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TITLE 6—AGRICULTURAL CREDIT

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

Subchapter C—Loans, Purchases, and Other Operations

[Amdt. 1]

PART 672—WOOL

SUBPART—1953 WOOL PRICE SUPPORT PROGRAM (SHORN WOOL)

MISCELLANEOUS AMENDMENTS

The regulations issued by Commodity Credit Corporation and the Production and Marketing Administration, containing requirements of the 1953 Wool Price Support Program (Shorn Wool) and published in 18 F. R. 2914, are hereby amended as follows:

1. Section 672.402 is amended to read as follows:

§ 672.402 *Eligible persons.* Loans will be made by CCC to approved handlers for the benefit of growers who have title and beneficial interest in the wool and for the benefit of cooperative marketing associations, as defined in § 672.426 (a), whose grower-members have beneficial interest in the wool. A grower, also referred to in this subpart as a producer, is a person who, at the time of shearing, owns the sheep or lambs as well as the wool shorn therefrom.

2. In § 672.403, paragraphs (a), (b), and (c) are amended to read as follows:

(a) The wool must be shorn from sheep or lambs in the continental United States or Territories during the calendar year 1953, except as stated in the proviso under paragraph (b) of this section.

(b) The wool must be received by the handler from the grower thereof or from a pool of such growers and, in either event, the grower must at all times have had title and beneficial interest in the wool: *Provided,* That wool, shorn during the calendar years 1951 and 1953, in which beneficial interest is, and always has been, in the grower though title to the wool was transferred from the grower to a cooperative marketing association, as defined in § 672.426 (a), of which he is a member, is also eligible.

(c) The wool must be covered by the following documents, as applicable:

(1) If the wool is delivered to a handler by a grower, Producer's Designation of Handler, in a form prescribed or approved by CCC and signed by the grower, to act as the grower's representative in commingling the grower's wool with wool delivered by other growers, in pledging such wool as security for loans, in redemption of such wool from loans, and in receiving and distributing proceeds. Such documents shall include a statement by the grower that the wool covered thereby was shorn during the calendar year 1953, that he owned the sheep or lambs from which such wool was shorn, and that title and beneficial interest in such wool are and always have been in him since the wool was shorn, and that such wool is free and clear of liens and encumbrances except those in favor of lienholders listed in the documents and who have signed a lienholder's waiver in form prescribed or approved by CCC. The handler shall obtain such a document from each grower delivering to the handler wool which may be pledged as security for advance or nonrecourse loans, except that if the wool was placed in a pool the document shall comply with subparagraphs (4) and (5) of this paragraph. An authorization by a grower to borrow from, and to pledge wool to, CCC pursuant to this subpart, will be construed as an authorization to borrow from, and to pledge wool to, either CCC or a bank having a lending agency agreement with CCC.

(2) If the wool is delivered to the handler by a cooperative marketing association, as defined in § 672.426 (a), Cooperative Marketing Association's Designation of Handler, in a form prescribed or approved by CCC and signed by the association, to act as the association's representative in commingling the association's wool with wool delivered by others pursuant to this subpart, in pledging such wool as security for loans, in redemption of such wool from loans, and in receiving and distributing proceeds. In addition, certifications by each grower-member with reference to the wool which he produced in accordance with § 672.403 (c) (7) shall be on file either with the association or with the handler. The handler shall obtain a Cooperative Marketing Association's Designation of han-

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CFR SUPPLEMENTS

(For use during 1953)

The following Supplement is now available:

Title 14: Parts 1–399 (Revised Book) ($6.00)

Previously announced: Title 3 ($1.75); Titles 4–5 ($0.55); Title 6 ($1.50); Title 7: Parts 1–209 ($1.75), Parts 210–899 ($2.25), Part 900–end (Revised Book) ($6.00); Title 8 (Revised Book) ($1.75); Title 9 ($0.40); Titles 10–13 ($0.40); Title 14: Part 400–end (Revised Book) ($3.75); Title 15 ($0.75); Title 16 ($0.65); Title 17 ($0.35); Title 18 ($0.35); Title 19 ($0.45); Title 20 ($0.60); Title 21 ($1.25); Titles 22–23 ($0.65); Title 24 ($0.65); Title 25 ($0.40); Title 26: Parts 80–169 ($0.40), Parts 170–182 ($0.65), Parts 183–299 ($1.75); Title 26: Part 300–end, Title 27 ($0.60); Titles 28–29 ($1.00); Titles 30–31 ($0.65); Title 32: Parts 1–699 ($0.75), Part 700–end ($0.75); Title 33 ($0.70); Titles 35–37 ($0.55); Title 38 ($1.50); Title 39 ($1.00); Titles 40–42 ($0.45); Title 43 ($1.50); Titles 44–45 ($0.60); Title 46: Parts 1–145 (Revised Book) ($5.00), Part 146–end ($2.00); Titles 47–48 ($2.00); Title 49: Parts 1–70 ($0.50), Parts 71–90 ($0.45), Parts 91–164 ($0.40), Part 165–end ($0.55); Title 50 ($0.45)

Order from

Superintendent of Documents, Government Printing Office, Washington 25, D. C.

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CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

dler from each cooperative marketing association delivering to the handler wool which may be pledged as security for advance or nonrecourse loans, except that if the wool was placed in a pool the document shall comply with subparagraphs (4) and (5) of this paragraph.

(3) In the case of a cooperative marketing association as defined in § 672.426 (a) which is itself a handler, certifications by each grower-member with reference to the wool which he produced, in accordance with § 672.403 (c) (7).

(4) Producer's Designation of Pool Manager, in a form prescribed or approved by CCC and signed by the grower to act as the grower's representative in a wool pool by delivering his and other growers' wool to the handler, by authorizing the handler to commingle and pledge such wool as security for loans and to exercise the power of redemption, and by receiving proceeds from the handler and distributing them to the grower-members of the pool. This document shall include the same statements by the grower with respect to production of wool, title and beneficial interest therein, and liens and encumbrances as are required in subparagraph (1) of this paragraph. The handler shall obtain from the pool manager a separate designation for each grower who contributed wool to the accumulation delivered by the pool manager, which may be pledged as security for an advance or nonrecourse loan. An authorization by a grower to borrow from, and to pledge wool to, CCC pursuant to this subpart will be construed as an authorization to borrow from, and to pledge wool to, either CCC or a bank having a lending agency agreement with CCC.

(5) Pool Manager's Designation of Handler to act as representative of grower-members of the pool in commingling wool received from such pool together with wool owned by other growers, in pledging such commingled wool as security for loans, in redemption of such wool from loans, and in receiving proceeds and distributing them to the pool manager. The handler shall obtain a separate designation from the pool manager for each accumulation of wool delivered by him which may be pledged as security for an advance or nonrecourse loan. An authorization by a pool manager to borrow from, and to pledge wool to, CCC pursuant to this subpart will be construed as an authorization to borrow from, and to pledge wool to, CCC or a bank having a lending agency agreement with CCC.

(6) Proof of authority given by a grower-member to his cooperative mar-

keting association to obtain a loan from, and pledge wool to, a handler, and in cases where the members of a pool are also members of a cooperative marketing association, proof of authority given by the pool manager to the association to obtain a loan from, and pledge wool to, a handler. Proof of such authority shall be maintained in form of copies of charters, by-laws, marketing agreements, or other documents. CCC reserves the right to require additional proof as well as to issue forms and instructions on this subject.

(7) Certifications by grower-members of cooperative marketing associations, in cases where the association pledges wool received from a grower-member as security for a loan, in form prescribed or approved by CCC, certifying that the wool covered thereby was shorn in the continental United States or Territories during the calendar years 1951 or 1953 or both; that the grower-member at the time of shearing, owned the sheep or lambs from which the wool was shorn as well as the wool shorn therefrom; that he held the legal title to the wool at least until the transfer of the legal title to the association; that the beneficial interest in the wool is, and always has been, in him since the wool was shorn; and that such wool is free and clear of liens and encumbrances except those in favor of lienholders listed in his certification and who have signed a lienholder's waiver in form prescribed or approved by CCC.

(8) Documentation of loan on 1951 clip wool: If a cooperative marketing association, as defined in § 672.426 (a), applies for or obtains a loan secured by a pledge of wool of the 1951 clip, and the documents in connection with that loan meet the requirements of the 1952 Wool Handler's Agreement (Shorn Wool), CCC Wool Form 18 (4-23-52), as amended, except for the provision therein that the original grower must at all times have had title to the wool, CCC may deem those documents sufficient to meet the documentation requirements of the 1953 Wool Handler's Agreement (Shorn Wool), CCC Wool Form 18 (4-8-53), as amended.

3. Section 672.405 (d) is amended by the insertion of the designation "(1)" immediately after the heading *"Distribution of proceeds"* and by the addition, at the end of paragraph (d), of the following:

(2) A cooperative marketing association as defined in § 672.426 (a), whether it is a handler or not, shall make distribution of the loan proceeds in accordance with its charter, by-laws, and its agreements with its grower-members.

4. Section 672.413 is amended by the insertion of the letter "(a)" immediately after the heading, *"Distribution of proceeds of non-recourse loan"* and by the addition, at the end of § 672.413, of the following:

(b) A cooperative marketing association, as defined in § 672.426 (a), whether it is a handler or not, shall make distribution of the loan proceeds in accordance with its charter, by-laws, and agreements with its grower-members.

5. Section 672.415 (c) is amended by a change of the period at the end thereof to a colon and the addition of the following: *"Provided,* That a cooperative marketing association as defined in § 672.426 (a) will, in lieu of using an Account of Loan Settlement for each grower-member, certify to CCC, in a form prescribed or approved by CCC, as to the aggregate quantity of wool received from each grower-member or pool manager."

6. In the first sentence of § 672.417 (b), the words "or trust receipt" are corrected to read "on trust receipt".

7. Section 672.418 is amended by the addition of the following at the end thereof: "If a pool is organized as a cooperative marketing association, the provisions of this subpart dealing with such associations shall apply thereto and not the provisions dealing with pools."

8. Section 672.419 (d) is amended by the addition of the following at the end thereof: "A cooperative marketing association as defined in § 672.426 (a), whether it is a handler or not, shall distribute the overplus in accordance with its charter, by-laws, and agreements with grower-members."

9. Sections 672.426 and 672.427 are added to read as follows:

§ 672.426 *Definitions.* (a) "Cooperative marketing association" means an association of growers incorporated under the laws of any State or territory to which grower-members transfer wool produced by them (regardless of whether legal title is transferred to the association) and which meets the following conditions: (1) The major part of the wool marketed by the association is produced by grower-members; (2) grower-members of the association share proportionately in the proceeds from marketing according to the quantity, grade, and quality of the wool they deliver to the association, unless the grower-members agree with the association to share according to the quantity alone, without regard to grade or quality; (3) the association has the legal right to pledge or mortgage the wool as security for a loan and to sell the wool; and (4) wool of grower-members which is eligible for a loan under this subpart is kept segregated from all other wool handled by the association, and the association maintains separate records for such segregated wool. The term "cooperative marketing association" does not include an association which has a membership composed, in whole or in part, of other associations. A cooperative marketing association may obtain a loan through a handler or may itself be a handler.

§ 672.427 *Terms "grower" and "producer" as applicable to cooperative marketing associations.* With reference to loans applied for or obtained by a cooperative marketing association as defined in § 672.426 (a), whether the association is a handler or not, the word "grower" or "producer" shall mean:

(a) The cooperative marketing association in §§ 672.403 (f), 672.405 (d) (1), 672.406, 672.411 (b) (2), 672.413 (a), 672.414; in § 672.415 (a) in the phrase "The aggregate quantity of wool received from each grower," when the handler receives graded wool from a cooperative marketing association, and in the phrase "after the date of the grower's or pool manager's authorization;" and in §§ 672.415 (e), 672.415 (h), 672.416, 672.417, 672.419, and 672.422 (c);

(b) The grower-member of such an association in § 672.415 (a) in the phrase "The aggregate quantity of wool received from each grower," when the handler grades the wool received from a cooperative marketing association; in §§ 672.411 (b) (1) (ii), 672.415 (b) and (c); and in § 672.415 (i) in the phrase "grower's original shipping point;"

(c) Both the cooperative marketing association and the grower-member thereof in the last two sentences of § 672.404; in § 672.415 (i) in the phrase "reimbursing the grower;" in § 672.422 (b); and in § 672.424.

(Sec. 4, 62 Stat. 1070, as amended; 15 U. S. C. Sup. 714b)

Issued this 1st day of October 1953.

[SEAL] HOWARD H. GORDON,
President,
Commodity Credit Corporation.

[F. R. Doc. 53-8909; Filed, Oct. 19, 1953; 8:51 a. m.]

TITLE 7—AGRICULTURE

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

[Lemon Reg. 506, Amdt. 1]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF SHIPMENTS

Findings. 1. Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), 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, 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 and engage in public rule making procedure, and postpone the effective date of this regulation 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 statement is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the Agricultural Marketing Agreement Act of 1937, as

amended, is insufficient, and this amendment relieves restrictions on the handling of lemons grown in the State of California or in the State of Arizona.

Order, as amended. The provisions in paragraph (b) (1) (ii) of § 953.613 (Lemon Regulation 506, 18 F. R. 6447) are amended to read as follows:

(ii) District 2, 250 carloads.

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

Done at Washington, D. C., this 15th day of October 1953.

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

[F. R. Doc. 53-8910; Filed, Oct. 19, 1953; 8:52 a. m.]

TITLE 9—ANIMALS AND ANIMAL PRODUCTS

Chapter I—Bureau of Animal Industry, Department of Agriculture

Subchapter C—Interstate Transportation of Animals and Poultry

[B. A. I. Order 383, Revised, Amdt. 9]

PART 76—HOG CHOLERA, SWINE PLAGUE, AND OTHER COMMUNICABLE SWINE DISEASES

SUBPART B—VESICULAR EXANTHEMA

DESIGNATION OF AREAS IN WHICH SWINE ARE AFFECTED WITH VESICULAR EXANTHEMA

Pursuant to the authority conferred upon the Administrator of the Agricultural Research Administration by § 76.27 of Subpart B, as amended, Part 76, Title 9, Code of Federal Regulations (18 F. R. 3637), § 76.27a of said Subpart B (18 F. R. 3829, as amended) is hereby amended to read as follows:

§ 76.27a *Designation of areas in which swine are affected with vesicular exanthema.* The following areas are hereby designated as areas in which swine are affected with vesicular exanthema:

The State of California;

The Town of Manchester in Hartford County, in Connecticut;

Androscoggin, Cumberland, Kennebec, Somerset, and York Counties, in Maine;

That area consisting of Hampden, Worcester, Middlesex, Essex, Suffolk, Norfolk, Bristol, and Plymouth Counties, in Massachusetts;

Brownstown, and Huron Townships, in Wayne County, in Michigan;

Bergen, Hudson, Hunterdon, and Morris Counties, that area consisting of Union, Middlesex, Monmouth, Ocean, Burlington, Camden, Gloucester, and Atlantic Counties, that area in Lower Township in Cape May County lying east of U. S. Highway No. 9, and that area in Dennis Township in Cape May County bounded by the Belleplain State Forest on the south and east and State Highway No. 550 on the north and west and State Highway Spur No. 550 on the west, in New Jersey;

Poughkeepsie Township, in Dutchess County, and that area in Clarkstown Township lying north of New York State Route No. 59, in Rockland County, in New York;

Bucks and Delaware Counties, in Pennsylvania;

That area in Atascosa County lying west of State Highway No. 346 and north of State Highway No. 173, and that area in Bell County lying north of U. S. Highway No. 190 and west of State Highways No. 36 and No. 317, in Texas.

Effective date. The foregoing amendment shall become effective upon issuance.

Section 76.27 of Subpart B, as amended, Part 76, Title 9, Code of Federal Regulations (18 F. R. 3637), quarantines the areas so designated.

The amendment designates the following as an area in which swine are affected with vesicular exanthema in addition to the areas heretofore designated:

Brownstown and Huron Townships, in Wayne County, in Michigan.

Hereafter, the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636, as amended), apply to this area.

The amendment excludes from the areas heretofore designated as areas in which swine are affected with vesicular exanthema:

That area in Walton and Holmes Counties beginning at the intersection of the Alabama State line and Florida State Highway No. 83, thence south on State Highway No. 83 to intersection of State Highway No. 183A, thence approximately four miles on State Highway No. 183A to intersection of graded county road running east of the Town of Union, thence east on such graded road through the Town of Union to State Highway No. 81, thence north on State Highway No. 81 to the Alabama State line, thence west along such line to point of beginning, in Florida.

The Administrator of the Agricultural Research Administration has determined that swine in this area are no longer affected with the disease, and that the quarantine of such area is no longer required to prevent the dissemination thereof. Accordingly, this area is no longer quarantined under said § 76.27, and the restrictions pertaining to the interstate movement of swine and carcasses, parts and offal of swine from or through quarantined areas contained in 9 CFR, Part 76, Subpart B, as amended (18 F. R. 3636, as amended), no longer apply to such area. However, the restrictions pertaining to such movement from non-quarantined areas contained in said Subpart B, as amended, apply thereto.

The effect of the amendment is to impose certain further restrictions necessary to prevent the spread of vesicular exanthema, a cotagious, infectious, and communicable disease of swine, and to relieve certain restrictions presently imposed. The amendment must be made effective immediately to accomplish its purpose in the public interest and to be of maximum benefit to persons subject to the restrictions which are relieved. Accordingly, under section 4 of the Administrative Procedure Act (5 U. S. C. 1003), it is found upon good cause that notice and other public procedure with respect to the amendment are impracticable and contrary to the public interest and good cause is found for making it effective less than 30 days after publication in the FEDERAL REGISTER.

(Secs. 4, 5, 23 Stat. 32, as amended, sec. 2, 32 Stat. 792, as amended, secs. 1, 3, 33 Stat. 1264, as amended, 1265, as amended; 21 U. S. C. 120, 111, 123, 125. Interprets or applies sec. 7, 23 Stat. 32, as amended; 21 U. S. C. 117)

Done at Washington, D. C., this 14th day of October 1953.

[SEAL] M. R. CLARKSON,
Acting Administrator, Agricultural Research Administration.

[F. R. Doc. 53-8898; Filed, Oct. 19, 1953; 8:48 a. m.]

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 240—GENERAL RULES AND REGULATIONS UNDER THE SECURITIES EXCHANGE ACT OF 1934

QUARTERLY REPORTS

On August 6, 1953, the Securities and Exchange Commission invited all interested persons to submit their views and comments in regard to a proposal to rescind Form 9-K (17 CFR 249.309), the form for quarterly reports of gross sales and operating revenues, and Rules X-13A-13 and X-15D-13 (§§ 240.13a-13 and 240.15d-13), the rules relating to the filing of such reports, under the Securities Exchange Act of 1934.

This action was proposed in connection with a review by the Commission of its activities, procedures and requirements to determine the extent to which these may be eliminated, revised or modified without a material adverse effect upon the public interest.

The Commission has now considered all of the comments and data submitted in regard to the above mentioned proposal and has determined that the abovementioned form and rules should be rescinded.

Statutory authority. This action is taken pursuant to the Securities Exchange Act of 1934, particularly sections 13 and 23 (a) thereof, the Commission deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out its functions under the act.

Since this action relieves a restriction, it may be made effective immediately upon publication. Accordingly, Form 9-K (17 CFR 249.309) and Rules X-13A-13 and X-15D-13 (§§ 240.13a-13 and 240.15d-13) are rescinded, effective October 9, 1953.

(Sec. 23, 48 Stat. 901 as amended; 15 U. S. C. 78w. Interprets or applies sec. 13, 48 Stat. 894, 15 U. S. C. 78m)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

OCTOBER 9, 1953.

[F. R. Doc. 53-8881; Filed, Oct. 19, 1953; 8:46 a. m.]

PART 249—FORMS, SECURITIES EXCHANGE ACT OF 1934

SUBPART D—FORMS FOR ANNUAL AND OTHER REPORTS OF ISSUERS HAVING SECURITIES REGISTERED ON NATIONAL SECURITIES EXCHANGES

RESCISSION OF FORM

Section 249.309 *Form 9–K, for quarterly reports* is rescinded effective October 9, 1953.

ORVAL L. DUBOIS,
Secretary.

OCTOBER 9, 1953.

[F. R. Doc. 53–8882; Filed, Oct. 19, 1953; 8:46 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter V—Department of the Army

Subchapter E—Organized Reserves

PART 562—RESERVE OFFICERS' TRAINING CORPS

MISCELLANEOUS AMENDMENTS

Correction

In F. R. Doc. 53–8859, appearing at page 6635 of the issue for Saturday, October 17, 1953, the first paragraph should be changed to read as set forth below and the reference to "(c)" in § 562.43 is deleted:

Paragraph (a) of § 562.15 is revised, and §§ 562.29 (c) and 562.43 are revoked as follows:

TITLE 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 2—GENERAL RULES AND REGULATIONS, NATIONAL RECREATION AREAS

RECKLESS DRIVING

Part 2 is amended by adding a new § 2.29; reading as follows:

§ 2.29 *Reckless driving.* The driving of any vehicle upon a Government road or public use area in a National Recreation Area carelessly and heedlessly in willful or wanton disregard of the rights or safety of others, or without due caution and at a speed or in a manner so as to endanger or be likely to endanger any person or property is prohibited.

(Sec. 3, 39 Stat. 535, as amended; 16 U. S. C. 3)

Issued this 13th day of October 1953.

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 53–8906; Filed, Oct. 19, 1953; 8:50 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

PART 3—RADIO BROADCAST SERVICES

EDITORIAL CHANGES

In the matter of amendment of §§ 3.165, 3.606 and 3.687 of Part 3 of the Commission's rules and regulations to effect certain editorial changes therein.

The Commission has under consideration certain editorial changes in §§ 3.165, 3.606 and 3.687 of its rules and regulations in order to correct typographical errors.

The amendments adopted herein are editorial in nature, and, therefore, prior publication and notice of proposed rule making under the provisions of section 4 of the Administrative Procedure Act is unnecessary; and the amendments may become effective immediately.

The amendments adopted herein are issued pursuant to authority contained in sections 4 (i), 5 (d) (1) and 303 (r) of the Communications Act of 1934, as amended, and paragraph F–6 of the Commission's Order Defining the Functions and Establishing the Organizational Structure of the Office of the Secretary, dated February 14, 1952 as amended.

It is ordered, That, effective immediately, §§ 3.165, 3.606 and 3.687 (Revised to June 30, 1953) of the Commission's rules and regulations are revised as set forth below:

1. The 14th line of § 3.165 (b) is changed to read: "specified in subparagraphs (1) thru (4)."

2. The channels assigned to Binghamton, New York in § 3.606 (b) are changed to:

12—, 40—, *46+ *

3. The subparagraph designator (*b*) in § 3.687 (i) is changed to (2).

(Sec. 4, 48 Stat. 1066 as amended; 47 U. S. C. 154. Interpret or apply sec. 303, 48 Stat. 1082, as amended, sec. 5, 66 Stat. 713; 47 U. S. C. 303; 155)

Adopted: October 14, 1953.

Released: October 14, 1953.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 53–8908; Filed, Oct. 19, 1953; 8:51 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Bureau of Animal Industry

[9 CFR Parts 14, 16, 17, 18, 24, 28]

MEAT INSPECTION REGULATIONS

NOTICE OF PROPOSED AMENDMENTS

Notice is hereby given in accordance with the provisions of section 4 (a) of the Administrative Procedure Act (5 U. S. C. 1003 (a)) that the Secretary of Agriculture, pursuant to the authority conferred upon him by the Meat Inspection Act, as amended (21 U. S. C. 71–91), and section 306 of the Tariff Act of 1930 (19 U. S. C. 1306), is considering amending the Meat Inspection Regulations (9 CFR Chapter I, Subchapter A, as amended), as follows:

1. Paragraph (a) of § 14.1 would be amended to read:

(a) Condemned carcasses and product at official establishments having facilities for tanking shall be disposed of by tanking as follows:

(1) The lower opening of the tank shall first be sealed securely by a Meat Inspection employee, except when permanently connected with a blow line, then the condemned carcasses and product shall be placed in the tank in his presence, after which the upper opening shall also be sealed securely by such employee, who shall then see that the contents of the tank are subjected to sufficient heating for sufficient time to effectively destroy the contents for food purposes.

(2) The use of equipment such as crushers or hashers for pre-tanking preparation of condemned carcasses and product in the inedible products department has been found to give inedible character and appearance to the material. Accordingly, if condemned carcasses and product are so crushed or hashed, conveying systems, rendering tanks, and other equipment used in the further handling of the crushed or hashed material need not be locked or sealed during the tanking operation. If the rendering tanks or other equipment contain condemned material not so crushed or hashed, the equipment shall be sealed as prescribed in subparagraph (1) of this paragraph. If the crushed or hashed material is not rendered in the establishment where produced it shall be denatured as provided for in § 14.4.

2. Paragraph (a) of § 14.4 would be amended to read:

(a) Any carcass or product condemned at an official establishment which has no facilities for tanking shall be denatured with crude carbolic acid, cresylic disinfectant, or other prescribed agent, or be destroyed by incineration, under the supervision of a Meat Inspection employee. When such carcass or product is not incinerated it shall be slashed freely with a knife, before the denaturing agent is applied.

3. Paragraph (d) of § 16.13 would be amended to read:

(d) (1) When product is placed in casing to which artificial coloring is applied, as permitted under this subchapter, the article shall be legibly and conspicuously marked by stamping or printing on the casing or securely affixing to the article the words "artificially colored."

(2) If the casing is removed from product at an official establishment and there is evidence of artificial coloring on the surface of the product, the article from which the casing has been removed shall be marked by stamping directly thereon or by securely affixing thereto the printed words "artificially colored."

(3) The casing containing product need not be marked to show that it is colored if it is colored prior to its use as a covering for the product, and the coloring is of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed therein.

(4) In the case of sausage of the smaller varieties the marking prescribed in this paragraph may be limited to links bearing the inspection legend.

4. Paragraph (b) of § 16.15 would be amended to read:

(b) When any product prepared in an official establishment for domestic commerce has been inspected and passed and is enclosed in a cloth wrapping, such wrapping may bear, in lieu of the domestic meat label, the inspection legend and establishment number applied by the approved 2½-inch rubber brand: *Provided,* The domestic meat label or rubber brand may be omitted in those cases in which the inspection legend and establishment number on the articles themselves are clearly legible through the wrapping or the wrapping is labeled in accordance with Part 17 of this subchapter: *Provided further,* That plain unprinted wrappings such as stockinettes, cheese cloth, paper and crinkled paper bags for properly marked fresh meat, including carcasses, and primal parts thereof, which are used solely to protect the product against soiling or excessive drying during transportation or storage need not bear the marks of inspection.

5. Section 16.16 would be amended by deleting paragraph (a) and amending the section to read:

§ 16.16 *Tank cars and tank trucks of edible product.* Each tank car and each tank truck carrying inspected and passed product from an official establishment shall bear a label containing the true name of the product, the inspection legend, the establishment number, and the words "date of loading," followed by a suitable space for the insertion of the date. The label shall be located conspicuously and shall be printed on material of such character and so affixed as to preclude detachment or effacement upon exposure to the weather. Before the car or truck is removed from the place where it is unloaded, the carrier shall remove or obliterate such label.

6. Section 17.8 (c) (37) would be amended to read:

(37) Product labeled "ham spread", "tongue spread", and the like, shall contain not less than 50 percent of the meat ingredient named computed on the weight of the fresh meat. Other meat and fat may be used to give the desired spreading consistency provided it does not detract from the character of the named spread.

7. Paragraph c of § 17.8 would be amended by adding the following new subparagraphs:

(54) The preparation of cooked cured product such as hams, pork shoulders, pork shoulder picnics, pork shoulder butts, and pork loins, either by moist or dry heat, shall not result in the finished cooked article weighing more than the fresh uncured product; that is, the weight of the finished cooked article plus the weight of the skin, bones, fat, and trimmings removed during the preparation shall not exceed the weight of the fresh uncured product.

(55) Product labeled "chopped ham", "pressed ham", "chopped ham with natural juices", and "pressed ham with natural juices", shall be prepared with ham containing no more shank meat than is normally present in the boneless ham. The weight of the cured chopped ham prior to canning shall not exceed the weight of the fresh uncured ham, exclusive of the bones and fat removed in the boning operations, plus the weight of the curing ingredients and 3 percent moisture.

8. Paragraph (b) of § 17.9 would be amended to read:

(b) (1) When product is placed in casing to which artificial coloring is applied, as permitted under this subchapter, there shall appear on the label, in a prominent manner and contiguous to the name of the product, the words "artificially colored".

(2) If the casing is removed from product at an official establishment and there is evidence of the artificial coloring on the surface of the product, there shall appear on the label in a prominent manner and contiguous to the name of the product, the words "artificially colored".

(3) When the casing is colored prior to its use as a covering for product, the color shall be of a kind and so applied as not to be transferable to the product and not to be misleading or deceptive with respect to color, quality, or kind of product enclosed therein, and no reference to color need appear on the label.

9. Paragraph (b) of § 18.7 would be amended to read:

(b) There may be added to product, with appropriate declaration as required under Parts 16 and 17 of this subchapter, common salt, approved sugars, wood smoke, a vinegar, flavorings, spices, sodium nitrate, sodium nitrite, potassium nitrate (saltpeter), and potassium nitrite.

10. Section 18.7 (d) (9) would be amended to read:

(9) Monoisopropyl citrate not to exceed 1/100 of 1 percent. When used in combination with other antioxidants, the amount of monoisopropyl citrate shall not exceed 5/1000 of 1 percent.

11. Paragraph (b) of § 18.10 would be amended to read:

(b) Products containing pork muscle tissue (including hearts, pork stomachs and pork livers), or the pork muscle tissue which forms an ingredient of such products, including those named in this paragraph and products of the character thereof, are classed as articles which shall be effectively heated, refrigerated, or cured at a federally inspected establishment to destroy any possible live trichinae: Bologna; frankfurts; viennas; smoked sausage; knoblauch sausage; mortadella; all forms of summer or dried sausage, including mettwurst; cooked loaves; roasted, baked, boiled, or cooked ham, pork shoulder, or pork shoulder picnic; Italian-style ham; Westphalia-style ham; smoked boneless pork shoulder butts; cured meat rolls; capocollo (capicola, capacola); coppa; fresh or cured boneless pork shoulder butts, hams, loins, shoulders, picnics, and similar pork cuts, in casings or other containers in which ready-to-eat delicatessen articles are customarily enclosed (excepting Scotch-style hams); cured boneless pork loin; boneless back bacon, smoked pork cuts such as hams, shoulders, loins, and picnics (excepting smoked hams and smoked pork shoulder picnics which are specially prepared for distribution in tropical climates, or smoked hams delivered to the Armed Services).

12. Section 24.7 would be amended to read:

§ 24.7 *Uninspected tallow, stearin, oleo oil, etc.; not to be exported unless exporter certifies as inedible.* No tallow, stearin, oleo oil, or the rendered fat derived from cattle, sheep, swine, or goats, that has not been inspected, passed, and marked in compliance with the regulations in this subchapter shall be exported, unless the shipper files with the collector of customs at the port from which the export shipment is made a certificate by the exporter that such article is inedible.

13. Paragraph (b) of § 28.2 would be amended by adding the following subparagraph:

(8) Beef fat.

Any person who wishes to submit written data, views or arguments concerning the proposed amendments may do so by filing them with the Chief, Meat Inspection, Bureau of Animal Industry, Agricultural Research Administration, United States Department of Agriculture, Washington 25, D. C., within 15 days after the date of publication of this notice in the FEDERAL REGISTER.

Done at Washington, D. C., this 15th day of October 1953.

[SEAL] TRUE D. MORSE,
Acting Secretary of Agriculture.

[F. R. Doc. 53-8899; Filed, Oct. 19, 1953; 8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[17 CFR Part 240]

SOLICITATION OF PROXIES

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the Securities and Exchange Commission has under consideration amendments to its proxy rules under the Securities Exchange Act of 1934. The proposed amendments are in the main limited to § 240.14a-8 (Rule X-14A-8) which relates to proposals which stockholders may request managements to include in their proxy material for consideration by security holders and to Schedule 14A

which specifies the information which must be included in proxy statements.

The proposed amendments to Rule X-14A-8 would permit more time for managements to consider the propriety of proposals submitted under the rule. They would also spell out somewhat more specifically the types of proposals which may be submitted under the rule and would permit the omission for a certain period of time of proposals which have not made substantial progress in receiving security holder approval.

The proposed amendments to Schedule 14A were designed to state more precisely the nature of the information required to be furnished with respect to the nominees and the management, their remuneration and transactions with the issuer. It would also limit somewhat the information required when the selection of auditors is one of the items of business to be considered at the meeting.

There follows below a more detailed statement of the nature of the proposed amendments, together with the text thereof.

I. Sections 240.14a–3 and 240.14a–6 (Rules X-14A–3 and X-14A–6): The Commission is currently considering the amendment of its annual reporting requirements under the act to permit companies which solicit proxies under this regulation to substitute their proxy statements and annual reports to stockholders in large part for the information now required to be included in their annual reports to the Commission. In order to make available at the Commission enough copies of such proxy statements and annual reports for this purpose, it is proposed to amend §§ 240.14a–3 and 240.14a–6 to require the furnishing to the Commission of four copies of such material, instead of the three copies now required.

II. Rule X-14A–8 (§ 240.14a–8): This rule now provides that any stockholder proposal submitted with respect to an annual meeting more than 30 days in advance of the corresponding date on which proxy material was released for the last annual meeting shall prima facie be deemed to have been submitted within a reasonable time. In order to give the management more time to consider security holder proposals, the rule would be amended to extend the period from 30 days to 60 days.

In order to discourage the use of this rule by persons who are motivated by a desire for publicity rather than the interests of the company and its security holders, it is proposed to provide that the management's proxy material need not contain the name and address of the security holder if it contains, in lieu thereof, a statement that the name and address of the security holder will be furnished upon request.

The amended rule would provide that any security holder proposal may be omitted from the management's proxy material if it is one upon which the security holder under the laws of the issuer's domicile would not be entitled to have action taken at the meeting. The reference in the present rule to proposals which are "a proper subject for action by the security holders" would be deleted.

Under the present rules a proposal must be repeated in the management's proxy material if it received 3 percent of the total number of votes cast at the last annual or subsequent special meeting. This has resulted in the repetition year after year of proposals which have evoked very modest stockholder interest. It is proposed to amend the rule to provide that a proposal may be omitted for a period of three years if it has been submitted within the past five years and received less than 3 percent in the case of a single submission, less than 7 percent upon a second submission or less than 10 percent upon a third or subsequent submission during such five year period.

In order to relieve the management of the necessity of including in its proxy material security holder proposals which relate to matters falling within the province of the management, it is proposed to amend this rule so as to permit the omission of any proposal which consists of a recommendation or request that the management take action with respect to a matter relating to the conduct of the ordinary business operations of the issuer.

Under the present rule where the management contests the propriety of a security holder's proposal, it is required to furnish the Commission with a copy of the proposal together with a statement of the reasons why it believes the proposal may be omitted from its proxy material. This information must be furnished not later than the date preliminary copies of the proxy material are filed with the Commission. So that the Commission will have more time to consider the problems involved in such cases and the security holder will have an opportunity to consider the management's position and take such action as may be appropriate, it is proposed to amend the rule to provide that a copy of the proposal and a statement of reasons for its omission must be furnished to the Commission and the security holder not later than 20 days prior to the date of filing the management's preliminary proxy material.

The rule as so amended would read as follows:

§ 240.14a–8 *Proposals of security holders.* (a) If any security holder entitled to vote at a meeting of security holders of the issuer shall submit to the management of the issuer a reasonable time before the solicitation is made a proposal which is accompanied by notice of his intention to present the proposal for action at the meeting, the management shall set forth the proposal in its proxy statement and shall identify the proposal in its form of proxy and provide means by which security holders can make the specification provided for by § 240.14a–4 (b). A proposal so submitted with respect to an annual meeting more than 60 days in advance of a day corresponding to the date on which proxy soliciting material was released to security holders in connection with the last annual meeting of security holders shall prima facie be deemed to have been submitted a reasonable time before the solicitation. This section shall not apply, however, to elections to office.

(b) If the management opposes the proposal, it shall also, at the request of the security holder, include in its proxy statement the name and address of the security holder (or in lieu thereof a statement that the name and address of the security holder will be furnished upon request) and a statement of the security holder in not more than 100 words in support of the proposal. The statement and request of the security holder shall be furnished to the management at the same time that the proposal is furnished. Neither the management nor the issuer shall be responsible for such statement.

(c) Notwithstanding the foregoing, the management may omit a proposal and any statement in support thereof from its proxy statement and form of proxy under the following circumstances:

(1) If the proposal as submitted is one upon which the security holder under the laws of the issuer's domicile would not be entitled to have action taken at the meeting; or

(2) If it clearly appears that the proposal is submitted by the security holder primarily for the purpose of enforcing a personal claim or redressing a personal grievance against the issuer or its management, or primarily for the purpose of promoting general economic, political, racial, religious, social or similar causes; or

(3) If the management has at the security holder's request included a proposal in its proxy statement and form of proxy relating to either of the last two annual meetings of security holders or any special meeting held subsequent to the earlier of such two annual meetings and such security holder has failed without good cause to present the proposal, in person or by proxy, for action at the meeting; or

(4) If substantially the same proposal has previously been submitted to security holders, in the management's proxy statement and form of proxy, within the past five years, it may be omitted from the management's proxy material relating to any meeting of security holders held within three years after the latest such previous submission: *Provided*, That:

(i) If the proposal was submitted at only one meeting during such period, it received less than 3 percent of the total number of votes cast in regard thereto; or

(ii) If the proposal was submitted at only two meetings during such period it received at the time of its second submission less than 7 percent of the total number of votes cast in regard thereto; or

(iii) If the proposal was submitted at three or more meetings during such period, it received at the time of its latest submission less than 10 percent of the total number of votes cast in regard thereto.

(5) If the proposal consists of a recommendation or request that the management take action with respect to a

matter relating to the conduct of the ordinary business operations of the issuer.

(d) Whenever the management asserts that a proposal and any statement in support thereof may properly be omitted from its proxy statement and form of proxy, it shall file with the Commission, not later than 20 days prior to the date the preliminary copies of the proxy statement and form of proxy are filed pursuant to § 240.14a–6 (a), a copy of the proposal and any statement in support thereof as received from the security holder, together with a statement of the reasons why the management deems such omission to be proper in the particular case. The management shall at the same time, if it has not already done so, notify the security holder submitting the proposal of its intention to omit the proposal from its proxy statement and form of proxy and shall forward to him a copy of the statement of the reasons why the management deems the omission of the proposal to be proper.

III. Item 6 of Schedule 14A: This item calls for information with respect to the nominees for election as directors of the issuer. It is proposed to amend the item to require information with respect to directors whose terms of office continue beyond the date of the meeting. The purpose of this requirement is to give to security holders information with respect to the board of directors as a whole as it will exist after the meeting.

The text of the item would be revised to read as follows:

Item 6. Nominees and Directors. (a) If action is to be taken with respect to the election of directors, furnish the following information, in tabular form to the extent practicable, with respect to each person nominated for election as a director and each other person whose term of office as a director will continue after the meeting:

(1) Name each such person and state when his term of office will expire and all other positions and offices with the issuer held by him.

(2) State his present principal occupation or employment and give the name and principal business of any corporation or other organization in which such employment is carried on. Furnish similar information as to all of his principal occupations or employments during the last five years, unless he is now a director and was elected to his present term of office by a vote of security holders at a meeting for which proxies were solicited under this regulation.

(3) If he is or has previously been a director of the issuer state the period or periods during which he has served as such.

(4) State, as of the most recent practicable date, the approximate amount of each class of securities of the issuer or any of its parents or subsidiaries, other than directors' qualifying shares, beneficially owned directly or indirectly by him. If he is not the beneficial owner of any such securities, make a statement to that effect.

(5) If more than 10 percent of any class of securities of the issuer or any of its parents or subsidiaries are beneficially owned by him and his associates, state the approximate amount of each class of such securities beneficially owned by such associates, naming each associate whose holdings are substantial.

(b) If any nominee for election as a director is proposed to be elected pursuant to any arrangement or understanding between the nominee and any other person or persons, except the directors and officers of the issuer acting solely in that capacity, name such other person or persons and describe briefly such arrangement or understanding.

IV. Item 7 of Schedule 14A: This item calls for information with respect to remuneration and other transactions with management and other persons. Since the last revision of the item, certain interpretative and reporting difficulties have arisen. It is proposed, therefore, to amend the item with a view to the elimination of these difficulties.

It is proposed to separate the requirements relating to pension and retirement benefits from those relating to other deferred remuneration payments. This should aid in distinguishing between the two types of payments and would result in a simplification of the applicable instructions. For the same reason it is also proposed to separate the requirements regarding disclosure with respect to options from those with respect to other transactions with insiders. Also, a new instruction would be added which would permit the omission of information where the amount of options granted or exercised does not involve an aggregate purchase price in excess of $30,000.

The instructions to the paragraph relating to indebtedness of insiders would be amended to provide that information need not be given where the aggregate indebtedness of a particular person does not exceed $20,000 or 1 percent of the issuer's total assets, whichever is less, at any time during the period specified. At present, indebtedness must be described if it exceded $1,000 during the period.

It is proposed to limit the scope of the paragraph relating to transactions with insiders by revising the instructions thereto to permit the omission of information in certain cases. The purpose of the revision is to make possible a more precise statement of the requirements relating to such transactions.

The proposed item as so amended would read as follows:

Item 7. Remuneration and other transactions with management and others. Furnish the information called for by this item if action is to be taken with respect to (i) the election of directors, (ii) any bonus, profit sharing or other remuneration plan, contract or arrangement in which any director, nominee for election as a director, or officer of the issuer will participate, (iii) any pension or retirement plan in which any such person will participate or (iv) the granting or extension to any such person of any options, warrants or rights to purchase any securities, other than warrants or rights issued to security holders, as such, on a pro-rata basis. However, if the solicitation is made on behalf of persons other than the management, the information required need be furnished only as to nominees for election as directors and as to their associates.

(a) Furnish the following information in substantially the tabular form indicated below as to all direct remuneration paid by the issuer and its subsidiaries during the issuer's last fiscal year to the following persons for services in all capacities:

(1) Each director, and each of the three highest paid officers, of the issuer whose aggregate remuneration exceeded $30,000, naming each such person.

(2) All directors and officers of the issuer as a group, without naming them.

(A) Name of individual or identity of group	(B) Capacities in which remuneration was received	(C) Aggregate remuneration

Instructions. 1. This item applies to any person who was a director or officer of the issuer at any time during the period specified. However, information need not be given for any portion of the period during which such person was not a director or officer of the issuer.

2. The information is to be given on an accrual basis if practicable. The tables required by this paragraph and paragraph (b) may be combined if the issuer so desires.

3. Do not include remuneration paid to a partnership in which any director or officer was a partner, but see paragraph (f) below.

(b) Furnish the following information, in substantially the tabular form indicated, as to all pension or retirement benefits proposed to be paid in the event of retirement at normal retirement date, directly or indirectly by the issuer or any of its subsidiaries to (i) each director or officer named in answer to paragraph (a) (1), and (ii) all directors and officers of the issuer as a group:

(A) Name of individual or identity of group	(B) Amount set aside or accrued during issuer's last fiscal year	(C) Estimated annual benefits upon retirement

Instructions. 1. Column (B) need not be answered with respect to payments computed on an actuarial basis under any plan which provides for fixed benefits in the event of retirement at a specified age or after a specified number of years of service.

2. The information called for by Column (C) may be given in a table showing the annual benefits payable upon retirement to persons in specified salary classifications.

3. In the case of any plan (other than those specified in instruction 1) where the amount set aside each year depends upon the amount of earnings for such year or a prior year, or where it is otherwise impracticable to state the estimated annual benefits upon retirement, there shall be set forth, in lieu of the information called for by Column (C), the aggregate amount set aside or accrued to date.

(c) Describe briefly all deferred payments for future consultation and all other deferred remuneration payments (other than pension or retirement benefits) proposed to be made directly or indirectly by the issuer of any of its subsidiaries to (i) each director or officer named in answer to paragraph (a) (1), naming each such person, and (ii) all directors and officers of the issuer as a group, without naming them.

Instruction. Information need not be included as to payments to be made for, or benefits to be received from, group life or accident insurance, group hospitalization or similar group payments or benefits.

(d) Furnish the following information as to all options to purchase securities, from the issuer or any of its subsidiaries, which were granted to or exercised by the following persons since the beginning of the issuer's last fiscal year: (i) Each director or officer named in answer to paragraph (a) (1), naming each such person; and (ii) all di-

rectors and officers of the issuer as a group, without naming them:

(1) As to options granted, state (i) the title and amount of securities called for; (ii) the prices, expiration dates and other material provisions; (iii) the consideration received for the granting thereof; and (iv) the market value of the securities called for on the granting date.

(2) As to options exercised, state (i) the title and amount of securities purchased; (ii) the purchase price; and (iii) the market value of the securities purchased on the date of purchase.

Instructions. The term "options" as used in this paragraph (d) includes all options, warrants or rights other than those issued to security holders as such on a pro rata basis.

2. The extension of options shall be deemed the granting of options within the meaning of this paragraph.

3. This item need not be answered (i) as to the granting of options to a person or group where the total purchase price of the securities called for by all options granted to such person or group during the period specified does not exceed $30,000, or (ii) as to the exercise of options by a person or group where the total purchase price of all securities purchased by such person or group through the exercise of options during such period did not exceed $30,000.

(e) State as to each of the following persons who was indebted to the issuer or its subsidiaries at any time since the beginning of the last fiscal year of the issuer, (i) the largest aggregate amount of indebtedness outstanding at any time during such period, (ii) the nature of the indebtedness and of the transaction in which it was incurred, (iii) the amount thereof outstanding as of the latest practicable date, and (iv) the rate of interest paid or charged thereon:

(1) Each director or officer of the issuer;

(2) Each nominee for election as a director; and,

(3) Each associate of any such director, officer or nominee.

Instructions. 1. See instruction 1 to paragraph (a). Include the name of each person whose indebtedness is described and the nature of the relationship by reason of which the information is required to be given.

2. This paragraph does not apply to any person whose aggregate indebtedness did not exceed $20,000 or 1 percent of the issuer's total assets, whichever is less, at any time during the period specified. Exclude in the determination of the amount of indebtedness all amounts due from the particular person for purchases subject to usual trade terms, for ordinary travel and expense advances and for other transactions in the ordinary course of business.

(f) Describe briefly, and where practicable state the approximate amount of, any material interest, direct or indirect, of any of the following persons in any material transactions since the beginning of the issuer's last fiscal year, or in any material proposed transactions, to which the issuer or any of its subsidiaries was or is to be a party:

(1) Any director or officer of the issuer;

(2) Any nominee for election as a director;

(3) Any security holder named in answer to item 5 (d); or

(4) Any associate of any of the foregoing persons.

Instructions. 1. See instruction 1 to paragraph (a). Include the name of each person whose interest in any transaction is described and the nature of the relationship by reason of which such interest is required to be described. Where it is not practicable to state the approximate amount of the interest, the approximate amount involved in the transaction shall be indicated.

2. As to any transaction involving the purchase or sale of assets by or to the issuer or any subsidiary, otherwise than in the ordinary course of business, state the cost of the assets to the purchaser and the cost thereof to the seller if acquired by the seller within two years prior to the transaction.

3. The instruction to item 4 shall apply to this item.

4. No information need be given under this paragraph as to any remuneration or other transaction reported in response to (a), (b), (c), (d) or (e) of this item.

5. No information need be given under this paragraph as to any transaction or any interest therein where:

(i) The rates or charges involved in the transaction are fixed by law or determined by competitive bids;

(ii) The interest of the specified person in the transaction is solely that of a director of another corporation which is a party to the transaction;

(iii) The transaction involves services as a bank depositary of funds, transfer agent, registrar, or trustee under a trust indenture;

(iv) The interest of the specified person does not exceed $30,000;

(v) The transaction does not involve remuneration for services, directly or indirectly, and (A) the interest of the specified persons arises from the ownership individually and in the aggregate of less than 10 percent of any class of equity securities of another corporation which is a party to the transaction, (B) the transaction is in the ordinary course of business of the issuer or its subsidiaries, and (C) the amount of such transaction or series of transactions is less than 10 percent of the total sales or purchases, as the case may be, of the issuer and its subsidiaries.

6. Information shall be furnished under this paragraph with respect to transactions not excluded above which involve remuneration, directly or indirectly, to any of the specified persons for services in any capacity unless the interest of such persons arises solely from the ownership individually and in the aggregate of less than 10 percent of any class of equity securities of another corporation furnishing the services to the issuer or its subsidiaries.

V. Item 8 of Schedule 14A: Where action is to be taken at the meeting with respect to the selection of auditors, Item 8 requires a brief description of any material relationship between such auditors or any of their associates and the issuer or any of its affiliates. It is proposed to amend this item to make it consistent with the requirements of Regulation S–X relative to the independence of accountants. The item as so amended would read as follows:

Item 8. Selection of auditors. If action is to be taken with respect to the selection of auditors, or if it is proposed that particular auditors shall be recommended for selection by any committee to select auditors for whom votes are to be cast, name the auditors and describe briefly any direct financial interest or any material indirect financial interest in the issuer or any of its parents or subsidiaries or any connection during the past three years with the issuer or any of its parents or subsidiaries in the capacity of promoter, underwriter, voting trustee, director, officer or employee.

All interested persons are hereby invited to submit views and comments on the proposed amendments in writing to the Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C., on or before November 13, 1953.

By the Commission.

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

OCTOBER 9, 1953.

[F. R. Doc. 53–8880; Filed, Oct. 19, 1953; 8:46 a. m.]

NOTICES

INTERSTATE COMMERCE COMMISSION

ORGANIZATION AND FUNCTION

BUREAU OF ACCOUNTS AND COST FINDING

OCTOBER 14, 1953.

The Interstate Commerce Commission has merged the functions of the Depreciation Section into the Accounting Section of the Bureau of Accounts and Cost Finding.

[SEAL] GEORGE W. LAIRD, *Acting Secretary.*

[F. R. Doc. 53–8907; Filed, Oct. 19, 1953; 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket Nos. G–880, G–1003, G–1012]

TEXAS EASTERN TRANSMISSION CORP.

NOTICE OF ORDER ISSUING CERTIFICATES OF PUBLIC CONVENIENCE AND NECESSITY

OCTOBER 14, 1953.

Notice is hereby given that on October 9, 1953, the Federal Power Commission issued its order adopted October 8, 1953, amending orders in Docket No. G–880 of October 11, 1947 (12 F. R. 6816); Docket No. G–1003 of February 18, 1949 (14 F. R. 910–11) and Docket No. G–1012 of February 27, 1951 (16 F. R. 2131) respectively, issuing certificates of public convenience and necessity in the above-entitled matters.

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

[F. R. Doc. 53–8874; Filed, Oct. 19, 1953; 8:45 a. m.]

[Docket No. G–1721]

IOWA-ILLINOIS GAS AND ELECTRIC CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

OCTOBER 14, 1953.

Notice is hereby given that on October 9, 1953, the Federal Power Commis-

sion issued its order adopted October 8, 1953, further amending order of July 9, 1952 (17 F. R. 6571), issuing certificate of public convenience and necessity in the above-entitled matter.

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

[F. R. Doc. 53-8875; Filed, Oct. 19, 1953; 8:45 a. m.]

[Docket No. G-1847]

TEXAS GAS TRANSMISSION CORP.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

OCTOBER 14, 1953.

Notice is hereby given that on October 9, 1953, the Federal Power Commission issued its order adopted October 8, 1953, in the above-entitled matter, further amending Opinion No. 232 and order of July 25, 1952 (17 F. R. 7064) issuing certificate of public convenience and necessity, to modify provisions relating to natural gas service to MidSouth Gas Company.

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

[F. R. Doc. 53-8876; Filed, Oct. 19, 1953; 8:45 a. m.]

[Docket No. G-1876]

NATURAL GAS PIPELINE CO. OF AMERICA ET AL.

NOTICE OF ORDER GRANTING MOTION TO DISMISS COMPLAINT AND PETITION

OCTOBER 14, 1953.

In the matter of Natural Gas Pipeline Company of America v. Colorado Interstate Gas Company, Canadian River Gas Company, West Texas Gas Company; Docket No. G-1876.

Notice is hereby given that on October 9, 1953, the Federal Power Commission issued its order adopted October 8, 1953, granting motion to dismiss complaint and petition filed September 15, 1953, in the above-entitled matter.

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

[F. R. Doc. 53-8877; Filed, Oct. 19, 1953; 8:45 a. m.]

[Docket No. G-2012]

IOWA-ILLINOIS GAS AND ELECTRIC CO.

NOTICE OF ORDER ISSUING CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

OCTOBER 14, 1953.

Notice is hereby given that on October 9, 1953, the Federal Power Commission issued its order adopted October 8, 1953, amending order of February 5, 1953 (18 F. R. 862), issuing certificate of public convenience and necessity in the above-entitled matter.

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

[F. R. Doc. 53-8878; Filed, Oct. 19, 1953; 8:46 a. m.]

[Docket No. G-2274]

UNITED FUEL GAS CO.

ORDER SUSPENDING PROPOSED RATE SCHEDULES AND FIXING DATE OF HEARING

On September 14, 1953, United Fuel Gas Company (United Fuel) filed with the Commission proposed rate schedules consisting of Second Revised Sheets Nos. 12, 13, 14, and 15 of its FPC Gas Tariff, Third Revised Volume No. 1, whereby United Fuel proposes a rate increase for the sale for resale of natural gas in interstate commerce.

According to United Fuel's estimates, the proposed rate schedules would increase the presently effective rates and charges for such sales by a total of approximately $2,200,000 based on the sales for the year ended June 30, 1953.

United Fuel avers that the proposed increased rates are required primarily by reason of a proposed increase in cost of gas purchased from Tennessee Gas Transmission Company (Tennessee) and requests that its proposed rate increase be made effective on October 1, 1953, to coincide with the proposed effective date of Tennessee's rate increase. Tennessee's proposed rate increase has been suspended by order of the Commission issued September 24, 1953. United Fuel's only non-affiliated purchaser, Portsmouth Gas Company, opposes the proposed rate increase filing.

The rates, charges and classifications set forth in the rate schedules contained in Second Revised Sheets Nos. 12, 13, 14 and 15 of United Fuel's FPC Gas Tariff, Third Revised Volume No. 1 may be unjust, unreasonable, unduly discriminatory and preferential, and may place an undue burden upon the ultimate consumers of the natural gas.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services of United Fuel's FPC Gas Tariff as proposed to be changed by Second Revised Sheets Nos. 12, 13, 14 and 15; and that pending hearing and decision thereon, said Second revised Sheets be suspended for 5 months following the 30-day notice period provided for by the Natural Gas Act.

The Commission orders:

(A) A public hearing be held commencing on January 25, 1954 at 10:00 a. m. in a Hearing Room of the Commission at 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications and services, subject to the jurisdiction of the Commission, of United Fuel's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be changed by Second Revised Sheets Nos. 12, 13, 14, and 15.

(B) At the hearing the parties, including Commission staff counsel, may reserve cross-examination until after United Fuel has presented and completed its case-in-chief.

(C) United Fuel shall serve upon all parties not later than January 4, 1954, copies of the testimony and exhibits proposed to be offered at the hearings, including five (5) copies to Commission staff counsel.

(D) Pending hearing and decision thereon, said Second Revised Sheets Nos. 12, 13, 14, and 15 of United Fuel's FPC Gas Tariff, Third Revised Volume No. 1, filed on September 14, 1953, be and the same hereby are suspended and the use thereof deferred until March 15, 1954, and until such further time thereafter as such tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 12, 1953.

Issued: October 13, 1953.

By the Commission.

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

[F. R. Doc. 53-8885; Filed, Oct. 19, 1953; 8:47 a. m.]

[Docket No. G-2275]

ATLANTIC SEABOARD CORP. AND VIRGINIA GAS TRANSMISSION CORP.

ORDER SUSPENDING PROPOSED TARIFF CHANGES AND FIXING DATE OF HEARING

On September 14, 1953, Atlantic Seaboard Corporation (Atlantic Seaboard) First Revised Sheets Nos. 7, 9, 11, 15 and 18 to its FPC Gas Tariff, Fifth Revised Volume No. 1, and Virginia Gas Transmission Corporation (Virginia Gas) filed First Revised Sheets Nos. 4, 5 and 6 to its FPC Gas Tariff, Third Revised Volume No. 1, proposing a net increase in rates and charges for the sale of natural gas for resale in interstate commerce. The Companies' request that the proposed changes be allowed to take effect on October 1, 1953, on less than 30 days' statutory notice.

The Companies estimate that the proposed tariff changes, which are applicable to all of their sales of natural gas, would increase the rates and charges presently effective under bond by a net amount of $186,526 based on sales for the 12 months ended June 30, 1953.

The Companies state that the proposed increase is made necessary by the concurrent filing for an increase by their principal supplier and affiliate, United Fuel Gas Company. The proposed increases of the latter named company, which were filed on September 14, 1953, have been suspended in Docket No. G-2274.

Copies of the proposed tariff changes, together with copies of the material in support thereof, have been transmitted by the Companies to their customers and to the State commissions concerned, as required by section 154 of the Commission's general rules and regulations (18 CFR Part 154). Two wholesale customers have indicated their dissatisfaction with the proposed changes.

The rates, charges and classifications set forth in the proposed revised tariff

sheets enumerated above, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

Unless suspended by order of the Commission, the proposed revised tariff sheets will become effective upon expiration of statutory notice on October 15, 1953, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services contained in Atlantic Seaboard's FPC Gas Tariff, Fifth Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 7, 9, 11, 15, and 18, and in Virginia Gas, FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 4, 5, and 6, and that said proposed revised tariff sheets and the rates and charges contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) A public hearing be held commencing on February 24, 1954, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications, and services contained in Atlantic Seaboard's FPC Gas Tariff, Fifth Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 7, 9, 11, 15, and 18, and in Virginia Gas' FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 4, 5, and 6.

(B) Pending such hearing and decision thereon, the proposed revised tariff sheets of Atlantic Seaboard and Virginia Gas, described in paragraph (A) above, are suspended and the use thereof deferred until March 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as said proposed tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) At the hearing, the parties, including Commission staff counsel, may reserve cross-examination until after Atlantic Seaboard and Virginia Gas have presented and completed their case-in-chief.

(D) Atlantic Seaboard and Virginia Gas shall serve upon all parties not later than January 15, 1954, copies of the testimony and exhibits proposed to be offered at the hearing, including five (5) copies upon Commission staff counsel.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 12, 1953.

Issued: October 13, 1953.

By the Commission.

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

[F. R. Doc. 53-8886; Filed, Oct. 19, 1953; 8:47 a. m.]

[Docket No. G-2276]

CENTRAL KENTUCKY NATURAL GAS CO.

ORDER SUSPENDING PROPOSED TARIFF CHANGES AND FIXING DATE OF HEARING

On September 14, 1953, Central Kentucky Natural Gas Company (Central Kentucky) filed First Revised Sheets Nos. 7 and 8 to its FPC Gas Tariff, Third Revised Volume No. 1, proposing an increase in rates and charges for the sale of natural gas for resale in interstate commerce. The Company requests that the proposed changes be allowed to take effect on October 1, 1953, on less than 30 days' statutory notice.

Central Kentucky estimates that based upon sales for the 12-month period ended June 30, 1953, the proposed tariff changes would result in increased rates in the amount of $563,088, annually, over and above the amounts presently being collected under bond.

Central Kentucky states that the proposed increase is necessitated principally by the concurrent filing for an increase by its principal supplier and affiliate, United Fuel Gas Company. The proposed increases of the latter-named company have been suspended in Docket No. G-2274.

Copies of the proposed tariff changes, together with copies of the material in support thereof, have been transmitted by the Company to its customers and to the State commissions concerned, as required by section 154 of the Commission's general rules and regulations (18 CFR Part 154). The Company's four largest wholesale customers have indicated their dissatisfaction with the proposed changes.

The rates, charges and classifications set forth in the proposed revised tariff sheets have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, or otherwise unlawful.

Unless suspended by order of the Commission the proposed revised tariff sheets will become effective upon expiration of statutory notice on October 15, 1953, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications, and services contained in Central Kentucky's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 7 and 8, and that said proposed revised tariff sheets and the rates and charges contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) A public hearing be held commencing on March 2, 1954, at 10:00 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the lawfulness of the rates, charges, classifications, and services contained in Central Kentucky's FPC Gas Tariff, Third Revised Volume No. 1, as proposed to be amended by First Revised Sheets Nos. 7 and 8.

(B) Pending such hearing and decision thereon, the proposed revised tariff sheets of Central Kentucky, described in paragraph (A) above, are suspended and the use thereof deferred until March 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as said proposed tariff sheets may be made effective in the manner prescribed by the Natural Gas Act.

(C) At the hearing, the parties, including Commission staff counsel, may reserve cross-examination until after Central Kentucky shall have presented and completed its case-in-chief.

(D) Central Kentucky shall serve upon all parties not later than January 25, 1954, copies of the testimony and exhibits proposed to be offered at the hearing, including five (5) copies upon Commission staff counsel.

(E) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 12, 1953.

Issued: October 13, 1953.

By the Commission.

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

[F. R. Doc. 53-8887; Filed, Oct. 19, 1953; 8:48 a. m.]

[Docket No. G-2277]

COMMONWEALTH NATURAL GAS CORP.

ORDER SUSPENDING PROPOSED TARIFF SHEETS

On September 14, 1953, Commonwealth Natural Gas Corporation (Commonwealth) tendered for filing its FPC Gas Tariff, First Revised Volume No. 1, containing increased rates and charges which were proposed to be made effective October 1, 1953. The proposed increase in rates and charges to Commonwealth's wholesale customers would result in an estimated increase of about $19,166, or 0.5 percent, per year, based upon sales, after adjustment of billing demand units, for the year ending July 31, 1953.

Commonwealth bases its proposed increase in rates and charges, among other

things, upon increased costs of purchased gas from its supplier, Virginia Gas Transmission Corporation, which, on September 14, 1953, tendered for filing new schedules of increased rates and charges. Virginia Gas Transmission Corporation's proposed rates and charges were suspended and set for hearing by the Commission's order entered concurrently herewith In the Matter of Atlantic Seaboard Corporation and Virginia Gas Transmission Corporation, Docket No. G–2275. In part, also, Commonwealth relies upon other claimed increases in its cost of service, including a rate of return of 6½ percent and income taxes associated therewith.

Copies of Commonwealth's aforesaid FPC Gas Tariff, First Revised Volume No. 1, and the data submitted in support thereof, have been served upon Commonwealth's wholesale customers, as required by the Commission's general rules and regulations (18 CFR Part 154).

Upon consideration of the filing by Commonwealth, including all data tendered in support of the proposed Revised Volume No. 1 and increased rates and charges contained therein, together with the comments filed by customers of Commonwealth, and also the Commission's order entered concurrently herewith with respect to increased rates and charges proposed by Virginia Gas Transmission Corporation on September 14, 1953, of which official notice is hereby taken, it appears that the increased rates and charges proposed in Commonwealth's FPC Gas Tariff, First Revised Volume No. 1, which was tendered for filing on September 14, 1953, have not been shown to be justified, and may be unjust, unreasonable, or otherwise unlawful.

The Commission finds: It is necessary and in the public interest, and in aid of the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of that act, concerning the lawfulness of the rates, charges, classifications, and services, or any of them, contained in Commonwealth's FPC Gas Tariff, First Revised Volume No. 1, and that said Revised Volume No. 1 be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision thereon.

The Commission orders:

(A) A public hearing be held at a date to be set by further order concerning the lawfulness of the rates, charges, classifications and services contained in Commonwealth's FPC Gas Tariff, First Revised Volume No. 1.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in Revised Volume No. 1, referred to in (A) above, hereby are suspended and their use deferred until March 15, 1954, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 12, 1953.

Issued: October 13, 1953.

By the Commission.

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

[F. R. Doc. 53–8888; Filed, Oct. 19, 1953; 8:48 a. m.]

[Docket No. G–2278]

ROANOKE PIPE LINE CO.

ORDER SUSPENDING PROPOSED TARIFF CHANGES

Roanoke Pipe Line Company (Roanoke) on September 14, 1953, filed Sixth Revised Sheet No. 4 and First Revised Sheet No. 5–A to its FPC Gas Tariff, Original Volume No. 1, proposing increased rates and charges for the sale of natural gas for resale to Roanoke Gas Company, its affiliate and sole customer. Roanoke requests that the proposed changes be allowed to take effect on October 1, 1953, on less than 30-day statutory notice.

Based upon estimated sales for the year ending September 30, 1954, the proposed changes would result in an estimated increase of approximately $19,700 in the presently effective rates, and would constitute a passing on to the sole customer of the exact amount of the increase in purchased gas cost that would result to Roanoke from the proposed increase of its supplier, Virginia Gas Transmission Corporation. The proposed increases of the latter named company, which were filed on September 14, 1953, have been suspended in Docket No. G–2275.

As required by § 154.16 of the Commission's regulations (18 CFR 154.16) under the Natural Gas Act, copies of the proposed tariff sheets and the material submitted in support thereof have been transmitted to the State commission concerned and to Roanoke Gas Company, which has indicated its consent to the proposed increase.

The proposed increased rates, which are based entirely on the proposed increased rates and charges of Virginia Gas Transmission, suspended in Docket No. G–2275, have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory or preferential, and may place an undue burden upon the ultimate consumers of natural gas.

Unless suspended by order of the Commission, Sixth Revised Sheet No. 4 and First Revised Sheet No. 5–A to Roanoke's FPC Gas Tariff, Original Volume No. 1, will become effective as of October 15, 1953, pursuant to the provisions of the Natural Gas Act and the general rules and regulations thereunder.

The Commission finds: It is necessary and proper in the public interest, and to aid in the enforcement of the provisions of the Natural Gas Act, that the Commission enter upon a hearing, pursuant to the authority contained in section 4 of the Natural Gas Act, concerning the lawfulness of the rates, charges, classifications and services contained in Roanoke's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Sixth Revised Sheet No. 4 and First Revised Sheet No. 5–A, and that said proposed tariff sheets and the rates contained therein be suspended as hereinafter provided, and the use thereof deferred pending hearing and decision herein.

The Commission orders:

(A) A public hearing be held at a date to be set by further order concerning the lawfulness of the rates, charges, classifications and services contained in Roanoke's FPC Gas Tariff, Original Volume No. 1, as proposed to be amended by Sixth Revised Sheet No. 4 and First Revised Sheet No. 5–A.

(B) Pending such hearing and decision thereon, the proposed rates and charges contained in the revised tariff sheets referred to in (A) above, hereby are suspended and their use deferred until March 15, 1954, unless otherwise ordered by the Commission, and until such further time thereafter as they may be made effective in the manner prescribed by the Natural Gas Act.

(C) Interested State commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the Commission's rules of practice and procedure.

Adopted: October 12, 1953.

Issued: October 13, 1953.

By the Commission.

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

[F. R. Doc. 53–8889; Filed, Oct. 19, 1953; 8:48 a. m.]

[Docket No. IT–5743]

SAN DIEGO GAS & ELECTRIC CO.

NOTICE OF ORDER AUTHORIZING TRANSMISSION OF ELECTRIC ENERGY FROM UNITED STATES TO MEXICO

OCTOBER 14, 1953.

Notice is hereby given that on October 9, 1953, the Federal Power Commission issued its order adopted October 8, 1953, authorizing transmission of electric energy from the United States to Mexico, and superseding order of March 21, 1952, in the above-entitled matter.

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

[F. R. Doc. 53–8879; Filed, Oct. 19, 1953; 8:46 a. m.]

[Docket No. G–1888]

NEVADA NATURAL GAS PIPE LINE CO.

NOTICE OF PETITION TO AMEND CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY

OCTOBER 14, 1953.

Take notice that on October 1, 1953, Nevada Natural Gas Pipe Line Company (Applicant), a Nevada corpora-

tion with its principal office in Las Vegas, Nevada, filed a petition to amend the certificate of public convenience and necessity authorized by order issued on June 23, 1952, as amended March 4, 1953, in Docket No. G–1888.

The certificate as issued authorizes Applicant to construct and operate a natural gas pipeline from a point of connection with the pipeline facilities of El Paso Natural Gas Company at a point near Topock, Arizona, extending approximately 114 miles, to a point near Las Vegas, Nevada, crossing the Colorado River near Topock. Applicant requests amendment of the certificate to permit a crossing of the Colorado River at a point near Needles, California, in lieu of Topock and the location on the east side of the river of that part of the proposed line between the connection with El Paso and the crossing near Needles. Applicant states that the proposed relocation will not increase the cost of constructing the pipeline.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of November 1953. The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–8900; Filed, Oct. 19, 1953; 8:49 a. m.]

[Docket No. G–2240]

WASHINGTON GAS LIGHT CO., AND POTOMAC GAS CO.

NOTICE OF APPLICATION

OCTOBER 14, 1953.

Take notice that the Washington Gas Light Company (Washington), a corporation organized and existing under the laws of the United States of America and the Potomac Gas Company (Potomac), a corporation organized and existing under the laws of the State of Virginia, both having their principal place of business at Eleventh and H Streets NW., Washington, D. C., filed a joint application pursuant to section 7 of the Natural Gas Act whereby Washington seeks a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, to acquire and operate all of the facilities and properties of Potomac.

The facilities which Washington seeks to acquire and operate from Potomac were authorized at Docket Nos. G–1062 and G–1768 and include the following:

(1) Approximately 18 miles of 16-inch natural gas transmission pipeline extending from the 20-inch natural gas pipeline of Atlantic Seaboard, in the vicinity of Dranesville, Virginia, to a point of connection with the pipeline facilities of Rosslyn Gas Company (Rosslyn), in Arlington County, Virginia. Said facilities were authorized at Docket No. G–1062.

(2) Approximately 14,000 feet of 16-inch natural-gas transmission pipeline extending from the terminus, in Arlington County, Virginia, of the pipeline authorized in Docket No. G–1062 to the southern end of Key Bridge in Rosslyn, Virginia, where it connects with the facilities of Washington. Said facilities were authorized at Docket No. G–1768.

By means of the transmission pipeline facilities above described Potomac presently transports natural gas from its point of connection with the transmission facilities of Atlantic Seaboard Corporation in the vicinity of Dranesville, Virginia, to the distribution systems of Washington and the Rosslyn Gas Company. Washington, Potomac and Rosslyn are engaged in the storage, transmission, distribution, and sale of natural gas in the metropolitan area of Washington which includes the District of Columbia and adjoining portions of the States of Virginia and Maryland.

Under the proposal submitted by Washington; it will upon acquisition of the facilities above described, render the same service now being performed by Potomac. Washington's proposal does not include service to any new markets nor is such service contemplated under its application.

The facilities and properties of Potomac are to be acquired by Washington in accordance with the terms of a "Proposed Plan of Liquidation", which calls for the following: First, Potomac will distribute to Washington, by appropriate conveyances and transfers, all of its assets; Second, Washington concurrently, with such transfer of assets to it, will cancel all indebtedness of Potomac to it and will surrender for cancellation all bonds, other evidences of indebtedness, and certificates of capital stock of Potomac; Third, Washington, concurrently with the transfer of assets to it, will assume all of the liabilities and obligations of Potomac to persons other than Washington and will agree to fulfill in every respect all of the duties of Potomac; and, Fourth, Potomac will be dissolved under the laws of Virginia.

Washington and Potomac request that their application be heard under the shortened procedure pursuant to § 1.32 (b) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of November 1953.

The application is on file with the Commission for public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–8901; Filed, Oct. 19, 1953; 8:49 a. m.]

[Docket No. G–2256]

EL PASO NATURAL GAS CO.

NOTICE OF APPLICATION

OCTOBER 14, 1953.

Take notice that on September 23, 1953, El Paso Natural Gas Company (Applicant), a Delaware Corporation having its principal place of business at El Paso, Texas, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing construction and operation of facilities as hereinafter described to enable applicant to deliver on a temporary and exchange basis to Colorado Interstate Gas Company (Colorado) volumes of gas up to 50,000,000 cubic feet per day until December 31, 1953, and for such additional time thereafter as may be mutually agreed upon between Applicant and Colorado.

Applicant states that Colorado during the past year has overproduced its wells in the Panhandle Field in Texas, that such wells will be shut-in during the coming winter and that to remedy the resulting shortage in Colorado's gas supply, Applicant and Colorado have entered into an agreement pursuant to which Applicant will furnish gas to Colorado as indicated above and Colorado will return equivalent volumes of gas, plus a quantity of gas calculated to be equal to 5 percent per annum on the unreturned balance, by November 1, 1955. Applicant states that it commenced deliveries of gas to Colorado on September 16, 1953, pursuant to applicable provisions of the Commission's rules and regulations under the Natural Gas Act.

Cost of the necessary facilities, including a measuring station and necessary appurtenance installed at a point adjacent to the intersection of Applicant's 24–inch Dumas pipeline and Colorado's 22-inch pipeline in Moore County, Texas, was $8,418. Applicant requests that its application be heard under the shortened procedure provided by the Commission's rules (18 CFR 1.32 (b)). Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of November 1953. The application is on file with the Commission and open to public inspection.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 53–8902; Filed, Oct. 19, 1953; 8:50 a. m.]

[Docket No. G–2258]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

OCTOBER 14, 1953.

Take notice that on September 24, 1953, United Gas Pipe Line Company (Applicant), a Delaware Corporation, having its principal place of business at Shreveport, Louisiana, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing construction and operation of five segments of 2-inch line and appurtenant facilities and the sale of natural gas to United Gas Corporation for distribution and resale by the latter corporation in the Mississippi communities of Bassfield, Georgetown, Osyka, Sumrall, and Mize.

Two of said segments will extend from Applicant's Bogalusa 10-inch line to

United Gas Corporation's proposed distribution systems in Bassfield and Sumrall, such communities being located respectively, in Jefferson Davis County and Lamar County. Two others will extend from Applicant's Montpelier-Kosciusko 30-inch line to Gas Corporation's proposed systems in Georgetown (Copiah County) and Osyka (Pike County). The fifth segment will extend from Applicant's Jackson-Mobile 16-inch line to Gas Corporation's proposed system in Mize, in Smith County. Approximate mileage of said segments is 18.8 miles. Estimated cost of facilities to be constructed by Applicant is $129,770.

Applicant requests that its application be heard under the shortened procedure proceeded by the Commission's rules (18 CFR 1.32 (b)). Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of November 1953. The application is on file with the Commission and open to public inspection.

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

[F. R. Doc. 53-8903; Filed, Oct. 19, 1953; 8:50 a. m.]

[Docket No. G-2259]

UNITED GAS PIPE LINE CO.

NOTICE OF APPLICATION

OCTOBER 14, 1953.

Take notice that on September 24, 1953, United Gas Pipe Line Company (Applicant), a Delaware Corporation, having its principal place of business at Shreveport, Louisiana, filed an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing construction and operation of five segments of 2-inch line and appurtenant facilities and the sale of natural gas to United Gas Corporation for distribution and resale by the latter corporation in the Louisiana communities of Dodson, Gloster, Goldonna, Grand Cane, and Longstreet.

Three of said segments will extend from Applicant's Carthage-Sterlington 24-inch line to United Gas Corporation's proposed distribution systems in Gloster, Grand Cane, and Longstreet, all of such communities being located in De Soto Parish. The other two will extend from Applicant's Agua Dulce-Sterlington 30-inch line to Gas Corporation's proposed systems in Dodson (Winn Parish) and Goldonna (Natchitoches Parish). Approximate mileage of said segments is 19.5 miles. Estimated cost of facilities to be constructed by Applicant is $135,370.

Applicant requests that its application be heard under the shortened procedure proceeded by the Commission's rules (18 CFR 1.32 (b)). Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before the 5th day of November 1953. The application is on file with the Commission and open to public inspection.

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

[F. R. Doc. 53-8904; Filed, Oct. 19, 1953; 8:50 a. m.]

[Docket No. G-2262]

COLORADO INTERSTATE GAS CO.

NOTICE OF APPLICATION

OCTOBER 14, 1953.

Take notice that on September 28, 1953, Colorado Interstate Gas Company (Applicant), a Delaware corporation having its principal place of business at Colorado Springs, Colorado, filed an application pursuant to the provisions of section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing construction and operation of facilities is hereinafter described to enable (1) Applicant to receive up to 50,000 Mcf of gas per day from El Paso Natural Gas Company (El Paso), on an exchange basis, until December 31, 1953, and for such additional time thereafter as may be mutually agreed upon between Applicant and El Paso; and (2) Applicant to redeliver to El Paso approximately equivalent volumes of gas.

Applicant states that on September 1, 1953, its net overproduction in the Panhandle Gas Field amounted to approximately 11,800,000 Mcf; that 67 of its wells in the Panhandle Field have been shut-in by an order of the Texas Railroad Commission of September 14, 1953; and that the exchange with El Paso is intended to offset in part the deficiency in gas supply resulting from the shut-in. Applicant requests authority to construct and operate (1) a 10-inch side gate, a 4-inch regulator, and a short interconnection on its 22-inch Amarillo-Denver line adjacent to El Paso's Dumas line in Moore County, Texas; and (2) a double 8-inch standard orifice type meter station, and a short connection, together with necessary appurtenances located at a point of intersection of Applicant's Panhandle-Kit Carson line and Northern Natural Gas Company's line in Moore County, Texas, to make deliveries to Northern Natural for El Paso's account; or, in the alternative, in the event that gas cannot be redelivered by Applicant to El Paso through facilities last described, (3) approximately 9½ miles of 10¾-inch pipe to extend from the discharge side of Applicant's Fourway Compressor Station to the original point at which El Paso will deliver gas to Applicant, a meter station, an 8-inch side gate, and necessary appurtenances. Reference is made to the companion application filed by El Paso in Docket No. G-2256, notice of which is being published simultaneously herewith.

The facilities described in (1) above have been constructed at a cost of $5,511 and are in operation under provisions of § 157.22 of the Commission's general rules and regulations (18 CFR Part 157). The estimated cost of the proposed facilities in the alternate Projects above is (2) $14,494 and (3) $85,778.

Applicant requests that its application be heard under the shortened procedure provided by the Commission's rules (18 CFR 1.32 (b)). Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D. C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10), on or before the 5th day of November 1953. The application is on file with the Commission and open to public inspection.

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

[F. R. Doc. 53-8905; Filed, Oct. 19, 1953; 8:50 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3137]

UNITED GAS CORP. AND UNITED GAS PIPE LINE CO.

ORDER AUTHORIZING ISSUE AND SALE BY PARENT OF PRINCIPAL AMOUNT OF DEBENTURES AT COMPETITIVE BIDDING AND BY SUBSIDIARY OF PRINCIPAL AMOUNT OF DEBENTURES AND ACQUISITION THEREOF BY PARENT

OCTOBER 14, 1953.

United Gas Corporation ("United"), a gas utility subsidiary of Electric Bond and Share Company, a registered holding company, and United's wholly owned subsidiary, United Gas Pipe Line Company ("Pipe Line"), having filed a joint application-declaration with this Commission designating sections 6, 7, 9, 10 and 12 of the Public Utility Holding Company Act of 1935 ("act") and rules thereunder as applicable to the proposed transactions which are summarized as follows:

(1) United will issue under the provisions of its Debenture Agreement to be dated as of October 1, 1953, made with Irving Trust Company, Trustee, and sell, at competitive bidding, pursuant to the provisions of the Commission's Rule U-50, an aggregate of $25,000,000 principal amount of its __ percent Sinking Fund Debentures due 1973. No additional debentures may be issued under such Debenture Agreement. The Debentures of 1973 together with United's presently outstanding Debentures of 1972, in the principal amount of $60,000,000, will not be secured by any lien. They will thus be junior to United's First Mortgage and Collateral Trust Bonds, presently outstanding in the amount of $214,470,000.

The interest rate of the Debentures (which shall be a multiple of ⅛ of 1 percent) and the price (exclusive of accrued interest) to be paid to United for the Debentures (which shall not be less than the principal amount thereof nor more than 102¾ percent of such principal amount) will be fixed by proposals to be invited by United which will reserve the right to reject any or all proposals at or after the opening of bids.

(2) Pipe Line will issue under the provisions of its Debenture Agreement, to be dated as of September 25, 1953, made with Empire Trust Company, Trustee, and sell to United for cash at principal amount, plus accrued interest from September 25, 1953, to date of closing, $10,000,000 principal amount of its 5 percent Sinking Fund Debentures due 1973.

The proceeds from the sale of United's Debentures will be used to purchase Pipe Line's Debentures and for the extension and improvement of its facilities and other general corporate purposes.

The Debentures of Pipe Line to be acquired by United will be retained in its securities portfolio. Each Debenture is to include a statement upon its face that it is non-negotiable and cannot be transferred, assigned, or pledged except to a successor of United under United's mortgage or to the Corporate Trustee thereunder. Pipe Line's Debentures of 1973 together with its presently outstanding Debentures of 1971, all of which are owned by United in the principal amount of $72,000,000, will be unsecured and will be junior to Pipe Line's First Mortgage Bonds presently owned by United, in the principal amount of $138,507,000.

The proceeds to be derived from the sale of Pipe Line's Debentures will be used for extensions and improvements of its facilities, for reimbursement of its treasury, in part, for expenditures heretofore made for such purposes and for other general corporate uses.

It is requested that the Commission's initial order be entered as promptly as practicable and become effective upon the issuance thereof.

Due notice having been given of the filing of the joint application-declaration, and a hearing not having been requested of or ordered by the Commission; and the Commission finding that the applicable provisions of the act and rules promulgated thereunder are satisfied and that no adverse findings are necessary, and deeming it appropriate in the public interest and the interest of investors and consumers that said application-declaration, as amended, be granted and permitted to become effective:

It is ordered, Pursuant to Rule U-23 and the applicable provisions of said act, that said application-declaration, as amended be, and hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24 and subject to the further condition that the proposed sale of Debentures by United shall not be consummated until the results of competitive bidding with respect thereto shall have been made a matter of record in this proceeding and a further order shall have been entered by this Commission in the light of the record so completed, which order may contain such further terms and conditions as may then be deemed appropriate.

It is further ordered, That jurisdiction be, and hereby is, reserved over the payment of all fees and expenses incurred or to be incurred in connection with the proposed transactions except for the costs of the filing fee, taxes, and printing and engraving.

By the Commission.

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

[F. R. Doc. 53-8883; Filed, Oct. 19, 1953; 8:47 a. m.]

[File Nos. 31-613, 31-615, 31-616, 70-3141]

CLEVELAND-CLIFFS IRON CO. AND CLIFFS POWER AND LIGHT CO.

NOTICE OF FILING OF APPLICATIONS WITH RESPECT TO ACQUISITION OF COMMON STOCK OF NON-AFFILIATED ELECTRIC UTILITY COMPANY AND REQUESTING EXEMPTIONS

OCTOBER 14, 1953.

In the matter of The Cleveland-Cliffs Iron Company, File Nos. 70-3141; 31-615; 31-613; The Cliffs Power and Light Company, File No. 31-616.

Notice is hereby given that The Cleveland-Cliffs Iron Company ("Cliffs Iron"), an exempt holding company, and The Cliffs Power and Light Company ("Power Company"), an electric utility company and a wholly-owned subsidiary of Cliffs Iron, have filed applications requesting (a) approval pursuant to sections 9 (a) (2) and 10 of the Public Utility Holding Company Act of 1935 ("act") of the indirect acquisition by Cliffs Iron, through Power Company, of one half of the capital stock of Upper Peninsula Generating Company ("Generating Company"), a non-affiliated electric utility company (File No. 70-3141), and (b) exemption pursuant to sections 3 (a) (1) and 3 (a) (3) (A) of themselves, as holding companies, and their subsidiaries, as such, from the provisions of the act.

All interested persons are referred to said applications which are on file in the offices of the Commission for a statement of the proposed transactions and related facts contained therein which are summarized as follows:

Cliffs Iron, an Ohio corporation, is the successor in a statutory consolidation of The Cleveland-Cliffs Iron Company and The Cliffs Corporation which had previously been granted an exemption from the provisions of the act pursuant to section 3 (a) (3) (B) by an order of this Commission dated April 15, 1938, (3 S. E. C. 326). The present filing states that Cliffs Iron is primarily engaged in the mining, transportation and sale of iron ore which is produced from 13 mines owned and 6 mines managed by it in the Lake Superior region of the upper peninsula of Michigan. As an incident to its primary business, Cliffs Iron owns all of the outstanding common stock of Power Company, a Michigan corporation, which is engaged in the generation, transmission and distribution of electric energy in the region in which the mines owned and operated by Cliffs Iron are located. Power Company's largest customer is Cliffs Iron. Sales to other mining companies account for much of the balance of Power Company's business.

Cliffs Iron represents that the high grade iron ore in the Lake Superior region is being exhausted; that it is its intention to develop lower grade ores than were formerly economically mineable; that lower grade ores require extensive processing which will be done at or near the source of the ore and which will require vastly more electric power than has been needed in the past; and that these facts together with the requirements of the growing population of the region will increase the need for electric power in the upper peninsula of Michigan.

Cliffs Iron, Power Company and Upper Penisular Power Company ("Upper Peninsula"), a non-affiliated Michigan corporation which also is engaged in the generation, purchase, transmission and distribution of electric energy in the upper peninsula of Michigan, have entered into a contract pursuant to which Generating Company has been organized under the laws of Michigan for the purpose of constructing a 22,000 Kw. generating station in or near Marquette, Michigan. Power Company and Upper Peninsula will each acquire 92,500 of the 185,000 shares of capital stock, par value $10 per share, of Generating Company at the aggregate par value thereof and will each be entitled to take one half of the energy generated at said station. Additional financing of Generating Company will be accomplished through the sale of $5,050,000 principal amount of 4⅞ percent First Mortgage Bonds, due 1983, to institutional investors. Power Company and Upper Peninsula will each pay to Generating Company the costs of generating the energy received by them and will, in addition, each pay one half of the fixed charges and overhead costs of Generating Company. It is proposed that Generating Company will operate on a cost basis. The contract among Cliffs Iron, Power Company and Upper Peninsula also provides that Power Company will sell and transfer to Upper Peninsula all of its transmission and distribution properties and that, thereafter all of the energy generated or purchased by Power Company (including that purchased from Generating Company) will be delivered to Upper Peninsula either for its own use or for transmission to and delivery at the mines operated by Cliffs Iron.

Cliffs Iron alleges that the proposed indirect acquisition of the common stock of Generating Company will serve the public interest since it will tend toward the development of an integrated public utility system. Cliffs Iron further alleges that the proposed acquisition will not complicate the holding company system of which it is a part or be detrimental to the interest of investors or consumers.

Cliffs Iron on July 29, 1953, filed an application (File No. 31-613) for exemption pursuant to section 3 (a) (3) (B) of the act, which application is still pending. Following acquisition of one half of the common stock of Generating Company by Power Company, exemption pursuant to section 3 (a) (B) will

not be available to Cliffs Iron since it will not own substantially all of the outstanding securities of Generating Company. Accordingly, Cliffs Iron now requests exemption pursuant to section 3 (a) (3) (A) (File No. 31–615) and in support thereof alleges that it is primarily engaged in the iron mining business and that it does not, and will not, derive any material part of its income from Power Company or Generating Company, the only public utility companies in which it has, or will have, any interest. Based upon 1951 revenue and income, Cliffs Iron has submitted pro forma amounts of operating revenue and net income, excluding intercompany income, for Cliffs Iron, Power Company and Generating Company, which are shown in the following table:

	A—Cliffs Iron	B—Power Company	Percent of B to A	C—Generating Company	Percent of C to A
Operating revenue	$108,090,995	$928,587	0.86	$650,000	0.6
Net income	10,414,311	69,743	.67	none	none

Power Company will become a holding company upon acquisition of one half of the common stock of Generating Company. Power Company requests that it, as a holding company, and Generating Company, as its subsidiary, be exempted from the provisions of the act pursuant to section 3 (a) (1) thereof (File No. 31–616). In support of its application, Power Company represents that it is organized and carrying on its business wholly within the State of Michigan in which State Generating Company is organized and will carry on its business.

The capitalization and surplus of Power Company as at December 31, 1952, and the proposed initial capitalization of Generating Company are set forth in the following table:

	Power Company	Percent of total	Generating Company	Percent of total
Long-term debt:				
First mortgage bonds	----------	----------	$5,050,000	73.2
Notes payable, 2½ percent due 1953 to 1955 (less amount due in 1 year)	$392,000	5.9	----------	----------
Capital stock and surplus:				
Common stock	4,100,000	----------	1,850,000	----------
Earned surplus	2,148,845	----------	----------	----------
	6,248,845	94.1	1,850,000	26.8
	6,640,845	100.0	6,900,000	100.0

The expenses in connection with the proposed acquisition of Generating Company common stock are estimated at $4,267.50, including counsel fees of $2,000. Applicants request that the Commission's order to be entered herein be issued as soon as practicable and that such order become effective upon issuance.

Notice is further given that any person may, not later than October 28, 1953, at 5:30 p. m., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues, if any, of fact or law raised by such applications proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after October 28, 1953, the applications in File Nos. 70–3141, 31–615 and 31–616, as filed or as amended, may be granted and the application in File No. 31–613 may be dismissed.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 53-8884; Filed, Oct. 19, 1953; 8:47 a. m.]