
Piqua	44−
Portsmouth	30
Sandusky	42+
Springfield	46+, 52−
Steubenville (see Wheeling, W. Va.).	
Tiffin	—
Toledo	11−, 13, *30+
Warren	21−
Youngstown	27, 33, 73−
Zanesville	50+

Oklahoma	
Ada	50+
Altus	36
Alva	30
Anadarko	58−
Ardmore	55−
Bartlesville	62−
Blackwell	51−
Chickasha	64
Claremore	15
Clinton	32−
Duncan	39
Durant	27−
Elk City	12−, 15+
El Reno	56+
Enid	5, 21, *27+

Oklahoma—Con.	Channel No.
Frederick	44
Guthrie	48
Guymon	20+
Hobart	23+
Holdenville	14—
Hugo	21+
Lawton	7+, *28+, 34—
McAlester	47
Miami	58+
Muskogee	8—, *45+, 66+
Norman	31—, *37—
Oklahoma City	4—, 9—, *13, 19+, 25—
Okmulgee	26
Pauls Valley	61
Ponca City	40—
Pryor Creek	54
Sapulpa	42—
Seminole	59
Shawnee	53—
Stillwater	29—, *69
Tulsa	2+, 6, *11—, 17+, 23
Vinita	28—
Woodward	8+
Oregon	
Albany	55+
Ashland	14—
Astoria	30—
Baker	37+
Bend	15—
Burns	16
Corvallis	*7—, 49—
Eugene	*9+, 13, 20+, 26
Grants Pass	30
Klamath Falls	2—
La Grande	13+
Lebanon	43+
McMinnville	46—
Medford	4+, 5
North Bend	16+
Pendleton	28
Portland	6+, 8—, *10, 12, 21—, 27+
Roseburg	28+
Salem	3+, *18—, 24+
Springfield	37—
The Dalles	32
Pennsylvania	
Allentown	39, 45
Altoona	10—, 19+, 25—
Bethlehem	51—
Bradford	48+
Butler	43—
Chambersburg	46—
Du Bois	31+
Easton	57—
Emporium	42—
Erie	12, 35+, *41—, 66+
Harrisburg	27—, 33+, 71+
Hazleton	63
Johnstown	6, 56—
Lancaster	8—, 21+
Lebanon	15+
Lewistown	38
Lock Haven	32—
Meadville	37
New Castle	45—
Oil City	64
Philadelphia	3, 6—, 10, 17—, 23+, 29, *35—
Pittsburgh	2—, 11, *13—, 16, 47—, 53+
Reading	55+, 61—
Scranton	16—, 22—, 73
Sharon	39+
State College	*44
Sunbury	65
Uniontown	14
Washington	63+
Wilkes-Barre	28, 34
Williamsport	36—
York	43, 49
Rhode Island	
Providence	10+, 12+, 16, *22
South Carolina	
Aiken	54—
Anderson	58—
Camden	14
Charleston	2+, 5, *13
Clemson	*68
Columbia	10—, *19+, 25—, 67+

South Carolina—Con.	Channel No.
Conway	23—
Florence	8—
Georgetown	27—
Greenville	4—, 23+, *29
Greenwood	21—
Lake City	55+
Lancaster	31—
Laurens	45—
Marion	43—
Newberry	37
Orangeburg	44—
Rock Hill	61—
Spartanburg	7+, 17—
Sumter	47
Union	65—
South Dakota	
Aberdeen	9—, 17+
Belle Fourche	23+
Brookings	*8, 25
Hot Springs	17+
Huron	12+, 15+
Lead	5—, 26
Madison	46
Mitchell	5+, 20—
Mobridge	27—
Pierre	6—, 10+, *22+
Rapid City	7+, 15—
Sioux Falls	11, 13+, 38+, *44—
Sturgis	20
Vermillion	*2+, 41
Watertown	3—, 35+
Winner	18—
Yankton	17—
Tennessee	
Athens	14+
Bristol, Tenn.-Bristol, Va.	5+, 46—
Chattanooga	3+, 12—, 43+, 49+, *55—
Clarksville	53
Cleveland	38+
Columbia	39—
Cookeville	24
Covington	19—
Dyersburg	46+
Elizabethton	40
Fayetteville	27+
Gallatin	48+
Harriman	67
Humboldt	25
Jackson	9—, 16+
Johnson City	11—, 34+
Kingsport	28
Knoxville	6, 10+, *20+, 26—
Lawrenceburg	50+
Lebanon	58
McMinnville	46
Maryville	51
Memphis	3, 5+, *10+, 13+, 42—, 48—
Morristown	54+
Murfreesboro	18—
Nashville	*2—, 4+, 5, 8+, 30+, 36+
Oak Ridge	32+
Paris	51+
Pulaski	44—
Shelbyville	62—
Springfield	42
Tullahoma	65+
Union City	55
Texas	
Abilene	9+, 33—
Alice	34+
Alpine	12—
Amarillo	*2—, 4, 7, 10
Athens	25+
Austin	7+, 18—, 24, *30—
Ballinger	25
Bay City	33
Beaumont-Port Arthur	4—, 6, 31+, *37
Beeville	38—
Big Spring	4—
Bonham	43
Borger	33
Brady	15—
Breckenridge	14+
Brenham	52—
Brownfield	15
Brownsville (also see Brownsville-Harlingen-Weslaco)	36

Texas—Con.	Channel No.
Brownsville-Harlingen-Weslaco[1]	4+, 5—
Brownwood	19
Bryan	54—
Childress	40
Cleburne	57
Coleman	21—
College Station	*3+, 48—
Conroe	20+
Corpus Christi	6—, 10—, *16+, 22
Corsicana	47+
Crockett	56
Crystal City	28+
Cuero	25—
Dalhart	16
Dallas	4+, 8, *13+, 23, 29, 73
Del Rio	16—
Denison	52
Denton	*2, 17
Eagle Pass	26
Edinburg	26—
El Campo	27
El Paso	4, *7, 9, 13, 20+, 26+
Falfurrias	52
Floydada	45
Fort Stockton	22
Fort Worth	5+, 10+, 20—, *26+
Gainesville	49—
Galveston	11+, 35—, 41—, *47—
Gonzales	64+
Greenville	62
Harlingen (also see Brownsville-Harlingen-Weslaco)	23
Hebbronville	58
Henderson	42+
Hereford	19—
Hillsboro	63
Houston	2—, *8—, 13—, 23+, 29—, 39—
Huntsville	15
Jacksonville	36—
Jasper	49+
Kermit	14
Kilgore	59—
Kingsville	40
Lamesa	28
Lampasas	40—
Laredo	8, 13, *15+
Levelland	38—
Littlefield	32
Longview	32, 38+
Lubbock	5—, 11, 13—, *20, 26—
Lufkin	9, 46—
McAllen	20—
McKinney	65—
Marfa	19+
Marshall	16—
Mercedes	32
Mexia	50—
Midland	2+, 18
Mineral Wells	38
Mission	14
Monahans	9—
Mount Pleasant	35
Nacogdoches	40+
New Braunfels	62—
Odessa	7—, 24—
Orange	43—
Pampa	17—
Paris	33+
Pearsall	31
Pecos	16+
Perryton	22
Plainview	29+
Port Arthur (see Beaumont).	
Quanah	42
Raymondville	42
Rosenberg	17—
San Angelo	6, 8+, 17+, *23—
San Antonio	4, 5, *9—, 12+, 35+, 41+
San Benito	48
San Marcos	53+
Seguin	14—
Seymour	24+
Sherman	46+
Snyder	30+
Stephenville	32+
Sulphur Springs	41

[1] These assignments may be utilized in any community lying within the area of the triangle formed by Brownsville, Harlingen and Weslaco.

Texas—Con.	Channel No.
Sweetwater	12
Taylor	58+
Temple	16, 22+
Terrell	53
Texarkana	6+, *18, 24—
Tyler	7, 19—
Uvalde	20
Vernon	18+
Victoria	19+
Waco	11—, *28—, 34
Waxahachie	45—
Weatherford	51
Weslaco (see Brownsville-Harlingen-Weslaco).	
Wichita Falls	3, 6—, *16+, 22—

Utah	
Brigham	36—
Cedar City	5
Logan	12—, 30, *46
Ogden	9+, *18—, 24
Price	6
Provo	11+, 22, *28
Richfield	13+
St. George	18+
Salt Lake City	2—, 4—, 5+, *7—, 20+, 26
Tooele	44
Vernal	3+

Vermont	
Bennington	33
Brattleboro	58—
Burlington	*16+, 22+,
Montpelier	3, 40
Newport	46
Rutland	49+
St. Albans	34—
St. Johnsbury	30

Virginia	
Blacksburg	*60+
Bristol (see Bristol, Tenn.).	
Charlottesville	*45+, 64+
Covington	44+
Danville	24—
Emporia	25+
Farmville	19
Fredericksburg	47
Front Royal	39—
Harrisonburg	3—, 34—
Lexington	54
Lynchburg	13, 16—
Marion	50—
Martinsville	35—
Newport News (see Norfolk-Portsmouth-Newport News).	
Norfolk-Portsmouth (also see Norfolk-Portsmouth-Newport News)	27
Norfolk-Portsmouth-Newport News (also see Norfolk-Portsmouth)	3+, 10+, 15, *21—, 33
Norton	52+
Petersburg	8, 41
Portsmouth (see Norfolk-Portsmouth and also see Norfolk-Portsmouth-Newport News).	
Pulaski	37—
Richmond	6+, 12—, *23, 29+
Roanoke	7—, 10, 27+, *33—
South Boston	14+
Staunton	36
Waynesboro	42
Williamsburg	17
Winchester	28+

Washington	
Aberdeen	58
Anacortes	34
Bellingham	12+, 18+, 24—
Bremerton	44, 50
Centralia	17
Ellensburg	49, *65
Ephrata	43
Everett	22—, 28—
Grand Coulee	37
Hoquiam	52
Kelso	39
Kennewick (also see Kennewick-Richland-Pasco)	25
Kennewick-Richland-Pasco	*41

Washington—Con.	Channel No.
Longview	33
Olympia	60
Omak-Okanogan	*35—
Okanogan (see Omak).	
Pasco (also see Kennewick-Richland-Pasco)	19—
Port Angeles	16—
Pullman	*10—, 24
Richland (also see Kennewick-Richland-Pasco)	31
Seattle	4, 5+, 7, *9, 20, 26+
Spokane	2—, 4—, 6—, *7+
Tacoma	11+, 13—, *56, 62
Walla Walla	5—, 8, *22
Wenatchee	*45, 55
Yakima	23+, 29+, *47

West Virginia	
Beckley	6—, 21
Bluefield	41+
Charleston	8+, *43+, 49—
Clarksburg	12+, 22
Elkins	40+
Fairmont	35
Hinton	31
Huntington	3+, 13+, *53—
Logan	23—
Martinsburg	58—
Morgantown	*24
Parkersburg	15—
Welch	25
Weston	32
Wheeling (also see Wheeling-Steubenville, Ohio)	*57+
Wheeling-Steubenville, Ohio	7, 9+, 51+
Williamson	17

Wisconsin	
Adams	*58+
Appleton	42+
Ashland	15+
Beaver Dam	37
Beloit	57
Chilton	*24+
Eau Claire	13, *19+, 25+
Fond du Lac	54+
Green Bay	2+, 6
Janesville	63+
Kenosha	61—
La Crosse	8+, *32+, 38—
Madison	3, *21—, 27—, 33+
Manitowoc	65
Marinette	11+, 32—, *38+
Milwaukee	4—, *10+, 12, 19—, 25, 31+
Oshkosh	48—
Park Falls	*18
Portage	17—
Prairie du Chien	34
Racine	49—, 55
Rhinelander	22
Rice Lake	21+
Richland Center	15, *66—
Sheboygan	59—
Shell Lake	*30—
Sparta	50—
Stevens Point	20+, 26—
Sturgeon Bay	44—
Superior (see Duluth, Minn.)	
Wausau	7—, 16+, *46—
Wisconsin Rapids	14—

Wyoming	
Buffalo	29
Casper	2+, 6+
Cheyenne	3, 5+
Cody	24—
Douglas	14
Evanston	14—
Gillette	31—
Green River	16
Greybull	40
Lander	17—
Laramie	*8+, 18+
Lovell	36+
Lusk	19—
Newcastle	28+
Powell	30+
Rawlins	11—
Riverton	10+
Rock Springs	13

Wyoming—Con.	Channel No.
Sheridan	9—, 12+
Thermopolis	15
Torrington	27
Wheatland	24+
Worland	34

U. S. Territories and Possessions

Alaska	
Anchorage	2—, *7—, 11—, 13—
Fairbanks	2+, 4+, 7+, *9+, 11+, 13+
Juneau	*3, 8, 10
Ketchikan	2, 4, *9
Seward	4—, 9—
Sitka	13

Hawaiian Islands	
Hilo, Hawaii	2, *4, 7, 9, 11, 13
Honolulu, Oahu	2+, 4—, *7+, 9—, 11+, 13—
Lihue, Kauai	3+, *8—, 10+, 12—
Wailuku, Maui	3, 8, *10, 12

Puerto Rico	
Arecibo	13+
Caguas	11—
Mayaguez	3+, 5—
Ponce	7+, 9—
San Juan	2+, 4—, *6+

Virgin Islands	
Charlotte Amalie	10—, 12+
Christiansted	8+

[F. R. Doc. 52-8216; Filed, July 25, 1952; 8:58 a. m.]

Part 12—Amateur Radio Service

Eligibility for License; Advanced Class

In the matter of amendment of § 12.21 (b) of the Commission's rules governing Amateur Radio Service.

At a session of the Federal Communications Commission held in its offices in Washington, D. C., on the 16th day of July 1952,

The Commission having under consideration the matter of amendment of § 12.21 (b) of Part 12—Amateur Radio Service to enable, under certain conditions, otherwise eligible members of the Armed Forces of the United States to qualify for the Advanced Class amateur operator license without regard to the one-year waiting period now required by that section; and

It appearing, that this amendment is minor in nature and that it relieves and existing restriction, and, therefore, the proposed rule-making procedure prescribed by section 4 of the Administrative Procedure Act is unnecessary and the rule can be made effective immediately.

It is ordered, Under authority contained in sections 4 (i) 303 (l), and (r) of the Communications Act of 1934, as amended, that § 12.21 (b) of Part 12 be, and it hereby is, amended, effective immediately, to read as follows:

§ 12.21 *Eligibility for license.* • • •

(b) *Advanced class.* Any citizen of the United States who at any time prior to the receipt of his application by the Commission has held, for a period of one year or more, an amateur operator license issued by the Federal Communications Commission, excluding licenses of the Novice and Technician Classes: *Provided, however*, That persons serving

in the Armed Forces of the United States may take the examination for Advanced Class Amateur Operator License without regard to the one-year waiting period when any such person would become eligible to qualify for such license prior to December 31, 1952, but because of the nature of his military assignment would be unable to report for examination at the time he would become eligible to do so. Results of such examinations would be held by the Commission and considered upon the expiration of the one-year period. New Advanced Class amateur operator licenses will not be issued after December 31, 1952. However, Advanced Class (or Class A) licenses may continue to be renewed as set forth in § 12.27.

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interprets or applies sec. 303, 48 Stat. 1082; 47 U. S. C. 303)

Released: July 17, 1952.

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

[F. R. Doc. 52-8217; Filed, July 25, 1952; 8:58 a. m.]

[Docket No. 10113]

PART 18—INDUSTRIAL, SCIENTIFIC AND MEDICAL SERVICE

STATEMENT OF BASIS AND PURPOSE

In the matter of amendment of Part 18 of the Commission's rules and regulations.

On January 31, 1952, the Commission issued a notice of proposed rule making in the above-entitled matter. Interested persons were given until March 21, 1952, to file comments. Comments were received from one interested party. These comments appear to be in general agreement with the proposed amendment; however, certain specific recommendations were made and the Commission has incorporated these recommendations in the final amendment.

The proposed amendment has been modified to delete the requirement that arc welding equipment be operated in a shielded room or space and has substituted therefor the requirement that sufficient shielding be provided to reduce the radiation to the value permitted by the rules. Other changes were made to permit the use of measuring equipment other than that similar to the proposed standards provided suitable adjustment is made in the readings obtained. Provision has also been made to permit the certification of equipment on the basis of test data obtained at sites other than those at which the equipment is in actual operation.

All comments received have been given careful consideration and it appears that no new issues or facts which would require oral argument or hearing are raised by said comments, and it is not believed oral argument or hearing would contribute to a decision in this matter.

Accordingly, it is ordered, That effective August 15, 1952, the footnote to § 18.1 (a) be and the same is hereby amended as follows:

[1] The effective date of Part 18 with respect to electric arc welding devices using radio frequency energy is suspended from January 31, 1952, until January 31, 1954; *Provided, however*, That equipment manufactured after September 1, 1952, shall be subject to the same technical limitations and standards as are set forth for industrial heating equipment in §§ 18.21 to 18.24, inclusive, except that such equipment need not be operated within a shielded room or space but in lieu thereof shall be operated with sufficient shielding to limit the radiation to the value prescribed in § 18.22: *And further provided*, That broad band types of emissions from arc welding equipment shall be measured by an instrument having performance characteristics similar to the "Proposed American Standard Specification for a Radio Noise Meter—0.15 to 25 Megacycles/Second" dated March 1950, published by the American Standards Association Committee on Radio Electrical Coordination C63. Quasi-peak values of field intensity shall be measured and used in determining compliance with §§ 18.21 (b) and 18.22 (a). Instruments not having characteristics similar to the above-mentioned standards may be used provided suitable correlation factors are used to adjust the field intensity readings to values which would be obtained with an instrument having the desired characteristics.

(Sec. 4, 48 Stat. 1086, as amended; 47 U. S. C. 154)

The certification required by § 18.22 may be used upon field intensity measurements made by the manufacturer of the equipment at locations other than the one where the equipment is in use provided such certification includes a statement by the operator of the equipment that the equipment covered thereby has been installed and is being operated in conformity to the instructions issued by the manufacturer.

Adopted: July 10, 1952.

Released: July 14, 1952.

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

[F. R. Doc. 52-8214; Filed, July 25, 1952; 8:56 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

MORRIS COMMISSION CO.

POSTING OF STOCKYARD

The Secretary of Agriculture has information that the Morris Commission Company, Durant, Oklahoma, is a stockyard as defined in section 302 of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 202), and should be made subject to the provisions of that act.

Therefore, notice is hereby given that the Secretary of Agriculture proposes to issue a rule designating the stockyard named above as a posted stockyard subject to the provisions of the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), as is provided in section 302 of that act. Any interested person who desires to do so may submit, within 15 days of the publication of this notice, any data, views or arguments, in writing, on the proposed rule to the Director, Livestock Branch, Production and Marketing Administration, United States Department of Agriculture, Washington 25, D. C.

Done at Washington, D. C., this 22d day of July 1952.

[SEAL] H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 52-8260; Filed, July 25, 1952; 8:59 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Parts 1, 31]

[Docket No. 10229]

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A AND CLASS B TELEPHONE COMPANIES

NOTICE OF PROPOSED RULE MAKING

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

2. It is proposed to amend Part 31, including Appendix B thereof, of the Commission's rules and regulations and related references in Part 1 as set forth below to become effective 6 months after the adoption of the final order herein, with the provision, however, if the order is adopted, that any carrier may follow the new requirements prescribed thereby as of January 1, 1953.

3. The proposed amendment is intended to clarify certain portions of the requirements and to improve, generally, upon the information provided by the continuing property record, particularly as maintained by those telephone companies having investment in account 100:1, "Telephone plant in service," in excess of $8,000,000, while at the same time relieving the carriers of maintaining certain property details that do not appear to be necessary.

4. The proposed amendment is issued under authority of sections 4 (i) and 220 of the Communications Act of 1934, as amended.

5. Any interested party who is of the opinion that the proposed amendment should not be adopted, or should not be adopted in the manner proposed herein, may file with the Commission on or be-

fore August 11, 1952, a statement or brief setting forth his comments. At the same time persons favoring the amendment as proposed may file statements in support thereof. Comments or briefs in reply to the original comments or briefs may be filed on or before September 2, 1952. The Commission will consider all such comments that are presented before taking action in the matter and, if any comments are submitted which appear to warrant the holding of oral argument, notice of the time and place of such oral argument will be given.

6. In accordance with the provisions of § 1.764 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs filed, plus one extra copy for each party to the proceeding in the case of comments in reply to the original statements or briefs, shall be furnished to the Commission.

Adopted: July 10, 1952.

Released: July 11, 1952.

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

1. Proposed amendment of Part 31, Uniform System of Accounts for Class A and Class B Telephone Companies, of the Commission's rules and regulations.

a. Delete §§ 31.2–24, 31.2–25 and 31.2–26 and substitute the following:

§ 31.2–24 *Retirement units.* The "retirement units" (note also § 31.2–25 (b) (1)) are listed in § 31.8. Additions to or revisions of that list will be issued, when necessary, by the Commission, to which any applications for such additions or revisions shall be presented by the company. (See also paragraph 2 of Appendix B of this part.)

§ 31.2–25 *Telephone plant retired.* (a) To the end that the telephone plant accounts (note §§ 31.2–20, 31.2–21) shall at all times disclose the original cost (note § 31.01–3 (x)) of all property in service, the original cost of retired property, whether replaced or not (except as provided in paragraph (b) (2) of this section), shall be credited to the account or accounts in this classification to which such cost was charged. Every company shall, therefore, take such measures and establish such procedure as will insure strict compliance with these requirements. When any item of property subject to plant retirement accounting is worn out, lost, sold, destroyed, abandoned, surrendered upon lapse of title, becomes permanently unserviceable, is withdrawn or for any other reason, is retired from service, the amount in the plant accounts applicable to that item shall be credited to the appropriate plant accounts, and the retirement entry shall refer to the source (or to the supporting records showing the source) in the continuing property record from which the cost was obtained. (Note also paragraph (e) of this section.)

(b) Depreciable telephone plant: For the purpose of avoiding undue refinement in accounting for the replacement of small items of property, the accounting for retirements and replacements of depreciable telephone plant shall be as follows:

(1) Retirement units: This group includes major items of property, a list of which is shown in § 31.8. The original cost of any such item retired shall be credited to the plant account and charged to account 171, "Depreciation reserve," whether or not replaced. (Note also paragraph (b) of account 171.) The original cost of property installed in place of the property retired shall be charged to the appropriate telephone plant account.

(2) Minor items: This group includes any part or element which is not designated as a retirement unit. The original cost of any minor item of property retired and not replaced shall be credited to the plant account and charged to account 171 (note also paragraph (b) of the text of that account), except that if the original cost of a minor item of property is included in the specific or average cost for a retirement unit of which the minor item is a part, no separate credit to the telephone plant account is required when such a minor item is retired. Except as provided in the note under account 231, "Station apparatus," in § 31.8, if minor items of property are replaced (apart from the retirement unit of which they form a part or with which they are associated) no adjustment shall be made in account 171. The cost of the replacement shall be charged to the account appropriate for the cost of repairs of the property, except that if the replacement effects a substantial betterment (the primary aim of which is to make the property affected more useful, of greater durability, of greater capacity, or more economical in operation) the excess cost of (i) such a replacement over (ii) the estimated cost at the then current prices of replacing without betterment the minor items being retired, shall be charged to the appropriate telephone plant account.

(c) Station installations, drop and block wires: When stations are removed from customers' premises, the original cost of the station installations carried in account 232, "Station installations," and of any drop and block wires carried in account 233, "Drop and block wires," thereby retired from service shall be credited to the plant accounts and charged to account 607, "Station removals and changes." The latter account shall be credited with the salvage value (note § 31.01–3 (bb)) of such property recovered. The cost of the removal of the station apparatus, inside, drop and block wires shall be charged to account 607.

(d) Land: The original cost of land retired shall be credited to account 211, "Land." If the land is sold, the difference between such original cost and the sale price (less commissions and other expenses of making the sale) of the land shall be credited to account 401, "Credits for telephone plant sold," or debited to account 410, "Debits for telephone plant sold," as may be appropriate. If the land is retained by the company and held for sale, its cost shall be charged to account 103, "Miscellaneous physical property." The accounting for leaseholds retired shall be as provided for in the texts of account 172, "Amortization reserve," and account 613, "Amortization of intangible property."

(e) Determination of the cost of property to be retired: The cost of telephone plant retired shall be the amount at which such property is included in the telephone plant accounts. When it is impracticable to determine the cost of each item due to the relatively large number or small cost of such items, the average cost of all the items covered by an appropriate subdivision of the account shall be used in determining the cost to be assigned to such items when retired: *Provided*, That the method used in determining average cost gives due regard to the quantity, size, and kind of items, the area in which they were installed and their classification in other respects, as called for by the rules of the Commission regarding continuing property records and by the system of continuing property records accepted by the Commission specifically for use of the accounting company. This method of average cost may be applied in retirement of such items as telephones, bell boxes, station installations, poles, crossarms, wire, cable, cable terminals, conduit, and nonmultiple private branch exchange switchboards. Any company may use average cost of property installed in a year or band of years. It should be understood, however, that the use of average costs shall not relieve the company of the requirement for maintaining its continuing property records in such manner as to show, where practicable, dates of installation and removal so as to provide these data for purposes of mortality studies.

(f) The accounting for the retirement of organization, franchises, patent rights, and other intangible property, shall be as provided for in the texts of account 172, "Amortization reserve," account 413, "Miscellaneous debits to earned surplus," account 613, "Amortization of intangible property," and account 100:4, "Telephone plant acquisition adjustment."

(g) When telephone plant is sold together with the telephone traffic associated therewith, the original cost of the property shall be credited to the appropriate plant accounts and the estimated amounts carried with respect thereto in the depreciation and amortization reserve accounts shall be charged to such reserve accounts. The difference, if any, between (1) the net amount of such debit and credit items and (2) the consideration received (less commissions and other expenses of making the sale) for the property shall be included, if a debit, in account 410, "Debits for telephone plant sold," and if a credit, in account 401, "Credits for telephone plant sold." The accounting for depreciable telephone plant sold without the traffic associated therewith shall be in accordance with the accounting provided in paragraph (b) of account 171, "Depreciation reserve."

§ 31.2–26 *Continuing property record required.* (a) Not later than June 30 of the year following that in which a company becomes subject (note § 31.–01–1) to these accounts (note § 31.01–3 (a)) each company shall file with the

Commission three copies of a complete plan of the method to be used in the compilation of a continuing property record with respect to each class of property for which such records are hereinafter prescribed. The plan shall include a list of the property-record units proposed for use under each plant account. A narrative statement shall accompany the list of proposed property-record units, describing in detail the content and method of maintenance of all forms and other records which are designed for use in compiling the continuing property record, to the end that a ready analysis with respect to the sufficiency thereof may be made. In preparing this narrative statement, the company shall include typical examples indicating the use of, and relationship between, the various forms and records.

NOTE: Companies subject to these accounts on June 30, 1943, were required by the then effective rules to compile a continuing property record with respect to property as at December 31, 1936, and to reflect therein all subsequent additions and retirements.

(b) Any company may, in lieu of submitting the plan provided for in paragraph (a) of this section, submit to the Commission not later than June 30 of the year following that in which the company becomes subject to these accounts, a statement in triplicate that it concurs in and proposes to pursue in all particulars a plan filed with the Commission by another company which it is believed conforms fully to the requirements of paragraph (a) of this section.

(c) Not later than June 30 of the year following that in which a company becomes subject to these accounts each company shall begin the preparation of a continuing property record with respect to property of each class represented in the several plant accounts comprised by balance-sheet accounts 100:1, "Telephone plant in service," and 100:3, "Property held for future telephone use," and with respect to property represented in account 103, "Miscellaneous physical property." These records shall be completed not later than 2 years after the prescribed date of beginning with respect to property as at the date the company becomes subject to these accounts and with respect to the changes effected therein between such date and the end of the calendar year preceding the date that these records are required to be completed. Property changes (whether made by companies already subject to these rules or those becoming subject hereafter) affecting the period subsequent to the end of that year for which the records are required to be completed shall be promptly processed in the continuing property record to the end that the record shall provide reasonably current data at all times.

(d) The continuing property record shall be arranged in conformity with the plant accounts prescribed in this system of accounts. It shall be compiled on basis of original cost (or other book cost consistent with the provisions of this system of accounts). The record or records supplemental thereto shall contain such detailed description and classification of property-record units as will permit their ready identification and verification. They shall be maintained in such manner as will meet the following basic objectives:

(1) An inventory of property-record units which may be readily spot-checked for proof of physical existence.

(2) The association of costs with such property-record units to assure accurate accounting for retirements.

(3) The determination of dates of installation and removal of plant retired to provide data for use in connection with depreciation studies.

The record or records supplemental thereto shall accordingly reveal clearly, in relation to designated accounting areas, detailed and systematically summarized information as to the kind, character, size, quantity, location, year of placement and retirement where practicable, ownership, and actual or apportioned original cost (or other appropriate book cost) of the telephone plant and other property-record units aggregately represented by the concurrent balances in accounts 100:1, "Telephone plant in service," 100:3, "Property held for future telephone use," and 103, "Miscellaneous physical property." In order that there may be on hand at the time of retirement a maximum of pertinent cost data, every effort shall be made at the time plant is constructed and/or installed to obtain all such available cost data by subcontracts, trades, and if practicable, by retirement units.

NOTE: See Appendix B, Standard Practices for the Establishment and Maintenance of Continuing Property Records by Telephone Companies Having Investment in Account 100:1, "Telephone Plant in Service," in Excess of $8,000,000, of this part.

b. Delete Appendix B in its entirety and substitute the following:

APPENDIX B

STANDARD PRACTICES FOR THE ESTABLISHMENT AND MAINTENANCE OF CONTINUING PROPERTY RECORDS BY TELEPHONE COMPANIES HAVING INVESTMENT IN ACCOUNT 100:1, "TELEPHONE PLANT IN SERVICE," IN EXCESS OF $8,000,000

Accounting areas. (a) The continuing property record, as related to each primary plant account, shall be established and maintained by subaccounts for each accounting area. An accounting area is the smallest territory of the company for which accounting records of investment are maintained for all plant accounts within the area. Areas already established for administrative, accounting, valuation, or other purposes may be adopted for this purpose when appropriate. In no case shall the boundaries of accounting areas cross State lines. In determining the limit of each area, consideration shall be given to the quantities of property, construction conditions, operating districts, county and township lines, taxing district boundaries, city limits, and other political or geographical limits, in order that the areas adopted may have a maximum adaptability, within the confines of practicability, for both the company's purposes and those of Federal, State, and municipal authorities.

(b) Not later than June 30, following the year in which a company's investment in account 100:1, "Telephone plant in service," exceeded $8,000,000, there shall be filed with the Commission three copies of a list of accounting areas, to be accompanied by descriptions of the boundaries of each area. Description of proposed major changes in accounting areas, such as consolidation, subdivision, addition or elimination of areas shall be submitted in triplicate to the Commission thirty days in advance of the proposed effective dates of such changes.

2. *Property-record units.* (a) In each of the established accounting areas, the "property-record units" (in terms of which the continuing property record is to be maintained) shall be set forth separately, classified by size and type and with the amount of original cost (or other appropriate book cost) associated with such units. When a list of property-record units has been accepted by the Commission, the property-record units set forth therein shall become the property-record units referred to in this statement of standard practices. When it is found necessary to revise this list because of the addition of units used in providing new types of service, or new units resulting from improvements in the art, or because of the grouping or elimination of units which no longer merit separate recognition as property-record units, three copies of the proposed revisions shall be submitted to the Commission.

(b) With respect to land in fee classifiable in account 207, "Right of way," and land classifiable in account 211, "Land," the property-record unit to be set forth in the continuing property record shall be a parcel of land. A land parcel means one continuous plot within an accounting area. Each land parcel shall be identified as to functions and location. In the continuing property record or in records supplemental thereto there shall be shown with respect to each land parcel the area, identity of vendors, grantors, or other conveyors of title, identification of deeds, or other instruments, and original cost.

(c) The continuing property record shall reveal the location, the essential details of construction, and the cost of each building. In cases where the underlying records of construction costs of buildings are available, such costs shall be so analyzed and the analyses so maintained that, upon any retirement of one or more retirement units or of minor items (without replacement), a reasonably accurate estimate of the cost of the plant retired can be made. In cases where no construction cost details are available and a retirement of a portion of such a building is made, the cost of the plant retired shall be determined on an estimated basis by allocating to such plant retired an equitable portion of the estimated cost of the contract or trade (e. g., masonry, plumbing, etc.) in which the specific retirement is being made. Allocations shall be made in such a manner as to insure that the unit being retired will carry its ratable share of architectural and engineering fees and other similar indirect costs.

(d) The continuing property record shall reveal the location, the essential details of construction, and the cost of each type of central office (manual, step-by-step, etc.) in each building, and of each large private branch exchange. Because of the small number of interim retirements and the comparatively small amounts involved therein, unless such annual retirements become at least 25% of the balance at the beginning of the year with respect to any central office, the cost of each central office need not be broken down into the individual retirement units of which it is composed. The underlying records of construction cost shall be so maintained that, upon any retirement of one or more retirement units or of minor items (without replacement), a reasonably accurate estimate of the cost of the plant retired can be made.

(e) The continuing property record shall show the number and nature of items included in account 261, "Furniture and office equipment," and account 264, "Vehicles and other work equipment," whether such items are retired on an average cost basis or otherwise.

3. *Method of determining original cost (note § 31.01-3 (x)) of property-record units.* Original cost of the property-record units shall be determined by analyses of the construction costs incurred as shown by completion reports, or other data, covering the respective construction work orders or authorizations, provided that in those cases where the actual original cost of property cannot be ascertained, such original cost shall be estimated. Such estimated original cost shall be consistent with the accounting practices in effect at the time of construction of the property. Costs shall be allocated to and associated with the property-record units in such manner as to assure accurate accounting for retirements.

4. *Average costs.* (a) In the development of average costs for plant consisting of a large number of similar units, such as telephones, bell boxes, station installations, poles, crossarms, wire, cable, cable terminals, conduit, and nonmultiple private branch exchange switchboards, units of similar size and type within each specified accounting area and plant account may be grouped without regard to year of construction. Each such average cost shall be set forth in the continuing property record or in records supplemental thereto and in support thereof.

(b) The averaging of costs permitted under the provisions of the foregoing paragraph is restricted to the averaging of costs incurred within an accounting area as defined in paragraph 1 (a). The provisions of paragraph 4 (a) shall not be interpreted as permitting the inclusion within such average cost of the cost of units involved in any unusual or special types of construction. The units involved in such unusual or special types of construction shall be recorded at actual cost by locations.

(c) When classes of plant are subdivided between exchange and toll, the bases of the average costs shall be confined to items priced in the respective subdivisions.

5. *Identification of property-record units.* There shall be shown in the continuing property record, or in records supplemental thereto and in support thereof, a complete description of the property-record units in such detail as to identify plainly such units. The description (except for classes of plant for which it is impracticable, such as station apparatus, station installations, and drop and block wires) shall include the identification of the work order under which constructed the year of installation (unless not determinable at reasonable expense with respect to past acquisitions or installations), the specific location of the property within each accounting area in such manner that it can be readily spot-checked for proof of physical existence, the accounting company's number or designation, and any other description used in connection with the determination of the original cost. Descriptions of units of similar size and type shall follow prescribed groupings.

6. *Reinstalled units.* When units with respect to which average costs are not applied under the practices herein prescribed are removed or retired and subsequently reinstalled, the date when the unit was first charged to the appropriate plant account shall, when required for adequate service life studies and reasonably accurate retirement accounting, be shown in addition to the date of reinstallation.

7. *Age of property.* The continuing property record or records supplemental thereto and in support thereof shall be so maintained as to disclose the age of existing property and the service life of property retired. Exceptions from this requirement for any property-record units shall be submitted as part of the company's plan of continuing property records.

8. *Reference to sources of information.* There shall be shown by appropriate reference the source of all entries. All drawings, computations, and other detailed records which support either the quantities or the costs included in the continuing property record shall be retained as a part of or in support of the continuing property record.

9. *Jointly owned property.* (a) With respect to jointly owned property, there shall be shown in the continuing property record or records supplemental thereto:

(1) The identity of all joint owners.

(2) The percentage of ownership of the physical units vested in the accounting company.

NOTE: When plant is constructed under arrangements for joint ownership, the amount received by the constructing company from the other joint owner or owners shall be credited as a reduction of the gross cost of the plant in place. When a sale of a part interest in plant is made, the fractional interest sold shall be treated as a retirement and the amount received shall be treated as salvage. The continuing property record or records supplemental thereto shall be so maintained as to identify retirements of this nature separately from physical retirements of jointly owned plant.

(b) If jointly owned property is substantial in relation to the total of the same kind of property owned wholly by the company, such jointly owned property shall be appropriately segregated in the continuing property record.

2. Amend section 1.547 *Reports to be filed under Part 31 of this chapter* of Part 1, Practice and Procedure, as follows:

(a) Delete from paragraph (r) the reference to paragraph (c) of § 31.2-26.

(b) Delete paragraphs (u), (v), (w), and (x) and substitute the following:

(u) Appendix B—Standard Practices, CPR: Section 1 (b). Continuing property record; (1) list of accounting areas (with descriptions) and (2) descriptions of subsequent proposed changes in the list.

(v) CPR: Section 2 (a). Continuing property record; proposed revisions in list of property-record units.

[F. R. Doc. 52-8176; Filed, July 25, 1952; 8:46 a. m.]

[47 CFR Parts 7, 8, 14]

[Docket No. 10231]

ASSIGNMENT OF FREQUENCIES

NOTICE OF PROPOSED RULE MAKING

In the matter of Amendment of Parts 7, 8, and 14 of the Commission's rules concerning assignment of frequencies in the bands 14-150 kc, 150-200 kc, and 200-535 kc, and amendment of Part 7 of the rules concerning assignment of frequencies between 10 kc and 25,000 kc to coast stations using telegraphy; Docket No. 10231.

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

2. The agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) necessitates implementation of the new international list as to frequencies in the band 14-150 kc by August 15, 1952, as to frequencies in the band 150-200 kc by December 1, 1952, and as to frequencies in the band 200-535 kc by November 1, 1952. Such implementation will involve termination of the availability of certain frequencies for use by coast and ship station licensees while making available new frequencies in accordance with the agreement. In anticipation of, and in order to facilitate this implementation, it is proposed to modify Parts 7, 8 and 14 of the Commission's rules at this time to show these changes. The proposed amendments are set forth below.

3. Additionally it is proposed to amend Part 7 of the Commission's rules so as to provide that in addition to the frequencies listed in the rules, other frequencies in the bands allocated for coast stations using telegraphy may be available for assignment to such stations. Although similar provision is now made in the rules, that provision is limited to the "purpose of facilitating the implementation" of the Geneva Agreement. Because it appears to be desirable to provide such a procedure for purposes other than "implementation", the rule amendment herein proposed, in effect, removes the foregoing limitation subject to a provision that initial authorizations for use of such unlisted frequencies would be restricted to a six months' period.

4. The proposed amendments are issued under the authority of sections 303 (c), and (f) and (r) of the Communications Act of 1934, as amended.

5. Any interested person who is of the opinion that the proposed amendments should not be adopted, or should not be adopted in the form set forth, may file with the Commission on or before July 21, 1952, a written statement or brief setting forth his comments. At the same time any person who favors the amendments as set forth may file a statement in support thereof. Comments or briefs in reply to the original comments or briefs may be filed within five days from the last day for filing the said original comments or briefs. The Commission will consider all such comments, briefs and statements before taking final action.

6. In accordane with the provisions of § 1.784 of the Commission's rules, an original and 14 copies of all statements, briefs or comments shall be furnished the Commission.

Adopted: July 10, 1952.

Released: July 14, 1952.

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

Proposed amendments of the rules of the Commission by parts and related sections:

1. Section 7.104 (a) is amended as follows:

a. Subparagraph (1), change the phrase "365 to 515 kc" to read "405 to 535 kc."

b. Subparagraph (1) (i) change the phrase "365 to 515 kc" to read "405 to 535 kc."

c. Subparagraph (1) (ii) change the band "365 to 515 kc" to read "405 to 535 kc."

2. Section 7.188 is amended as follows:

a. In each paragraph (a) and (b) change the phrase "365 to 515 kc" to read "405 to 535 kc."

b. Paragraph (c) change the phrase "100 to 160 kc" to read "90 to 160 kc."

3. Section 7.206 (a) is amended by deleting the following frequencies in kilocycles together with footnotes 4 and 5 from the assignable frequencies listed therein immediately following the sentence beginning "Each of the specific frequencies in kilocycles hereinafter designated in this paragraph may be licensed as an assigned frequency * * *":

*105	135	171	418
*107	136	173	420
*109	137	174	422
*110	138	176	425
111	139	177	430
112	140	178	432
114	141	179	436
116	145	180	438
117	146	181	442
118	147	182	448
119	148	183	452
120	149	184	454
121	150	186	*460
123	161	187	462
124	162	188	466
125	163	189	472
126	164	191	474
127	165	193	476
129	166	392	478
130	167	394	482
131	168	406	484
133	169	408	
134	170	410	

and by revising the table following the sentence "Each of the following frequencies is available for assignment to coast stations located within the general portion of the seacoast area of the continental United States as indicated below" to read as follows:

North Atlantic: 112.85, 124.05, 146.80, 130.35, 147.50, 132.10, 22407, 134.55, 22485, 137.00, 22503, 418, 22521, 436, 22599, 442, 22617, 460,[3] 472, 476, 482.

South Atlantic: 137.70, 434, 464, 472, 488, 22431, 22503, 22569.

Central Atlantic: 482.

North Pacific: 482, 22539.

South Pacific: 418, 464, 22413, 22467.

Central Pacific: 126.15, 147.85, 436, 460,[3] 476, 488, 22425, 22479, 22515, 22557, 22635.

Great Lakes: 482.

Gulf of Mexico: 139.80, 416, 420, 434, 438, 478, 484, 22431, 22467, 22569.

and by revising the sentence immediately following the foregoing table now reading "The following frequency is available for assignment to coast stations located within the Territory of Hawaii: 22509 kc." to read as follows:

The following frequencies are available for assignment to coast stations located in Puerto Rico and within the Territory of Hawaii:

Territory of Hawaii: 472 kc—Kahuku, T. H.; 22,509 kc—any location within T. H.

Puerto Rico: 486 kc—Ensenada; 128.95 kc—Ensenada.

4. Section 7.206 (b) (7) is amended to read as follows:

(7) In addition to the specific frequencies listed in paragraph (a) of this section, other frequencies within bands between 10 kc and 25,000 kc shown in the Commission's Table of Frequency Allocations contained in § 2.104 (a) of the rules as being allocated for use by coast stations using telegraphy may be assigned to such coast stations: *Provided, however,* That initial authorizations for such frequencies shall be limited to six months duration.

5. Section 7.206 (b) is amended as follows:

a. Delete subparagraphs (1) and (6).

b. Modify subparagraph (2) by deleting the reference therein to 448 kc, 452 kc, 454 kc and 462 kc.

6. Section 7.207 (a) is amended by modifying the reference therein to "365 to 515 kc" to read "405 to 535 kc."

7. Section 7.207 (b) is amended by modifying each reference to the phrase "100 to 160 kc" to read "90 to 160 kc."

8. Section 7.208 (d) is amended as follows:

a. In subparagraph (1) change the phrase "110 to 194 kc" to "110 to 150 kc."

b. In subparagraph (2) change the phrase "385 to 485 kc" to "415 to 490 kc."

9. Section 7.211 (a) (2) is amended by changing the phrase "365 to 515 kc" to read "405 to 535 kc."

10. Section 8.105 is amended as follows:

a. In paragraph (a) change the phrase "365 kc to 515 kc" to read "405 kc to 535 kc."

b. In paragraph (b) change the phrase "100 kc to 160 kc" to read "90 kc to 160 kc."

11. Section 8.201 is amended by changing the phrase "365 and 515 kc" to read "405 and 535 kc."

12. Section 8.221 is amended by changing the phrase "365 and 515 kc" to read "405 and 535 kc."

13. Section 8.222 is amended by changing the phrase "100 to 160 kc" to read "90 to 160 kc."

14. Section 8.321 (a) is amended as follows:

a. Delete the following frequencies from those set forth therein:

160 355 375 394 400

b. Insert in proper numerical order the following frequency and phrase:

448 (Region 2 only)

c. Delete footnote designator 1 following frequency 480.

15. Section 8.321 (b) is amended as follows:

a. Subparagraph (1) is modified by changing the last sentence to read: "Effective November 1, 1952, the use by ship stations of the radio channel of which 355 kc is the assigned frequency shall be discontinued."

b. Subparagraph (2) is amended to read as follows: "In addition to the transmission of specific signals for purposes of radiolocation, the radio-channel of which 410 kc is the assigned frequency may be used for communication by radiotelegraphy with direction finding stations in connection with established international operating procedure, relative to radiolocation by means of direction finding. The radio channel of which 375 kc is the assigned frequency, however, may be used for this purpose in lieu of 410 kc until not later than 3 A. M., E. S. T., November 1, 1952."

c. Subparagraph (3) is amended by deleting the frequencies 394 kc, 400 kc, and 410 kc.

d. Subparagraph (4) is deleted.

16. Section 8.322 (a) is amended by changing the phrase "365 to 515 kc" to read "405 to 535 kc."

17. Section 8.323 is amended as follows:

a. Paragraph (a) is amended by changing the phrase "365 and 515 kc" to read "405 and 535 kc."

b. Paragraph (b) is amended by changing the phrase "100 to 160 kc" in each of two places therein to read "90 to 160 kc."

18. Section 8.324 (b) is amended by revising this paragraph to read as follows:

(b) Ship and aircraft stations using telegraph and working on frequencies within the band 415 to 490 kc shall use whenever practicable, an authorized working frequency of which 425, 448, 454, or 480 kc is the assigned frequency. The frequency 448 kc may be used in Region 2 only.

19. Section 8.324 (f) is amended as follows:

a. In subparagraph (1) change the phrase "110 to 184 kc" to read "110 to 150 kc."

b. In subparagraph (2) change the phrase "385 to 485 kc" to read "415 to 490 kc."

20. Section 8.327 (a) (2) is amended by changing the phrase "365–515 kc" to read "405–535 kc."

21. Section 8.330 is amended as follows:

a. In subparagraph (a) (1) change the phrase "100 to 515 kc" to read "90 to 535 kc."

b. In paragraph (b) change the phrase "100 to 515 kc" to read "90 to 535 kc."

22. Section 8.403 is amended by modifying the first sentence to read as follows: "Provided * * *, that equipment may be operated (outside the territorial waters of a foreign country) on such radio-channels within the band 285–325 kc (285–315 Mc only in Region 1) as may be expressly authorized in each case by the Commission under authority of the ship station license, with A1 or A2 emission and a maximum plate input power of 30 watts, provided that interference shall not be caused by such operation to any maritime radionavigation service."

23. Sections 14.11, 14.12 and 14.13 are deleted.

24. A new § 14.10 is added to read as follows:

§ 14.10 *Frequencies for communication from non-Government to Government and between non-Government stations.* The following frequency is allocated for communication from non-Government to Government stations, and between non-Government stations using A1 emission, maximum authorized transmitter power 650 watts:

149.60 kc

a. Section 14.33 (a) is amended to read as follows:

"(a) *Calling and working.* 416 and 438 kc, A1, A2 emission, maximum authorized transmitter power 265 watts.

[P. R. Doc. 52-8177; Filed, July 25, 1952; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Internal Revenue

[Commissioner's Reorganization Order No. 4, amended]

DISTRICT COMMISSIONER AND EACH DIRECTOR OF INTERNAL REVENUE FOR THE DISTRICT

DELEGATION OF AUTHORITY TO SIGN CONSENTS

Pursuant to the authority vested in me as Commissioner of Internal Revenue, paragraphs 1 and 2 of Commissioner's Reorganization Order No. 4 (17 F. R. 4587) are amended, effective as of May 15, 1952, by inserting immediately after the words "upon assessment" wherever the same appear therein, the following words: "or collection"; and after the words "with assessments" wherever the same appear therein, the following words: "or collections".

Dated: July 22, 1952.

JOHN B. DUNLAP,
Commissioner.

[F. R. Doc. 52-8243; Filed, July 25, 1952; 8:59 a. m.]

DEPARTMENT OF AGRICULTURE

Production and Marketing Administration

ESCAMBIA COUNTY COOPERATIVE, INC.

DEPOSTING OF STOCKYARD

It has been ascertained that the Escambia County Cooperative, Inc., Brewton, Alabama, originally posted on April 30, 1941, as being subject to the Packers and Stockyards Act, 1921, as amended (7 U. S. C. 181 et seq.), no longer comes within the definition of a stockyard under said act for the reason that it no longer meets the area requirements. Therefore, notice is given to the owner of such stockyard and to the public that such stockyard is no longer subject to the provisions of said act.

Notice of public rule making has not preceded promulgation of the foregoing rule since it is found that the giving of such notice would prevent the due and timely administration of the Packers and Stockyards Act and would, therefore, be impractical. There is no legal warrant or justification for not deposting promptly a stockyard which no longer meets the area requirements of the act and is, therefore, no longer a stockyard within the definition contained in said act.

The foregoing rule is in the nature of a rule granting an exemption or relieving a restriction and, therefore, may be made effective in less than 30 days after publication thereof in the FEDERAL REGISTER. This notice shall become effective upon publication in the FEDERAL REGISTER.

(42 Stat. 159, as amended and supplemented; 7 U. S. C. 181 et seq.)

Done at Washington, D. C., this 22d day of July 1952.

H. E. REED,
Director, Livestock Branch, Production and Marketing Administration.

[F. R. Doc. 52-8259; Filed, July 25, 1952; 8:59 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

SNOW TRANSPORTATION COMPANY; INCREASED RATES

NOTICE OF HEARING

This case involves increased rates of Snow Transportation Company on traffic between ship's landing and Bethel, Alaska, between Akiak and ship's landing, Alaska, and between Akiak and Bethel, Alaska. Protests were received by the Board from the Governor of Alaska and the Bethel Chamber of Commerce, alleging that the proposed increases were unjustified. On May 28, 1952, the Board ordered that the proposed increased rates be suspended pending a hearing as to their lawfulness.

Notice is hereby given that a public hearing on the lawfulness of the said proposed increased rates will be held before Examiner F. J. Horan in the Bethel schoolhouse, Bethel, Alaska, on August 11, 1952, at 10 o'clock a. m.

All persons desiring to intervene in this proceeding are requested to notify the Board immediately, and should file petitions of intervention in accordance with the rules of procedure.

Dated: July 23, 1952.

By order of the Federal Maritime Board.

[SEAL] R. L. MCDONALD,
Assistant Secretary.

[F. R. Doc. 52-8261; Filed, July 25, 1952; 8:59 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

TEXTILE INDUSTRY

NOTICE OF HEARING ON PROPOSED AMENDMENT WITH RESPECT TO PREVAILING MINIMUM WAGE

The Secretary of Labor, in a minimum wage determination issued pursuant to the provisions of the Walsh-Healey Public Contracts Act (act of June 30, 1936, 49 Stat. 2036; 41 U. S. C. secs. 35-45) and made effective November 16, 1948 (13 F. R. 6083), determined the minimum wage for persons employed in the Textile Industry in the performance of contracts with agencies of the United States Government subject to the act to be not less than 87 cents an hour. This determination also authorized employment of learners or beginners at rates not less than 80 cents an hour for a learning period not longer than 240 hours. This determination is currently in effect as editorially revised and published in the FEDERAL REGISTER on July 20, 1950 (15 F. R. 4654).

The Textile Workers Union of America, CIO, has submitted a petition to the Administrator, dated January 23, 1952, for the establishment of a minimum wage of $1.135 with a wage escalator provision of one cent quarterly adjustment for each 1.32 rise in the Consumer's Price Index (Old Series) beginning with February 15, 1951, and urging retention of the currently effective definition of the industry.

The United Textile Workers Union, AFL, has submitted a petition to the Administrator, dated March 4, 1952, for determination of a minimum wage of $1.13 with an escalator clause and the other fringe benefits of vacations with pay and holiday and shift premiums as provided in its collective bargaining agreements.

The currently effective industry definition (15 F. R. 4634; 41 CFR 202.43) reads as follows:

(a) *Definition.* For the purpose of this determination the term "textile industry" means:

(1) The manufacturing or processing of yarn or thread and all processes preparatory thereto, and the manufacturing, bleaching, dyeing, printing and other finishing of woven fabrics (other than carpets and rugs containing any wool) from cotton, flax, jute, other vegetable fiber, silk, grass, or any synthetic fiber, or from mixtures of these fibers; or from such mixtures of these fibers with wool or animal fiber (other than silk) as are specified in subparagraphs (7) and (8) of this paragraph; except the chemical manufacturing of synthetic fiber and such related processing of yarn as is conducted in establishments manufacturing synthetic fiber;

(2) The manufacturing of batting, wadding, or filling and the processing of waste from the fibers enumerated in subparagraph (1) of this paragraph;

(3) The manufacturing, bleaching, dyeing, or other finishing of pile fabrics or cords (except carpets and rugs containing any wool) from any fiber or yarn;

(4) The processing of any textile fabric, included in this definition of this industry, into any of the following products: Bags, bandages and surgical gauze, bath mats and related articles, bedspreads, blankets, diapers, dishcloths, scrubbing cloths and washcloths, sheets and pillow cases, tablecloths, lunch-cloths, napkins, towels, window curtains, shoe laces and similar laces;

(5) The manufacturing or finishing of braid, net or lace from any fiber or yarn;

(6) The manufacturing of cordage, rope or twine from any fiber or yarn including the manufacturing of paper yarn and twine;

(7) The manufacturing or processing of yarn (except carpet yarn containing any carpet wool) or thread by systems other than the woolen system from mix-

tures of wool or animal fiber (other than silk) with any of the fibers designated in subparagraph (1) of this paragraph, containing not more than 45 percent by weight of wool or animal fiber (other than silk);

(8) The manufacturing, bleaching dyeing, printing or other finishing of woven fabrics (other than carpets and rugs) from mixtures of wool or animal fiber (other than silk) containing not more than 25 percent by weight of wool or animal fiber (other than silk), with any of the fibers designated in subparagraph (1) of this paragraph, with a margin of tolerance of 2 percent to meet the exigencies of manufacture;

(9) The manufacturing, dyeing, finishing or processing of rugs, or carpets from grass, paper, or from any yarn or fiber except yarn containing any wool but not including the manufacturing by hand of such products.

Now, therefore, notice is hereby given: That a public hearing will be held on Thursday, September 4, 1952, at 10:00 a. m. in Room 1214 of the Department of Labor, Constitution Avenue and Fourteenth Street Northwest, Washington, D. C., before the Administrator of the Wage and Hour and Public Contracts Divisions, or a representative designated to preside in his place, at which hearing all interested persons may appear and submit data, views and argument (1) as to what are the prevailing minimum wages in the Textile Industry; (2) as to whether there should be included in any amended determination for this industry provision for employment of learners, beginners and/or apprentices at subminimum rates, and if so, in what occupations, at what subminimum rates and with what limitations, if any, as to length of period and number or proportion of such subminimum rate employees; and (3) as to the propriety of the present definition of this industry.

There will be available for distribution to interested parties upon request to the Wage and Hour and Public Contracts Divisions, United States Department of Labor, Washington, D. C., wage data released by the Bureau of Labor Statistics in addition to a number of special tabulations prepared by that Bureau at the request of the Administrator of the Wage and Hour and Public Contracts Divisions. Such wage data as are provided by interested parties sufficiently in advance of the hearing to permit general distribution thereof will also be made available.

Persons intending to appear are requested to notify the Administrator of their intention in advance of the hearing. Written statements in lieu of personal appearance may be filed by mail at any time prior to the date of the hearing, or may be filed with the presiding officer at the hearing. An original and four copies of any such statement should be filed.

Persons who wish to appear should be prepared to testify with respect to the adequacy and accuracy of the wage data prepared by the Bureau of Labor Statistics and any data submitted by the petitioners or others, and also to present specific factual information in support or in derogation of the adequacy and accuracy of such data, including information as to changes in the wage structure of the industry since the time of the BLS survey, in March of 1952.

The following information is particularly invited with respect to the subject matter of the testimony or statements of each witness: (1) The number of workers covered in the presentation; (2) the number and location of establishments; (3) minimum wages paid at the end of a probationary or learner period, the number of workers receiving such wages, and the occupations in which these employees are found; (4) the entrance rate for learners, beginners or probationary workers, the length of such learning or probationary period, and the number of workers paid such entrance rates; and (5) the product or products made by the establishments included.

To the extent possible, data should be submitted in such a manner as to permit evaluation thereof on a plant by plant basis.

In the discretion of the Presiding Officer, a period of not to exceed 30 days from the close of the hearing may be allowed for the filing of comment on the evidence and statements introduced into the record of the hearing. In the event such supplemental statements are received an original and four copies of each such statement should be filed.

Signed at Washington, D. C., this 23d day of July 1952.

WM. R. McCOMB,
Administrator, Wage and Hour and Public Contracts Division.

[F. R. Doc. 52-8248; Filed, July 25, 1952; 8:59 a. m.]

Wage and Hour and Public Contracts Divisions

EMPLOYMENT OF HANDICAPPED CLIENTS BY SHELTERED WORKSHOPS

ISSUANCE OF SPECIAL CERTIFICATES

Notice is hereby given that special certificates authorizing the employment of handicapped clients at hourly wage rates lower than the minimum wage rates applicable under section 6 of the Fair Labor Standards Act of 1938, as amended, and section 1 (b) of the Walsh-Healey Public Contracts Act, as amended, have been issued to the sheltered workshops hereinafter mentioned, under section 14 of the Fair Labor Standards Act of 1938, as amended (sec. 14, 52 Stat. 1068; 29 U. S. C. 214; as amended 63 Stat. 910), and Part 525 of the regulations issued thereunder, as amended (29 CFR Part 525), and under sections 4 and 6 of the Walsh-Healey Public Contracts Act (secs. 4, 6, 49 Stat. 2038; 41 U. S. C. 38, 40) and Article 1102 of the regulations issued pursuant thereto (41 CFR 201.1102).

The names and addresses of the sheltered workshops to which certificates were issued, wage rates, and the effective and expiration dates of the certificates are as follows:

Community Workshops of Rhode Island, Inc., 79–83 North Main Street, Providence 3, R. I.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 140 hours and a training period of 140 hours, and 20 cents per hour thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

The Sheltered Workshop of the Boston Tuberculosis Association, 35 Tyler Street, Boston, Mass.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 25 cents per hour, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

The New York Association for the Blind, Industrial Division, 36–20 Northern Boulevard, Long Island City 1, New York; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Central Association for the Blind, Inc., 301 Court Street, Utica 4, N. Y.; at a wage rate of not less than the piece rate paid nonhandicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than the applicable hourly rate during the periods hereinafter specified, whichever is higher: 10 cents per hour for an evaluation period of 320 hours for the Sewing Room, and an evaluation period of 240 hours for the Rug Weaving Department, followed by 40 cents per hour for the entire shop with the exception of the Mat Weaving and Hand Sewing Departments including homeworkers; and 10 cents per hour for the Mat Weaving and Hand Sewing Departments including homeworkers. Certificate is effective July 7, 1952, and expires June 30, 1953.

Goodwill Industries of Philadelphia, Inc., 1705 West Alleghany Avenue, Philadelphia 32, Pennsylvania; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 20 cents per hour for an evaluation period of 40 hours and a training period of 80 hours, and 45 cents per hour thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Charlotte Workshop for the Blind, 1702 North Brevard Street, Charlotte, N. C.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 55 cents per hour thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Lions Club Workshop for the Blind, 104 South Maple Street, Durham, N. C.; at a wage rate of not less than the piece

rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 50 cents per hour thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Guilford Industries for the Blind, 920 West Lee Street, Greensboro, N. C.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and a training period of 80 hours, and 50 cents per hour thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Jewish Home for Aged, 11501 Petoskey Avenue, Detroit 4, Mich.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 5 cents per hour for an evaluation period of 40 hours and a training period of 40 hours, and 8 cents per hour thereafter, whichever is higher. Certificate is effective June 5, 1952, and expires October 31, 1952.

The Goodwill Industries of Zanesville, 108 Main Street, Zanesville, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for a training period of 40 hours, and 40 cents thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Christ Mission Goodwill Industries, 330 East Boardman Street, Youngstown, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 15 cents per hour for a training period of 40 hours, and 30 cents thereafter, whichever is higher. Certificate is effective July 1, 1952, and expires June 30, 1953.

Bethel Goodwill Industries, 621 Norton Drive, Ashtabula, Ohio; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than the applicable hourly rates during the periods hereinafter specified, whichever is higher: Salvage Workshop, 15 cents per hour for a training period of 40 hours and 40 cents therafter; Sewing Department, 15 cents per hour for an evaluation period of 40 hours and a training period of 80 hours, and 40 cents thereafter. Certificate is effective July 2, 1952, and expires June 30, 1953.

Lincoln Goodwill Industries, Inc., 1822 N Street, Lincoln, Nebr.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 40 cents per hour for an evaluation period of 40 hours and a training period of 40 hours, and 45 cents thereafter, whichever is higher. Certificate is effective June 30, 1952, and expires May 31, 1953.

Pueblo Goodwill Industries, 130 South Union, Pueblo, Colo.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 60 cents per hour, whichever is higher. Certificate is effective May 29, 1952, and expires December 31, 1952.

Iowa Society for Crippled Children and Adults, Inc., 2917 Grand Avenue, Des Moines 12, Iowa; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 10 cents per hour for an evaluation period of 80 hours and a training period of 120 hours, and 25 cents per hour thereafter, whichever is higher. Certificate is effective June 1, 1952, and expires May 31, 1953.

The Rehabilitation Institute, 3600 Troost, Kansas City 3, Mo.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 5 cents per hour for an evaluation period of 120 hours and a training period of 80 hours, and 15 cents thereafter, whichever is higher. Certificate is effective June 30, 1952, and expires May 31, 1953.

The Lighthouse for the Blind (formerly Industrial Aid for the Blind), 2315–21 Locust Street, St. Louis 3, Mo.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than the applicable hourly rates during the periods hereinafter specified, whichever is higher: Entire Shop, 25 cents per hour during an evaluation period of 160 hours, and 32 cents thereafter, and the following rates and training periods applicable to the Divisions listed: Broom Division and Sewing Division, 25 cents per hour during a training period of 160 hours in each such Division, and 32 cents thereafter; Mat Division, Mop Division, and Rug Division, 25 cents per hour during a training period of 80 hours in each such Division, and 32 cents thereafter. Certificate is effective June 11, 1952, and expires November 30, 1952.

Goodwill Industries of Arizona, 910 East Sherman St., Phoenix, Ariz.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 160 hours, and 70 cents thereafter, whichever is higher. Certificate is effective June 21, 1952, and expires June 20, 1953.

The Volunteers of America, West 28 Main Avenue, Spokane 1, Wash.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 46 cents per hour for an evaluation period of 160 hours and 65 cents per hour thereafter, whichever is higher. Certificate is effective July 15, 1952, and expires January 24, 1953.

Goodwill Industries of Orange County, California, 417 West Fourth Street, Santa Ana, Calif.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 160 hours, and 65 cents thereafter, whichever is higher. Certificate is effective July 25, 1952, and expires January 24, 1953.

Seattle Goodwill Industries, 1400 Lane Street, Seattle 44, Wash.; at a wage rate of not less than the piece rate paid non-handicapped employees engaged in the same occupation in regular commercial industry maintaining approved labor standards or not less than 50 cents per hour for an evaluation period of 160 hours, and 60 cents thereafter, whichever is higher. Certificate is effective July 24, 1952, and expires July 23, 1953.

The employment of handicapped clients in the above-mentioned sheltered workshops under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 525 of the regulations, as amended. These certificates have been issued on the applicants' representations that they are sheltered workshops as defined in the regulations and that special services are provided their handicapped clients. A sheltered workshop is defined as, "A charitable organization or institution conducted not for profit, but for the purpose of carrying out a recognized program of rehabilitation for individuals whose earning capacity is impaired by age or physical or mental deficiency or injury, and to provide such individuals with remunerative employment or other occupational rehabilitating activity of an educational or therapeutic nature."

These certificates may be canceled in the manner provided by the regulations, as amended. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER.

Signed at Washington, D. C., this 15th day of July 1952.

JACOB I. BELLOW,
Acting Assistant Administrator.

[F. R. Doc. 52-8249; Filed, July 25, 1952; 8:59 a. m.]

CIVIL AERONAUTICS BOARD

[Serial No. SR-364-A]

SPECIAL CIVIL AIR REGULATION

OPERATION BY TRANSOCEAN AIR LINES OF CERTAIN AIRCRAFT IN TRUST TERRITORY OF PACIFIC ISLANDS

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 18th day of July 1952.

Special Civil Air Regulation SR–364 presently provides authorization to Transocean Air Lines for certification and operation of four PBY–5A aircraft between various islands in the Trust Territory of the Pacific Islands and the island of Guam. Such operations have been conducted pursuant to a certain contract between Transocean Air Lines and the Department of the Navy, which contract was subsequently assigned by the Department of the Navy to the Department of the Interior. The aforementioned contract expires on July 30, 1952, and Transocean Air Lines and the Department of the Interior have agreed to enter into a new or extended contract covering the same operations with the same aircraft.

Paragraph 1 (c) of Special Regulation SR–364 predicates the amendment of Transocean's air carrier operating certificate on the terms of the contract between Transocean and the Department of the Navy. Since operations under the proposed new contract between Transocean Air Lines and the Department of the Interior would technically not be authorized by Special Regulation SR–364, the Board considers that paragraph 1 (c) should be amended to provide authorization for identical operations under any such contract or extension thereof entered into between Transocean Air Lines and the Department of the Interior.

Because Transocean Air Lines is the only carrier affected by this amendment and has requested the relief herein granted and because this amendment is minor in nature, notice and public procedure hereon are unnecessary, and since it relieves the said carrier from restriction, the Board finds that good cause exists to make this regulation effective immediately.

In consideration of the foregoing the Civil Aeronautics Board hereby amends paragraph 1 (c) of Special Civil Air Regulation SR–364 effective immediately, as follows:

By substituting a comma for the period at the end of paragraph 1 (c) and by adding the following language: "or pursuant to any contract or extension thereof subsequently entered into between Transocean Air Lines and the Department of the Interior but only with respect to the points specified in section 1."

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 601, 604, 52 Stat. 1007, 1010; 49 U. S. C. 551, 554)

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 52–8251; Filed, July 25, 1952; 8:59 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Change List No. 5]

CUBAN BROADCAST STATIONS

NOTIFICATION OF NEW STATIONS, LIST OF CHANGES, MODIFICATIONS AND DELETIONS OF EXISTING STATIONS

JUNE 25, 1952.

Notification of new Cuban radio stations, and of changes, modifications and deletions of existing stations, in accordance with Part III, Section F, of the North American Regional Broadcasting Agreement, Washington, D. C., 1950.

REPUBLIC OF CUBA

Call letters	Location	Power (kw)	Antenna	Schedule	Class	Proposed date of change or commencement of operation
CMJP	Ciego de Avila, Camaguey	580 kilocycles (assignment of call letters).				
NEW	Bayamo, Oriente	1190 kilocycles, 0.25.	ND	U	II	Dec. 12, 1952.
CMJK	Camaguey, Camaguey	1150 kilocycles, 0.5.	ND	U	III	Cancel assignment.
CMJK	do	1160 kilocycles, 1	ND	L–KSL	II	Now in operation.
CMHC [1]	Santa Clara, Las Villas	1410 kilocycles, 1	ND	U	III	Dec. 24, 1952.
CMGM	Colon, Matanzas (PO: 0.25 kw, Cardenas) (change in location and power; assignment of call letters).	1440 kilocycles, 0.25.	ND	U	IV	Do.
CMHC	Santa Clara, Las Villas (vide 1410 kc, 1 kw) (assignment of call letters)	1480 kilocycles				

[1] This station is assigned to this frequency conditionally, to change to 1480 kilocycles with 500 watts upon entry into force of the Agreement.

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

[F. R. Doc. 52–8213; Filed, July 25, 1952; 8:56 a. m.]

[Docket No. 10232]

COAST STATIONS CURRENTLY AUTHORIZED TO OPERATE ON DESIGNATED FREQUENCIES IN THE BAND 14–150 KC, 150–200 KC AND 200–535 KC

ORDER TO SHOW CAUSE WITH RESPECT TO MODIFICATION OF LICENSES

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952;

The Commission having under consideration the matter of modifying as of August 15, 1952, November 1, 1952, and December 1, 1952, respectively, the licenses of coast stations now operating on frequencies in the band 14–150 kc, in the band 200–535 kc, and in the band 150–200 kc by authorizing their operation on frequencies other than those now authorized in order to permit the United States to put into effect the Atlantic City (1947) Table of Frequency Allocations in these bands;

It appearing, that, the agreement concluded at the Extraordinary Administrative Radio Conference (Geneva, 1951) to which the United States is a signatory requires the implementation of the bands 14–150 kc by August 15, 1952, the band 200–535 kc by November 1, 1952, and the band 150–200 kc by December 1, 1952, and that such implementation will require that the licenses of coast stations now operating on certain frequencies be modified to specify frequencies which are in accordance with the agreement; and

It further appearing, that the Commission has this date issued a Notice of Proposed Rule Making [1] which, among other matters, proposes to modify its rules so as to make unavailable to coast stations certain currently assignable frequencies in the bands 14–150 kc, 150–200 kc and 200–535 kc and simultaneously proposes to make available to coast stations certain other frequencies which are allocated for the use of such stations under the agreement;

It is ordered, That pursuant to the provisions of section 312 (b) of the Communications Act of 1934, as amended, the licensees of coast stations authorized to operate on a frequency or frequencies within the bands 14–150 kc, 150–200 kc and 200–535 kc are directed to show cause, on or before July 28, 1952, why the licenses of said coast stations should not be modified as of August 15, 1952, November 1, 1952, and December 1, 1952, respectively, so as to delete the authority to operate on the frequencies designated in the Appendix A set forth below and to substitute therefor authority to operate on the frequencies and at the locations and with power and emission shown in the Appendix B set forth below, in the event that the Commission has finalized its proposal to amend its rules as described in the preceding paragraph, and in the event no applications are filed with the Commission which are mutually exclusive with any of the modified assignments proposed in Appendix B.

Released: July 14, 1952.

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

APPENDIX A

Frequency (kc), Station, Licensee, and Location

109; WSL; Mackay Radio & Telegraph Co., Amagansett, N. Y.

111; WCC; Radiomarine Corp. of America, South Chatham, Mass.

120; WSL; Mackay Radio & Telegraph Co., Amagansett, N. Y.

125; WSC; Radiomarine Corp. of America, Tuckerton, N. J.

125; WCC; Radiomarine Corp. of America, South Chatham, Mass.

126; KPH; Radiomarine Corp. of America, Bolinas, Calif.

[1] See F. R. Doc. 52–8177, 47 CFR Parts 7, 8, 14, *supra*.

131; WSF; Mackay Radio & Telegraph Co., New York, N. Y.
136; KPH; Radiomarine Corp. of America, Bolinas, Calif.
137; WSV; Radiomarine Corp of America, Savannah, Ga.
137; WCC; Radiomarine Corp. of America, South Chatham, Mass.
147; WBF; Tropical Radio & Telegraph Co., Hingham, Mass.
161; WBL; Radiomarine Corp. of America, Martinsville, N. Y.
161; WNU; Tropical Radio & Telegraph Co., Kenner, La.
163; WPR; South Puerto Rico Sugar Co., Ensenada, P. R.
170; WNY; Radiomarine Corp. of America, New York, N. Y.
170; WSV; Radiomarine Corp. of America, Savannah, Ga.
406, WIM; Radiomarine Corp. of America, Chatham, Mass.
408; KSE, Radiomarine Corp. of America, Torrance, Calif.
408; WSV; Radiomarine Corp. of America, Savannah, Ga.
410; KHK; RCA Com., Inc., Kahuku, T. H.
418; KOK; Mackay Radio & Telegraph Co., Clearwater, Calif.
418; WPA; Radiomarine Corp. of America, Port Arthur, Tex.
418; KFS; Mackay Radio & Telegraph Co., Palo Alto, Calif.
420; WSF; Mackay Radio & Telegraph Co., New York, N. Y.
420; KLB; Mackay Radio & Telegraph Co., Kent, Wash.
425; WLC; Control Radio Telegraph Co., Rogers City, Mich.
432; WOE; Radiomarine Corp. of America, Lakeworth, Fla.
436; KPH; Radiomarine Corp. of America, Bolinas, Calif.
436; WBF; Tropical Radio Telegraph Co., Hingham, Mass.
438; WPR; South Puerto Rico Sugar Co., Ensenada, P. R.
438; WPD; Clara Lee Wood, Tampa, Fla.
438; WPC; Bethlehem Steel Co., Quincy, Mass.
438; WPY; New York City Police Department, New York, N. Y.
438; WMH; Mayor and City Council, Baltimore, Md., Baltimore, Md.
442; WNY; Radiomarine Corp. of America, New York, N. Y.
442; WLO; Mobileradio, Mobile, Ala.
442; WSE; Caribbean Radio, Jacksonville, Fla.
448; WNU; Tropical Radio Telegraph Co., Kenner, La.
454; WLC; Central Radio & Telegraph Co., Rogers City, Mich.
460; KJQ; Olympic Radio Co., Hoquiam, Wash.
462; WSC; Radiomarine Corp. of America, Tuckerton, N. J.
474; WSL; Mackay Radio & Telegraph Co., Amagansett, N. Y.
478; WBL; Radiomarine Corp. of America, Martinsville, N. Y.
478; KIK; Globe Wireless, Musselrock, Calif.
482; WAX; Tropical Radio Telegraph Co., Ojus, Fla.
484; KLC; Mackay Radio & Telegraph Co., Galveston, Tex.
425; KOO; H. Synnestvedt, Chatham, Alaska.
425; 460; KLD; Nakat Packing Corp., Hidden, Inlet, Alaska.
425; KJZ; Pacific American Fisheries, Inc., Lazy Bay, Alaska.
460; KNP; Oceanic Fisheries Co., Inc., Port Oceanic, Alaska.
425; KEA; Adam William Lipke, Seldovia, Alaska.
425; 460; KUB; Bristol Bay Packing Co., Pederson Point, Alaska.
425; 460; KLA; Nakat Packing Corp., Waterfall, Alaska.
425; KMS; Pacific American Fisheries, Inc., King Cove, Alaska.
425; 460; KJI; Nakat Packing Corp., Nakeen, Alaska.
425; 460; KJT; Pacific American Fisheries, Inc., Squaw Harbor, Alaska.
425; 460; KKI; Pacific American Fisheries, Inc., Warren, Alaska.
460; KDX; Trans-Pacific Fishing & Packing Co. and Calvert Corp. d/b as Peninsula Packers, any temporary location within the Territory of Alaska.

APPENDIX B

Frequency (kc.)	Station	Location	Licensee	Geneva [1] emission	Maximum peak power (kw.) (or the equivalent in plate input)
112.85	WSL	Amagansett, N. Y.	Mackay Radio & Telegraph Co.	0.1A1	15
124.05	WSC	Tuckerton, N. J.	Radiomarine Corp. of America	0.1A1	6
126.15	KPH	Bolinas, Calif.	do	0.1A1	10
128.95	WPR	Ensenada, P. R.	South Puerto Rico Sugar Co.	0.1A1	5
130.35	WCC	South Chatham, Mass.	Radiomarine Corp. of America	0.1A1	10
132.10	WSF	New York, N. Y.	Mackay Radio & Telegraph Co.	0.1A1	2
134.55	WNY	do	Radiomarine Corp. of America	0.1A1	1
137.00	WBF	Hingham, Mass.	Tropical Radio Telegraph Co.	0.1A1	20
137.70	WSV	Savannah, Ga.	Radiomarine Corp. of America	0.1A1	2
139.80	WNU	Kenner, La.	Tropical Radio Telegraph Co.	0.1A1	0.75
146.80	WSC	Tuckerton, N. J.	Radiomarine Corp. of America	0.1A1	6
147.50	WCC	South Chatham, Mass.	do	0.1A1	10
147.85	KPH	Bolinas, Calif.	do	0.1A1	10
416	WPA	Port Arthur, Tex.	do	0.1A1 2.1A2	10
418	WIM	Chatham, Mass.	do	0.1A1 2.1A2	20
418	KSE	Torrance, Calif.	do	0.1A1 2.1A2	10
420	WPD	Tampa, Fla.	Clara Lee Wood	0.1A1 2.1A2	1.0
434	WSV	Savannah, Ga.	Radiomarine Corp. of America	0.1A1 2.1A2	0.0
436	KTK	Musselrock, Calif.	Globe Wireless, Ltd.	0.1A1 2.1A2	5.0
436	WBF	Hingham, Mass.	Tropical Radio Telegraph Co.	0.1A1 2.1A2	20
438	WLO	Mobile, Ala.	Mobileradio	0.1A1 2.1A2	1.0
442	WSF	New York, N. Y.	Mackay Radio & Telegraph Co.	0.1A1 2.1A2	2.0
460	KPH	Bolinas, Calif.	Radiomarine Corp. of America	0.1A1 2.1A2	5.0
460	WSC	Tuckerton, N. J.	do	0.1A1 2.1A2	10
464	KOK	Clearwater, Calif.	do	0.1A1 2.1A2	5.0
464	WSE	Jacksonville, Fla.	Caribbean Radio	0.1A1 2.1A2	1.0
472	KHK	Kahuku, Hawaii	RCA Communications Inc.	0.1A1 2.1A2	2.0
472	WOE	Lake Worth, Fla.	Radiomarine Corp. of America	0.1A1 2.1A2	2.0
472	WNY	New York, N. Y.	do	0.1A1 2.1A2	0.5
476	WSL	Amagansett, N. Y.	Mackay Radio & Telegraph Co.	0.1A1 2.1A2	15
476	KFS	Palo Alto, Calif.	do	0.1A1 2.1A2	10
478	WNU	Kenner, La.	Tropical Radio Telegraph Co.	0.1A1 2.1A2	20
482	WMH	Baltimore, Md.	Mayor and City Council, Baltimore, Md.	0.1A1 2.1A2	1.5
482	KJQ	Hoquiam, Wash.	Olympic Radio Co.	0.1A1 2.1A2	0.5
482	WBL	Martinsville, N. Y.	Radiomarine Corp. of America	0.1A1 2.1A2	0.75
482	WPY	New York, N. Y.	City of New York Police Department.	0.1A1 2.1A2	0.2
482	WLC	Rogers City, Mich.	Central Radio Telegraph Co.	0.1A1 2.1A2	1.0
482	WPC	Quincy, Mass.	Bethlehem Steel Co.	0.1A1 2.1A2	0.2
484	KLC	Galveston, Tex.	Mackay Radio & Telegraph Co.	0.1A1 2.1A2	5.0
486	WPR	Ensenada, P. R.	South Puerto Rico Sugar Co.	0.1A1 2.1A2	1.5
488	WAX	Ojus, Fla.	Tropical Radio Telegraph Co.	0.1A1 2.1A2	5.0
488	KLB	Kent, Wash.	Mackay Radio & Telegraph Co.	0.1A1 2.1A2	2.0
416	KOO	Chatham, Alaska	H. Synnestvedt	0.1A1 2.1A2	0.2
416	KLD	Hidden Inlet, Alaska	Nakat Packing Corp.	0.1A1 2.1A2	0.2
416	KJZ	Lazy Bay, Alaska	Pacific American Fisheries, Inc.	0.1A1 2.1A2	0.2
416	KNP	Port Oceanic, Alaska	Oceanic Fisheries, Co., Inc.	0.1A1 2.1A2	0.2
416	KEA	Seldovia, Alaska	Adam William Lipke	0.1A1 2.1A2	0.4
416	KUB	Pederson Point, Alaska	Bristol Bay Packing Co.	0.1A1 2.1A2	0.2
416	KLA	Waterfall, Alaska	Nakat Packing Corp.	0.1A1 2.1A2	0.2
438	KMS	King Cove, Alaska	Pacific American Fisheries, Inc.	0.1A1 2.1A2	0.2
438	KJI	Nakeen, Alaska	Nakat Packing Corp.	0.1A1 2.1A2	0.2

[1] F. C. C. license—emission equivalents: Geneva, 0.1A1, 2.1A2; F. C. C. license, 0.16A1, 0.266A2.

Frequency (kc.)	Station	Location	Licensee	Geneva [1] emission	Maximum peak power (kw.) (or the equivalent in plate input)
438	KST	Squaw Harbor, Alaska	Pacific American Fisheries, Inc.	0.1A1 2.1A2	0.2
438	KKI	Warren, Alaska	do	0.1A1 2.1A2	0.2
438	KDX	Any temporary location within Territory of Alaska.	Peninsula Packers	0.1A1 2.1A2	0.2

[1] F. C. C. license—emission equivalents; Geneva, 0.1A1, 2.1A2; F. C. C. license, 0.16A1, 0.266A2.

[F. R. Doc. 52-8179; Filed, July 25, 1952; 8:47 a. m.]

[Docket Nos. 8619, 10281]

WABX, Inc., and Harrisburg Broadcasters, Inc.

Order Designating Application for Consolidated Hearing on Stated Issues

In re applications of WABX, Inc., Harrisburg, Pennsylvania, Docket No. 8619, File No. BPCT-201; Harrisburg Broadcasters, Inc., Harrisburg, Pennsylvania, Docket No. 10281, File No. BPCT-986; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 71 in Harrisburg, Pennsylvania; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 71 in Harrisburg, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the stations proposed by WABX, Inc., and Harrisburg Broadcasters, Inc., in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

Federal Communications Commission,
[SEAL] T. J. Slowie,
Secretary.

[F. R. Doc. 52-8202; Filed, July 25, 1952; 8:53 a. m.]

[Docket No. 8624, 10277]

American-Republican, Inc., and WATR, Inc.

Order Designating Application for Consolidated Hearing on Stated Issues

In re applications of American-Republican, Incorporated, Waterbury, Connecticut, Docket No. 8624, File No. BPCT-204; WATR, Inc., Waterbury, Connecticut, Docket No. 10277, File No. BPCT-965; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952:

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 53 in Waterbury, Connecticut; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 53 in Waterbury, Connecticut;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the stations proposed by American-Republican, Incorporated, and WATR, Inc., in the above-entitled applications, would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

Federal Communications Commission,
[SEAL] T. J. Slowie,
Secretary.

[F. R. Doc. 52-8200; Filed, July 25, 1952; 8:52 a. m.]

[Docket Nos. 8716, 9503, 9504]

Greenwich Broadcasting Corp. et al.

Order Scheduling Hearing

In re applications of Greenwich Broadcasting Corporation, Greenwich, Connecticut, Docket No. 8716, File No. BP-6315, for construction permit; World Wide Broadcasting Corporation, Scituate, Massachusetts, Docket No. 9503, File Nos. BRIB-23, BRIB-12, BRIB-16, BRIB-26, BRIB-24, for renewal of licenses of Stations WRUL (1), (2), (3), (4), and (5); World Wide Broadcasting Corporation, WRUL (4), Docket No. 9504, File No. BPIB-63, for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of July 1952;

The Commission having under consideration a petition filed by Greenwich Broadcasting Corporation on May 20, 1952, requesting separate consideration of its application for a new standard broadcast station at Greenwich, Connecticut; and

It appearing, that on November 16, 1949, this application was designated for consolidated hearing with the above-entitled applications of World Wide Broadcasting Corporation on the following issues:

1. To determine, in the light of the evidence adduced under the issues set forth in the Commission's order of this date concerning the World Wide Broadcasting Corporation, the legal, technical, financial, and other qualifications of the Greenwich Broadcasting Corporation, its officers, directors, and stockholders to construct and operate the station it proposes.

2. To determine whether the proposed operation of the Greenwich Broadcasting Corporation would involve objectionable interference with stations WHOM, Jersey City, N. J.; WNLC, New London, Conn. and WBUD, Morrisville, Pa. or with any other existing broadcast stations and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the

services proposed in any other pending applications for broadcast facilities and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other broadcast services to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

5. To determine, in the light of the evidence adduced under the foregoing issues, whether the public interest, convenience, or necessity would be served by a grant of the subject application; and

It further appearing, that this action was taken in part because Walter S. Lemmon, an officer, director and principal stockholder of World Wide Broadcasting Corporation was also an officer, director and principal stockholder of Greenwich Broadcasting Corporation, and that the Commission on November 16, 1949, also designated for hearing applications of World Wide Broadcasting Corporation for renewal of license of stations WRUL (1), (2), (3), (4) and (5) and for a construction permit for station WRUL (4), on grounds relating to the qualifications of the applicant corporation; and

It further appearing, that on August 1, 1950, World Wide Broadcasting Corporation filed a petition for reconsideration and grant, which has not been decided, and

It further appearing, that the hearing on the application of Greenwich Broadcasting Corporation has been continued without date, and

It further appearing, that, it would be in the public interest to commence the hearing on the application of Greenwich Broadcasting Corporation on those issues which have no connection with the qualifications of World Wide Broadcasting Corporation pending determination of the World Wide Broadcasting Corporation petition for reconsideration and grant;

It is ordered, That the application of Greenwich Broadcasting Corporation is scheduled for hearing with respect to issues 2, 3 and 4 above-listed to be held in Washington, D. C., on August 19, 1952; and

It is further ordered, That no initial decision be prepared in this matter until further order of the Commission.

Released: July 21, 1952.

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

[F. R. Doc. 52-8212; Filed, July 25, 1952; 8:56 a. m.]

[Docket Nos. 8734, 8735]

HAWLEY BROADCASTING CO. AND EASTERN RADIO CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Hawley Broadcasting Company, Reading, Pennsylvania, Docket No. 8734, File No. BPCT-239; Eastern Radio Corporation, Reading, Pennsylvania, Docket No. 8735, File No. BPCT-268; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 61 in Reading, Pennsylvania;

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 61 in Reading, Pennsylvania; and

It further appearing, that pursuant to Part 17 of the Commission's rules and regulations, the transmitter site and antenna system specified by Eastern Radio Corporation would not constitute a hazard to air naviation provided the obstruction marking is in accordance with certain designated specifications;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the station proposed by Hawley Broadcasting Company in the above-entitled application would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8199; Filed, July 25, 1952; 8:52 a. m.]

[Docket Nos. 8953, 10268, 10269]

BOOTH RADIO & TELEVISION STATIONS, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Booth Radio & Television Stations, Inc., Flint, Michigan, Docket No. 8953, File No. BPCT-393; WJR, the Goodwill Station, Inc., Flint, Michigan, Docket No. 10268, File No. BPCT-967; Trebit Corporation, Flint, Michigan, Docket No. 10269, File No. BPCT-968; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 12 in Flint, Michigan; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 12 in Flint, Michigan;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8196; Filed, July 25, 1952; 8:51 a. m.]

[Docket Nos. 9012, 10294, 10295]

SACRAMENTO BROADCASTERS, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Sacramento Broadcasters, Inc., Sacramento, California, Docket No. 9012, File No. BPCT-411; KCRA, Inc., Sacramento, California, Docket No. 10294, File No. BPCT-669; Harmco, Inc., Sacramento, California, Docket No. 10295, File No. BPCT-975; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applica-

tions, each requesting a construction permit for a new television broadcast station to operate on Channel 3 in Sacramento, California; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 3 in Sacramento, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8208; Filed, July 25, 1952; 8:54 a. m.]

[Docket Nos. 9013, 10298]

MCCLATCHY BROADCASTING CO. AND SACRAMENTO TELECASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of McClatchy Broadcasting Company, Sacramento, California, Docket No. 9013, File No. BPCT-450; Sacramento Telecasters, Inc., Sacramento, California, Docket No. 10298, File No. BPCT-976; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 10 in Sacramento, California; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 10 in Sacramento, California;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8209; Filed, July 25, 1952; 8:55 a. m.]

[Docket Nos. 9041, 10240]

ALADDIN RADIO AND TELEVISION, INC., AND DENVER TELEVISION CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Aladdin Radio and Television, Inc., Denver, Colorado, Docket No. 9041, File No. BPCT-426; Denver Television Company, Denver, Colorado, Docket No. 10240, File No. BPCT-951; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 7 in Denver, Colorado; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 7 in Denver, Colorado;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8185; Filed, July 25, 1952; 8:49 a. m.]

[Docket Nos. 9043, 10238]

KMYR BROADCASTING CO. AND METROPOLITAN TELEVISION CO.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of KMYR Broadcasting Company, Denver, Colorado, Docket No. 9043, File No. BPCT-488; Metropolitan Television Company, Denver, Colorado, Docket No. 10238, File No. BPCT-941; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 4 in Denver, Colorado; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 4 in Denver, Colorado;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8184; Filed, July 25, 1952; 8:48 a. m.]

[Docket Nos. 9136, 9137, 10243]

PIONEER BROADCASTERS, INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Pioneer Broadcasters, Inc., Portland, Oregon, Docket No. 9136, File No. BPCT-431; KOIN, Inc., Portland, Oregon, Docket No. 9137, File No. BPCT 493; KXL Broadcasters, Inc., Portland, Oregon, Docket No. 10243, File No. BPCT-954; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 6 in Portland, Oregon; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 6 in Portland, Oregon;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8186; Filed, July 25, 1952; 8:49 a. m.]

[Docket Nos. 9138, 10245]

WESTINGHOUSE RADIO STATIONS, INC., AND PORTLAND TELEVISION, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Westinghouse Radio Stations, Inc., Portland, Oregon, Docket No. 9138, File No. BPCT-494; Portland Television, Inc., Portland, Oregon, Docket No. 10245, File No. BPCT-956; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 8 in Portland, Oregon; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 8 in Portland, Oregon;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8187; Filed, July 25, 1952; 8:49 a. m.]

[Docket Nos. 9895, 10234, 10235]

JOHN C. POMEROY ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re application of John C. Pomeroy, Pontiac, Michigan, Docket No. 9895, File No. BP-7811; William R. Reed, Pontiac, Michigan, Docket No. 10234, File No. BP-8510; for construction permits; Southern Michigan Broadcasters (WSTR) Sturgis, Michigan, Docket No. 10235, File No. BML-1489; for modification of license.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952;

The Commission having under consideration the above-entitled applications of John C. Pomeroy and William R. Reed, each requesting the use of 1460 kc. with 500 w power, daytime only, at Pontiac, Michigan, and the application of Southern Michigan Broadcasters for modification of license to increase daytime power from 500 w to 1 kw on the frequency 1460 kc at Station WSTR, Sturgis, Michigan.

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said applications are designated for hearing in a consolidated proceeding at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants and the technical, financial and other qualifications of the corporate applicant, its officers, directors and stockholders to operate the proposed stations.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed stations and WSTR as proposed, and the availability of other primary service to such areas and populations.

3. To determine the type and character of program services proposed to be rendered and whether they would meet the requirements of the populations and areas proposed to be served.

4. To determine whether the operation of the proposed stations and WSTR as proposed would involve objectionable interference with any existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the operation of the proposed stations would involve objectionable interference, each with the other, or with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

6. To determine whether the installation and operation of the proposed stations and WSTR as proposed would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

7. To determine the overlap, if any, which would exist between the service areas of Station WSTR as proposed and of Station WTVH, Coldwater, Michigan, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

8. To determine on a comparative basis which, if any, of the applications in this consolidated proceeding should be granted.

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

[F. R. Doc. 52-8182; Filed, July 25, 1952; 8:48 a. m.]

[Docket No. 9964]

AZALEA BROADCASTING CO.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Charles W. Holt, Clarence H. Dossett, Dave A. Matison, Jr., and Bernard Reed Green, d/b as Azalea Broadcasting Company, Mobile, Alabama, Docket No. 9964, File No. BP-7830.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952;

The Commission having under consideration the above-entitled application requesting a construction permit for a new standard broadcast station to operate on 1340 kc, with 250 w power, unlimited time, at Mobile, Alabama.

It appearing, that the simultaneous operation of the proposals of Azalea Broadcasting Company and WSMB, Incorporated (File No. BP-7971; Docket 9965) would be expected to result in a certain measure of mutual interference but that the extent of such interference would be of a relatively low order and not in contravention of the Standards of Good Engineering Practice; and

It further appearing, that Azalea Broadcasting Company and WSMB, Incorporated, have agreed to accept whatever interference may ensue from the grant of both said applications and simultaneous operation pursuant thereto; and

It further appearing, that Azalea Broadcasting Company is legally, technically, financially and otherwise qualified to construct and operate its proposed station; but that the operation of such proposed station may not comply with the Commission's rules and Standards of Good Engineering Practice, with particular reference to coverage of the Mobile metropolitan district at night:

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with any existing stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations with particular reference to the nighttime coverage of the Mobile, Alabama metropolitan district.

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

[F. R. Doc. 52-8180; Filed, July 25, 1952; 8:47 a. m.]

[Docket No. 10222]

KTRM, INC.

ORDER SCHEDULING HEARING

In re application of KTRM, Incorporated, Beaumont, Texas, Docket No. 10222, File No. BMP-5835; for modification of construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 16th day of July 1952;

The Commission having under consideration the above-entitled application, which was designated for hearing on June 19, 1952; and

It appearing, that no date was previously scheduled by the Commission in this proceeding;

It is ordered, That the hearing in the above-entitled proceeding be held at 10:00 a. m., August 6, 1952, in Washington, D. C.

Released: July 21, 1952.

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

[F. R. Doc. 52-8211; Filed, July 25, 1952; 8:55 a. m.]

[Docket No. 10233]

SOUTHLAND BROADCASTING CO. (WATM)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Tom C. Miniard and Grady L. Ingram, d/b as Southland Broadcasting Company (WATM) Atmore, Alabama, Docket No. 10233, File No. BP-8113; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952.

The Commission having under consideration the above-entitled application to increase power of Station WATM which operates on the frequency 1580 kc, daytime only, at Atmore, Alabama, from 250 w to 1 kw; and

It appearing, that the applicant is legally, technically, financially and otherwise qualified to operate Station WATM, as proposed; but that the application may involve interference with one or more existing stations;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

2. To determine whether the operation of the proposed station would involve objectionable interference with Station WPMP, Pascagoula, Mississippi, or with any other existing broadcast stations, and if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve obejctionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the installation and operation of the proposed stations would be in compliance with the Commission rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

It is further ordered, That Crest Broadcasting Company, Inc., licensee of Station WPMP, Pascagoula, Mississippi, is made a party to this proceeding.

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

[F. R. Doc. 52-8181; Filed, July 25, 1952; 8:47 a. m.]

[Docket No. 10236]

WFTW, INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of WFTW, Inc., Ft. Walton, Florida, Docket No. 10236, File No. BP-8197; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of July 1952;

The Commission having under consideration the above-entitled application for construction permit to construct a new standard broadcast station to operate on 1490 kc, with 250 w power, unlimited time, at Ft. Walton, Florida; a

petition from Manatee Broadcasting Company, Inc. (WDHL) requesting that the application be designated for hearing and an answer thereto from the applicant.

It appearing, that the applicant is legally and technically qualified to construct and operate the proposed station but that it has not made a satisfactory showing of its financial ability to do so and also that the proposed operation may involve interference with Station WDHL which has protested a grant and made a showing of such probable interference, which showing has not been refuted by the applicant in accordance with the Standards of Good Engineering Practice;

It is ordered, That the petition of Manatee Broadcasting Company, Inc. is granted; and

It is further ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, and § 1.385 (c) of the Commission's rules, the said application is designated for hearing at a time and place to be specified by subsequent order, upon the following issues:

1. To determine the financial and other qualifications of the corporate applicant, its officers, directors and stockholders to operate the proposed station.

2. To determine the areas and populations which may be expected to gain or lose primary service from the operation of the proposed station, and the availability of other primary service to such areas and populations.

3. To determine whether the operation of the proposed station would involve objectionable interference with Station WDHL, Bradenton, Florida, or with any other existing broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby and the availability of other primary service to such areas and populations.

4. To determine whether the operation of the proposed station would involve objectionable interference with the services proposed in any other pending applications for broadcast facilities, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the installation and operation of the proposed station would be in compliance with the Commission's rules and Standards of Good Engineering Practice Concerning Standard Broadcast Stations.

6. To determine the overlap, if any, which would exist between the service areas of the proposed station and of Station WBSR, Pensacola, Florida, the nature and extent thereof, and whether such overlap, if any, is in contravention of § 3.35 of the Commission's rules.

It is further ordered, That, Trail Broadcasting Corporation, licensee of Station WDHL, Bradenton, Florida, is made a party to this proceeding.

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

[F. R. Doc. 52-8183; Filed, July 25, 1952; 8:48 a. m.]

[Docket Nos. 10246, 10247]

OREGON TELEVISION, INC., AND COLUMBIA EMPIRE TELECASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Oregon Television, Inc., Portland, Oregon, Docket No. 10246, File No. BPCT-938; Columbia Empire Telecasters, Inc., Portland, Oregon, Docket No. 10247, File No. BPCT-982; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 12 in Portland, Oregon; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 12 in Portland, Oregon;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8188; Filed, July 25, 1952; 8:49 a. m.]

[Docket Nos. 10248, 10249]

MT. SCOTT TELECASTERS, INC., AND VANCOUVER RADIO CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Mt. Scott Telecasters, Inc., Portland, Oregon, Docket No. 10248, File No. BPCT 939; Vancouver Radio Corporation, Vancouver, Washington, Docket No. 10249, File No. BPCT 959; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, requesting respectively construction permits for new television broadcast stations to operate on Channel 21 in Oregon City, Oregon; or in Vancouver, Washington; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 21 in Oregon City, Oregon; or in Vancouver, Washington;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8189; Filed, July 25, 1952; 8:49 a. m.]

[Docket Nos. 10250, 10251, 10252]

TRIBUNE CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of the Tribune Company, Tampa, Florida, Docket No. 10250, File No. BPCT 363; Pinellas Broadcasting Company, St. Petersburg, Florida, Docket No. 10251, File No. BPCT 448; the Tampa Bay Area Telecasting Corporation, St. Petersburg, Florida, Docket No. 10252, File No. BPCT 935; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applica-

tions, each requesting a construction permit for a new television broadcast station to operate on Channel 8 in Tampa-St. Petersburg, Florida; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 8 in Tampa-St. Petersburg, Florida;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

5. To determine whether the installation and operation of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

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

[F. R. Doc. 52-8190; Filed, July 25, 1952; 8:50 a. m.]

[Docket Nos. 10253, 10254, 10255]

TAMPA TIMES CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Tampa Times Company, Tampa, Florida, Docket No. 10253, File No. BPCT-458; W. Walter Tison tr/as Tampa Broadcasting Company, Tampa, Florida, Docket No. 10254, File No. BPCT-942; Orange Television Broadcasting Company, Tampa, Florida, Docket No. 10255, File No. BPCT-947; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 13 in Tampa-St. Petersburg, Florida; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 13 in Tampa-St. Petersburg, Florida;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8191; Filed, July 25, 1952; 8:50 a. m.]

[Docket Nos. 10256, 10257]

CITY OF ST. PETERSBURG, FLA., AND EMPIRE COIL CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of City of St. Petersburg, Florida, St. Petersburg, Florida, Docket No. 10256, File No. BPCT 665; Empire Coil Company, Inc., Tampa, Florida, Docket No. 10257, File No. BPCT 926; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 38 in Tampa-St. Petersburg, Florida; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 38 in Tampa-St. Petersburg, Florida;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8192; Filed, July 25, 1952; 8:50 a. m.]

[Docket Nos. 10258, 10259, 10260, 10261, 10262]

SUNFLOWER TELEVISION CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of E. V. Yingling, W. L. Hartman, Virgil S. Browne, Jr., George P. Hollingbery, and John D. Montgomery, d/b as Sunflower Television Company, Wichita, Kansas, Docket No. 10258, File No. BPCT-677; the Radio Station KFH Company, Wichita, Kansas, Docket No. 10259, File No. BPCT-698; Taylor Radio & Television Corporation, Wichita, Kansas, Docket No. 10260, File No. BPCT-946; Wichita Television Corporation, Inc., Wichita, Kansas, Docket No. 10261, File No. BPCT-961; Mid-Continent Television, Incorporated, Wichita, Kansas, Docket No. 10262, File No. BPCT-964; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952,

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 3 in Wichita, Kansas; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 3 in Wichita, Kansas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would

meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8193; Filed, July 25, 1952; 8:51 a. m.]

[Docket Nos. 10263,, 10264]

KAKE BROADCASTING CO., INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of KAKE Broadcasting Company, Inc., Wichita, Kansas, Docket No. 10263, File No. BPCT-700; WKY Radiophone Corporation, Wichita, Kansas, Docket No. 10264, File No. BPCT-950; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 10 in Wichita, Kansas; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 10 in Wichita, Kansas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8194; Filed, July 25, 1952; 8:51 a. m.]

[Docket Nos. 10265, 10266]

KFBI, INC., AND WICHITA BEACON BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of KFBI, Inc., Wichita, Kansas, Docket No. 10265, File No. BPCT-963; Wichita Beacon Broadcasting Company, Inc., Wichita, Kansas, Docket No. 10266, File No. BPCT-973; for construction Permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 16 in Wichita, Kansas;

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 16 in Wichita, Kansas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8195; Filed, July 25, 1952; 8:51 a. m.]

[Docket Nos. 10270, 10271]

W. S. BUTTERFIELD THEATRES, INC., AND TRENDLE-CAMPBELL BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of W. S. Butterfield Theatres, Inc., Flint, Michigan, Docket No. 10270, File No. BPCT-953; Trendle-Campbell Broadcasting Corporation, Flint, Michigan, Docket No. 10271, File No. BPCT-970; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 16 in Flint, Michigan; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 16 in Flint, Michigan;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8197; Filed, July 25, 1952; 8:52 a. m.]

[Docket Nos. 10272, 10273]

BRUSH-MOORE NEWSPAPERS, INC., AND STARK BROADCASTING CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of the Brush-Moore Newspapers, Inc., Canton, Ohio, Docket No. 10272, File No. BPCT-264; Stark Broadcasting Corporation, Canton, Ohio, Docket No. 10273, File No. BPCT-949; for

construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 29 in Canton, Ohio; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 29 in Canton, Ohio; and

It further appearing, that pursuant to Part 17 of the Commission's rules and regulations, the transmitter site and antenna system specified by the Brush-Moore Newspapers, Inc. does not require a special aeronautical study and would not constitute a hazard to air navigation provided the obstruction marking is in accordance with specifications B–6–17 of the rules.

It is ordered, That pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the station proposed by Stark Broadcasting Corporation in the above-entitled application would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8198; Filed July 25, 1952; 8:52 a. m.]

[Docket Nos. 10278, 10279]

KENDRICK BROADCASTING CO., INC., AND ROSSMOYNE CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Kendrick Broadcasting Company, Inc., Harrisburg, Pennsylvania, Docket No. 10278, File No. BPCT–937; Rossmoyne Corporation, Harrisburg, Pennsylvania, Docket No. 10279, File No. BPCT–966; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 27 in Harrisburg, Pennsylvania; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 27 in Harrisburg, Pennsylvania;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the stations proposed by Kendrick Broadcasting Company, Inc., and Rossmoyne Corporation in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8201; Filed, July 25, 1952; 8:53 a. m.]

[Docket Nos. 10282, 10283]

WIBM, INC., AND JACKSON BROADCASTING AND TELEVISION CORP.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of WIBM, Inc., Jackson, Michigan, Docket No. 10282, File No. BPCT–929; Jackson Broadcasting and Television Corporation, Jackson, Michigan, Docket No. 10283, File No. BPCT–969; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 48 in Jackson, Michigan; and

It appearing, that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 48 in Jackson, Michigan;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of the stations proposed by WIBM, Inc., and Jackson Broadcasting and Television Corporation in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8203; Filed, July 25, 1952; 8:53 a. m.]

[Docket Nos. 10284, 10285]

LUFKIN AMUSEMENT CO. AND PORT ARTHUR COLLEGE

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Lufkin Amusement Company, Beaumont, Texas, Docket No. 10284, File No. BPCT–545; Port Arthur College, Port Arthur, Texas, Docket No. 10285, File No. BPCT–839; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 4 in Beaumont-Port Arthur, Texas; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 4 in Beaumont-Port Arthur, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled

applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8204; Filed, July 25, 1952; 8:53 a. m.]

[Docket Nos. 10286, 10287, 10288]

ENTERPRISE CO. ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of the Enterprise Company, Beaumont, Texas, Docket No. 10286, File No. BPCT-743; Beaumont Broadcasting Corporation, Beaumont, Texas, Docket No. 10287, File No. BPCT-762; KTRM, Inc., Beaumont, Texas, Docket No. 10288, File No. BPCT-971; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 6 in Beaumont-Port Arthur, Texas; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 6 in Beaumont-Port Arthur, Texas;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of any of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if any, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8205; Filed, July 25, 1952; 8:53 a. m.]

[Docket Nos. 10289, 10290]

HEAD OF THE LAKES BROADCASTING CO. AND RED RIVER BROADCASTING CO., INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Head of the Lakes Broadcasting Co., Duluth, Minnesota, Docket No. 10289, File No. BPCT-621; Red River Broadcasting Co., Inc., Duluth, Minnestota, Docket No. 10290, File No. BPCT-903; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 3 in Duluth, Minnesota-Superior, Wisconsin; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 3 in Duluth, Minnesota-Superior, Wisconsin;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8206; Filed, July 25, 1952; 8:54 a. m.]

[Docket Nos. 10291, 10292]

RIDSON, INC., AND LAKEHEAD TELECASTERS, INC.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Ridson, Inc., Superior, Wisconsin, Docket No. 10291, File No. BPCT-728; Lakehead Telecasters, Inc., Duluth, Minnesota, Docket No. 10292, File No. BPCT-981; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its office in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 6 in Duluth, Minnesota; Superior, Wisconsin; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 6 in Duluth, Minnesota-Superior, Wisconsin;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8207; Filed, July 25, 1952; 8:54 a. m.]

[Docket Nos. 10299, 10300, 10301]

NORTHEASTERN INDIANA BROADCASTING CO., INC., ET AL.

ORDER DESIGNATING APPLICATION FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Northeastern Indiana Broadcasting Company, Inc., Fort Wayne, Indiana, Docket No. 10299, File No. BPCT-516; News Sentinel Broadcasting Co., Inc., Fort Wayne, Indiana, Docket No. 10300, File No. BPCT-979; Fort Wayne Television Corporation, Fort Wayne, Indiana, Docket No. 10301, File No. BPCT 987; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of July 1952.

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 33 in Fort Wayne, Indiana; and

It appearing that the above-entitled applications are mutually exclusive in that only one of the applications may be granted for operation on Channel 33 in Fort Wayne, Indiana;

It is ordered, That, pursuant to section 309 (a) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding at a time and place to be designated by subsequent order of the Commission upon the following issues:

1. To determine the legal, technical, financial and other qualifications of the applicants to construct and operate the proposed stations.

2. To determine the type and character of the program services proposed to be rendered and whether they would meet the needs of the communities and areas within the Grade A and Grade B field intensity contours.

3. To determine whether the construction and operation of the proposed stations would be in compliance with the Commission's rules and regulations governing television broadcast stations.

4. To determine whether the installation and operation of either of the stations proposed in the above-entitled applications would constitute a hazard to air navigation.

5. To determine on a comparative basis which, if either, of the above-entitled applications should be granted.

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

[F. R. Doc. 52-8210; Filed, July 25, 1952; 8:55 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-1976]

PANHANDLE EASTERN PIPE LINE CO.

ORDER FIXING DATE OF HEARING

JULY 18, 1952.

On June 13, 1952, Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation having its principal place of business at Kansas City, Missouri, filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing the construction and operation of certain natural-gas transmission facilities, 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 noncontested proceedings, and no appropriate request to be heard, protest or petition raising an 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 June 27, 1952 (17 F. R. 5780).

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, and the Commission's rules of practice and procedure, a hearing be held on August 7, 1952, at 9:30 a. m., e. d. s. t., 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 noncontested 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: July 22, 1952.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 52-8244; Filed, July 25, 1952; 8:59 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[CDHA 64]

FINDING AND DETERMINATION OF CRITICAL DEFENSE HOUSING AREAS UNDER THE DEFENSE HOUSING AND COMMUNITY FACILITIES AND SERVICES ACT OF 1951 (PUB. LAW 139, 82D CONG.)

JULY 24, 1952.

Upon a review of the construction of new defense plants and installations, and the reactivation or expansion of operations of existing defense plants and installations, and the in-migration of defense workers or military personnel to carry out activities at such plants or installations, and the availability of housing and community facilities and services for such defense workers and military personnel in each of the areas set forth below, I find that all of the conditions set forth in section 101 (b) of the Defense Housing and Community Facilities and Services Act of 1951 (Pub. Law 139, 82d Cong., 1st Sess.) exist.

Accordingly, pursuant to section 101 of the Defense Housing and Community Facilities and Services Act of 1951 and by virtue of the authority vested in me by paragraph number 1 of Executive Order 10296 of October 2, 1951, I hereby determine that each of said areas is a critical defense housing area.

Honolulu, Territory of Hawaii, Area. (The area consists of the Island of Oahu, Territory of Hawaii.)

JOHN R. STEELMAN,
Acting Director of Defense Mobilization.

[F. R. Doc. 52-8277; Filed, July 25, 1952; 8:59 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-2894]

GENERAL PUBLIC UTILITIES CORP. ET AL.

ORDER AUTHORIZING CAPITAL CONTRIBUTION, AND ISSUANCE, SALE AND ACQUISITION OF SECURITIES

JULY 22, 1952.

In the matter of General Public Utilities Corporation, Associated Electric Company, Pennsylvania Electric Company, File No. 70-2894.

General Public Utilities Corporation ("GPU"), a registered holding company, Associated Electric Company ("Aelec"), subsidiary of GPU and also a registered holding company, and Pennsylvania Electric Company ("Penelec"), subsidiary of Aelec and an operating utility company, having filed a joint application-declaration and an amendment thereto pursuant to sections 6 (a), 6 (b), 7, 9 (a), 10 and 12 of the Public Utility Holding Company Act of 1935 ("the act") and Rules U-23, U-45, and U-50 promulgated thereunder, with respect to the following transactions:

GPU proposes to make cash capital contributions to Aelec in the aggregate amount of $5,000,000. Penelec proposes to issue and sell to Aelec, and Aelec proposes to purchase from Penelec (utilizing for this purpose the cash contributions from GPU aforesaid) an aggregate of 250,000 additional shares of Common Stock ("Additional Common Stock") of Penelec for a purchase price equal to the par value thereof, namely, $20 per share, or an aggregate of $5,000,000.

Having obtained the consent of the holders of a majority of the shares of its outstanding Preferred Stock, Penelec proposes to increase the number of shares of its authorized Preferred Stock from 300,000 to 370,000 shares of the par value of $100 per share.

Penelec proposes publicly to invite bids for the purchase from it of $9,500,000 principal amount of additional First Mortgage Bonds ("New Bonds") and 45,000 additional shares of Cumulative Preferred Stock, par value $100 per share ("New Preferred Stock"), the price to Penelec to be specified in such bids and to be not less than 100 percent nor more than 102¾ percent of the principal amount or par value.

Penelec proposes to utilize the net proceeds of the New Bonds, New Preferred Stock, and Additional Common Stock, estimated at not less than $19,000,000, as follows:

(1) $7,000,000 will be used partially to reimburse Penelec's treasury for construction expenditures therefrom during the period June 30, 1951–April 30, 1952. Out of its treasury funds Penelec will pay its bank loans maturing in September 1952 in the aggregate principal amount of $2,875,000.

(2) The balance of approximately $12,000,000 will be used to meet a part of Penelec's construction expenditures subsequent to April 30, 1952, or partially to reimburse its treasury for such expenditures, or to repay bank loans incurred subsequent to April 30, 1952 (including $3,625,000 borrowed in May and June 1952), the proceeds of which have been or will be applied to such purposes.

Penelec estimates that approximately $19,000,000 will be required during the eight months ending December 31, 1952, in furthering its general construction program.

Penelec estimates that its expenses in the issuance and sale of said securities will aggregate $92,560, including (in addition to statutory taxes, filing, recording and listing fees, printing and engraving, fees and disbursements of indenture trustee, transfer agent and registrar, and miscellaneous expenses) legal and accounting fees and expenses in the amount of $23,000.

Such application-declaration having been duly filed, and notice of its filing having been duly given as prescribed by Rule U-23, and the Commission not having received a request for hearing with respect thereto nor having ordered such a hearing; and

It appearing to the Commission that the issue and sale of said securities by Penelec are solely for the purpose of financing the business of said company; that such issue and sale have been expressly authorized by the Pennsylvania Public Utility Commission, the regulatory commission of the State in which said company is organized and doing business; and

It further appearing that the proposed capital contribution by GPU to Aelec, and the acquisition by Aelec of the Additional Common Stock of Penelec will serve the public interest by tending toward the economical and efficient development of the public-utility system; and

The Commission finding with respect to said application-declaration as amended that the applicable provisions of the act and rules thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and in the interest of investors and consumers that the said application-declaration as amended be granted and permitted to become effective forthwith, subject to the terms and conditions hereinafter stated:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of the act, that the said application-declaration as amended be and the same hereby is granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and to the following further terms and conditions:

1. That the proposed issuance and sale of the New Preferred Stock and New Bonds shall not be consummated until the results of competitive bidding and the public offering price of said securities shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order shall contain such further terms and conditions, if any, as may then be deemed appropriate, jurisdiction being reserved for the imposition thereof.

2. Jurisdiction is also reserved with respect to the payment of all fees for legal and accounting services.

By the Commission.

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

[F. R. Doc. 52-8246; Filed, July 25, 1952; 8:59 a. m.]

[File No. 70-2899]

GRANITE STATE ELECTRIC CO. AND SUBURBAN GAS AND ELECTRIC CO.

NOTICE OF FILING REGARDING PROPOSED NOTE ISSUES

JULY 22, 1952.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by Granite State Electric Company ("Granite") and Suburban Gas and Electric Company ("Suburban"), public-utility subsidiary companies of New England Electric System, a registered holding company. Granite and Suburban have designated sections 6 (a) and 7 of the Act and Rules U-23 and U-42 (b) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

The declaration states that Granite presently has outstanding a 3 percent, six months unsecured promissory note payable November 15, 1952, to the First National Bank of Boston in the amount of $350,000, and proposes to issue, from time to time, but not later than September 30, 1952, to said bank, additional unsecured six months promissory notes in the amount of $100,000. Granite will use the entire proceeds from the notes it proposes to issue for construction purposes. Suburban presently has outstanding 3 percent six months unsecured promissory notes payable to the First National Bank of Boston in the aggregate principal amount of $1,450,000 and proposes to issue to said bank, from time to time but not later than September 30, 1952, additional unsecured six months promissory notes in the amount of $475,000. Suburban will use $375,000 of the proceeds derived from the proposed issuance of additional promissory notes to pay an equal amount of its notes maturing September 25, 1952 and will use the remaining proceeds for construction purposes.

The proposed additional unsecured promissory notes are to bear interest at the prime rate of interest at the time of issuance and, it is stated, that said interest rate at the present time is 3 percent. In the event that said interest rate is in excess of 3¼ percent at the time of issuance of any of the proposed additional promissory notes, the issuing company will file an amendment to this declaration setting forth therein the terms of the note or notes and the rate of interest at least five days prior to the issuance of said note or notes. Granite and Suburban request that this amendment become effective at the end of such period unless the Commission notifies it to the contrary within said period.

The declaration states that the exact nature and timing of permanent financing by Granite and Suburban of its note indebtedness is not presently determinable. However, the declaration further states that the proceeds of any permanent financing will be applied in reduction of, or in total payment of, unsecured promissory notes then outstanding, and the amount of authorized but unissued notes, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the time outstanding.

The declaration states that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $500 for Granite and $400 for Suburban, an aggregate of $900.

The declaration further states that the Public Utilities Commission of New Hampshire has exempted the issuance of the proposed notes by Granite and that no other State commission or Federal commission, other than this Commission, has jurisdiction over any of the transactions proposed in the declaration.

Granite and Suburban request that the Commission's Order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than August 4, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or 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 after said date, the declaration, as filed or as amended, may be 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 U-100 thereof.

By the Commission.

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

[F. R. Doc. 52-8247; Filed, July 25, 1952; 8:59 a. m.]

[File No. 70-2901]

NARRAGANSETT ELECTRIC CO.

NOTICE REGARDING FILING OF PROPOSED NOTE ISSUES

JULY 22, 1952.

Notice is hereby given that a declaration has been filed with this Commission, pursuant to the Public Utility Holding Company Act of 1935, by the Narragansett Electric Company ("Narragansett"), a public-utility subsidiary company of New England Electric System, a registered holding company. Narragansett has designated sections 6 (a) and 7 of the act and rules U-23 and U-42 (b) (2) thereunder as applicable to the proposed transactions, which are summarized as follows:

The declaration indicates that Narragansett contemplates that it will have outstanding at July 31, 1952, $3,600,000 principal amount of unsecured six months promissory notes payable to banks. Narragansett proposes to issue to banks, from time to time but not later than September 30, 1952, additional unsecured six months promissory notes in an aggregate principal amount not in excess of $3,100,000. Narragansett further proposes that the principal amount of all of its unsecured promissory notes outstanding at any one time prior to September 30, 1952 will not exceed $5,500,000.

Each of the proposed notes will bear interest at the prime rate of interest at the time of the issuance thereof. It is stated that said interest rate for such notes at the present time is 3 percent per annum. In the event that such interest rate is in excess of 3¼ percent per annum at the time any of said additional promissory notes are to be issued, Narragansett will file an amendment to its declaration setting forth therein the name of the bank or banks, the terms of the note or notes and the rate of interest at least five days prior to the issuance of said note or notes. Narragansett requests that such amendment become effective at the end of such period unless the Commission notifies it to the contrary within said period.

Narragansett will use $1,200,000 of the proceeds derived from the proposed issuance of additional promissory notes to pay an equal principal amount of outstanding promissory notes maturing September 30, 1952, and will use the remainder of such proceeds for other corporate purposes. The declaration indicates that Narragansett estimates that it will have construction expenditures in August and September of this year in the aggregate amount of $2,553,500. Narragansett proposes that the proceeds of any permanent financing will be applied in reduction of, or in total payment of, promissory notes then outstanding, and the amount of authorized but unissued notes, if any, will be reduced by the amount, if any, by which such permanent financing exceeds the notes at the time outstanding.

The declaration states that incidental services in connection with the proposed note issues will be performed, at cost, by New England Power Service Company, an affiliated service company, such cost being estimated not to exceed $900. The declaration further states that no State commission or Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Narragansett requests that the Commission's Order herein become effective forthwith upon issuance.

Notice is further given that any interested person may, not later than August 4, 1952, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or 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 after said date, the declaration, as filed or as amended, may be 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 U-100 thereof.

By the Commission.

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

[F. R. Doc. 52-8245; Filed, July 25, 1952; 8:59 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 27242]

SOLUTION, CHLORINATED PHENOL PETROLEUM FROM ST. LOUIS, MO., TO SOUTHERN TERRIRORY

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1062.

Commodities involved: Solution, chlorinated phenol petroleum (wood preservative liquid) not exceeding 5 percent chlorinated phenol by weight, carloads.

From: St. Louis, Mo.

To: Points in southern territory.

Grounds for relief: Competition with rail carriers, circuity, grouping, and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1062, Supp. 53.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8224; Filed, July 25, 1952; 8:58 a. m.]

[4th Sec. Application 27243]

LIQUID CAUSTIC SODA FROM ALABAMA TO ILLINOIS

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1172.

Commodities involved: Liquid caustic soda, in tank-car loads.

From: Huntsville and Redstone Arsenal, Ala.

To: Chicago, Joliet, and Lockport, Ill., and intermediate points in Illinois.

Grounds for relief: Competition with rail carriers, circuity, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1172, Supp. 111.

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

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8225; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27244]

CINDERS, CLAY, OR SHALE FROM ALEXANDRIA AND ERWINVILLE, LA., TO COLUMBUS, MISS.

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariff I. C. C. No. 3736.

Commodities involved: Cinders, clay, or shale, carloads.

From: Alexandria and Erwinville, La.

To: Columbus, Miss.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3736, Supp. 197.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8226; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27245]

VARIOUS COMMODITIES BETWEEN POINTS IN TEXAS

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: Lee Douglass, Agent, for carriers parties to his tariff I. C. C. No. 807.

Commodities involved: Various commodities described in exhibit A of the application, carloads.

Between: Points in Texas.

Grounds for relief: Circuitous routes and to apply over short tariff routes rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: Lee Douglass, Agent, I. C. C. No. 807, Supp. 11.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8227; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27246]

LUMBER FROM POINTS IN ALABAMA, TENNESSEE, AND MISSISSIPPI TO MEMPHIS, TENN., GROUP

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: The Illinois Central Railroad Company.

Commodities involved: Lumber and related articles, carloads.

From: Red Bay, Ala., Jackson, Tenn., Belmont and Corinth, Miss., groups.

To: Memphis, Tenn., group.

Grounds for relief: Circuitous routes and to maintain grouping.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8228; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27247]

DRIED BEANS, PEAS, AND LENTILS FROM POINTS IN WEST TO WISCONSIN

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: L. E. Kipp, Agent, for carriers parties to his tariff I. C. C. No. A-2885.

Commodities involved: Dried beans, peas, and lentils, carloads.

From: Points in Colorado, Idaho, Kansas, Montana, Nebraska, Nevada, New Mexico, Oregon, South Dakota, Utah, and Wyoming.

To: Points in Wisconsin.

Grounds for relief: Competition with rail carriers, circuity, and to maintain grouping.

Schedules filed containing proposed rates: L. E. Kipp, Agent, I. C. C. No. A-3885, Supp. 6.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8229; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27248]

CAUSTIC SODA FROM MEMPHIS, TENN., TO MARSHALL, ILL.

APPLICATION FOR RELIEF

JULY 23, 1952.

The Commission is in receipt of the above-entitled and numbered application

for relief from the long-and-short-haul provision of section 4 (1) of the Interstate Commerce Act.

Filed by: F. C. Kratzmeir, Agent, for carriers parties to Agent C. A. Spaninger's tariff I. C. C. No. 1172, pursuant to fourth-section order No. 16101.

Commodities involved: Sodium (soda), caustic (sodium hydroxide) in solution, in tank-car loads.

From: Memphis, Tenn.

To: Marshall, Ill.

Grounds for relief: Circuitous routes and operation through higher-rated territory.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8230; Filed, July 25, 1952; 8:59 a. m.]

[4th Sec. Application 27092]

FERTILIZING COMPOUNDS AND SUPERPHOSPHATE FROM SOUTHERN TERRITORY TO POINTS IN SOUTHWESTERN AND WESTERN TRUNK-LINE TERRITORIES

APPLICATION FOR RELIEF

JULY 23, 1952.

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

Filed by: R. E. Boyle, Jr., Agent, for carriers parties to Agent L. E. Kipp's tariff I. C. C. No. A-3817 and Agent F. C. Kratzmeir's tariffs I. C. C. Nos. 3987 and 3988.

Commodities involved: Fertilizing compounds (manufactured fertilizer), superphosphate, and kindred articles, carloads.

From: Points in southern territory and adjacent points.

To: Points in southwestern and western trunk-line territories.

Grounds for relief: Competition with rail carriers, circuitous routes, and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3988, Supp. 40; F. C. Kratzmeir, Agent, I. C. C. No. 3987, Supp. 54; F. C. Kratzmeir, Agent, I. C. C. No. A-3817, Supp. 47.

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

By the Commission, Division 2.

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

[F. R. Doc. 52-8155; Filed, July 25, 1952; 8:45 a. m.]