

THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
OF THE UNITED STATES

FEDERAL REGISTER

1934

VOLUME 19 NUMBER 9

Washington, Thursday, January 14, 1954

TITLE 10—ATOMIC ENERGY

Chapter I—Atomic Energy Commission

PART 30—RADIOISOTOPE DISTRIBUTION

MISCELLANEOUS AMENDMENTS

Pursuant to the Atomic Energy Act of 1946, as amended (Pub. Law 585, 79th Cong.; 60 Stat. 755 ff) and section 4 (a) of the Administrative Procedure Act of 1946, as amended (Pub. Law 404, 79th Cong.), additional amendments to Title 10, Chapter I, Part 30, Code of Federal Regulations, entitled "Radioisotope Distribution", promulgated April 9, 1951, and published in Volume 16, Pages 3251 et seq. of the FEDERAL REGISTER, are set forth hereunder to be effective January 15, 1954.

1. Amend § 30.2 to read as follows:

§ 30.2 *Definitions.* As used in this part:

(a) *Commission.* "Commission" means the United States Atomic Energy Commission created by the Atomic Energy Act of 1946, or its duly authorized representative.

(b) *Distributor.* "Distributor" means any person to the extent that such person is engaged in operating Commission-owned laboratories, plants or other facilities under a contract with the Commission and is engaged in the distribution of radioisotopes for the Commission.

(c) *Fissionable material.* "Fissionable material" means fissionable material as defined in section 5 (a) (1) of the Atomic Energy Act of 1946 and in the regulations contained in Part 70 of this chapter.

(d) *General authorization.* "General authorization" means an authorization that is issued for the procurement of any quantity of any radioisotope of atomic number 3 to 83 for the use or uses designated therein.

(e) *Human use.* "Human use" means the internal or external administration of radioisotopes, or the radiation therefrom, to human beings.

(f) *One millicurie.* "One millicurie" means that amount of radioactive material which disintegrates at the rate of 37 million atoms per second.

(g) *Person.* "Person" means any individual, corporation, partnership, firm, association, trust, estate, public or private institution, group, the United States or any agency thereof, any government

other than the United States, any political subdivision of any such government, and any legal successor, representative, agent, or agency of the foregoing, or other entity, but shall not include the Commission or officers or employees of the Commission in the exercise of duly authorized functions.

(h) *Radioisotope.* "Radioisotope" means any radioactive material yielded in or made radioactive by exposure to the radiation incident to the processes of producing or utilizing fissionable material. Radioisotope also means any other radioactive material.

(i) *Research and development.* "Research and development" means theoretical analysis, exploration, and experimentation, and the extension of investigative findings and theories of a scientific or technical nature into practical application for experimental and demonstration purposes, including the experimental production and testing of models, devices, equipment, materials and processes. "Research and development" as used in this part does not include the internal or external administration of radioisotopes, or the radiation therefrom, to human beings.

(j) *Roentgen (= r).* "Roentgen" (= r) means that quantity of X or gamma radiation such that the associated corpuscular emission per 0.001293 gram of air produces, in air, ions carrying 1 electrostatic unit of electricity of either sign.

(k) *Roentgen-equivalent-man (= rem).* "Roentgen-equivalent-man" (= rem) means that quantity of radiation that, when absorbed by mammalian tissue, produces an effect equivalent to the absorption by this tissue of one roentgen of X or gamma radiation.

(l) *Roentgen-equivalent-physical (= rep).* "Roentgen-equivalent-physical" (= rep) means that dose of ionizing radiation that is capable of producing energy absorption of 93 ergs per gram of tissue.

(m) *Service irradiation.* "Service irradiation" means the exposure of materials of any kind to radiation in accordance with instructions and at the request of some person.

(n) *Source material.* "Source material" means source material as defined in section 5 (b) (1) of the Atomic Energy Act of 1946 and in the regulations contained in Part 40 of this chapter.

(Continued on next page)

CONTENTS

| | Page |
|--|------|
| Atomic Energy Commission | |
| Rules and regulations: | |
| Radioisotope distribution; miscellaneous amendments..... | 243 |
| Civil Aeronautics Administration | |
| Rules and regulations: | |
| Minimum en route IFR altitudes; operation procedures over mountainous terrain and along particular routes..... | 245 |
| Commerce Department | |
| See Civil Aeronautics Administration. | |
| Defense Mobilization Office | |
| Notices: | |
| Additions to list of companies accepting request to participate in certain activities: | |
| Cattle Bros. Steel and Industrial Storage Co. et al.; | |
| Defense Warehousemen's Assn. of Philadelphia..... | 255 |
| Scovill Mfg. Co. et al.; Army Ordnance Integration Committee on Cartridge Cases..... | 255 |
| Weatherhead Co., and Hunter Douglas Corp.; Ordnance Corps Integration Committee on Burster Casings..... | 255 |
| Federal Communications Commission | |
| Notices: | |
| Canadian-U. S. A. Television Agreement; recapitulation of Canadian TV notifications.... | 254 |
| Hearings, etc.: | |
| Central Plains Enterprises, Inc., et al..... | 253 |
| Niagara Frontier Amusement Co..... | 253 |
| Peoples Broadcasting Co. and WGAL, Inc..... | 253 |
| Radio Associates, Inc., and WLOX Broadcasting Co..... | 254 |
| Tulsa Broadcasting Co. et al..... | 253 |
| Rules and regulations: | |
| Public Safety Radio Services; errata..... | 250 |
| Stations on shipboard in the Maritime Service; correction.. | 250 |
| Federal Power Commission | |
| Notices: | |
| El Paso Natural Gas Co.; order fixing date of hearing..... | 255 |



FEDERAL REGISTER

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

The regulatory material appearing herein is keyed to the Code of Federal Regulations, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953.

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

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

Now Available

UNITED STATES GOVERNMENT ORGANIZATION MANUAL

1953-54 Edition
(Revised through July 1)

Published by the Federal Register Division,
the National Archives and Records Service,
General Services Administration

734 Pages—\$1.00 a copy

Order from Superintendent of Documents,
United States Government Printing Office,
Washington 25, D. C.

CONTENTS—Continued

| | |
|--|------|
| Interior Department | Page |
| See Land Management Bureau; Mines Bureau. | |
| Notices: | |
| Fish and Wildlife Service; designation of functions and duties of Acting Director..... | 252 |
| Internal Revenue Service | |
| Rules and regulations: | |
| Income tax; taxable years beginning after December 31, 1951; miscellaneous amendments..... | 249 |
| Interstate Commerce Commission | |
| Notices: | |
| Applications for relief: | |
| Commodity rates between points in Colorado and the Southwest..... | 257 |

RULES AND REGULATIONS

CONTENTS—Continued

| | |
|---|----------|
| Interstate Commerce Commission—Continued | Page |
| Notices—Continued | |
| Applications for relief—Con. | |
| Ingot molds from Cleveland, Ohio to Worcester, Mass..... | 257 |
| Iron and steel from St. Louis, Mo., East St. Louis and Belleville, Ill., to Owensboro, Ky..... | 257 |
| Sand from Larsen, Wis., to Cadillac, Grand Haven, and Grand Rapids, Mich..... | 257 |
| Soda ash, dense, from Ohio, Michigan, New York and Virginia to Oklahoma and Fort Smith, Ark..... | 257 |
| Rules and regulations: | |
| Electric Railway Annual Report Form G..... | 250 |
| Land Management Bureau | |
| Notices: | |
| Arizona; filing of plat of survey. | 250 |
| Classification orders: | |
| California (2 documents)..... | 250, 251 |
| Nevada..... | 252 |
| Mines Bureau | |
| Rules and regulations: | |
| Blasting devices (Schedule 26); miscellaneous amendments..... | 249 |
| Securities and Exchange Commission | |
| Notices: | |
| Hearings, etc.: | |
| Adolf Gobel, Inc..... | 255 |
| Mission Oil Co., et al..... | 256 |
| Mystic Valley Gas Co..... | 256 |
| Rules and regulations: | |
| Solicitation of proxies; general rules and regulations under Securities and Exchange Act of 1934..... | 246 |
| Small Business Administration | |
| Notices: | |
| James F. Newcomb Co., Inc.; withdrawal from membership in the Engravers Production Group of New York..... | 258 |
| Oregon; declaration of disaster area..... | 258 |
| Treasury Department | |
| See Internal Revenue Service. | |

CODIFICATION GUIDE

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

| | |
|-----------------|------|
| Title 10 | Page |
| Chapter I: | |
| Part 30..... | 243 |
| Title 14 | |
| Chapter II: | |
| Part 610..... | 245 |
| Title 17 | |
| Chapter II: | |
| Part 240..... | 246 |
| Title 26 | |
| Chapter I: | |
| Part 39..... | 249 |
| Title 30 | |
| Chapter I: | |
| Part 17..... | 249 |

CODIFICATION GUIDE—Con.

| | |
|---|------|
| Title 47 | Page |
| Chapter I: | |
| Part 8..... | 250 |
| Part 10..... | 250 |
| Title 49 | |
| Chapter I: | |
| Part 120..... | 250 |
| 2. Amend § 30.13 by deleting paragraph (a) and substituting therefor the following new paragraph: | |
| § 30.13 <i>Items and quantities.</i> (a) Sections 30.20 through 30.53, inclusive, do not apply to any item listed in § 30.70 <i>Schedule A</i> , nor to any quantity listed in § 30.71 <i>Schedule B</i> : <i>Provided</i> , That no person shall, except as otherwise permitted by the regulations contained in this part, effect an increase in the radioactivity of said scheduled items or quantities by adding other radioactive material thereto, by combining the radioisotopes from two or more such items or quantities, or by altering them in any other manner so as to increase thereby the rate of radiation exposure of himself or others above the original rate therefrom: <i>Provided further</i> , That no person shall administer externally or internally, or direct the administration of, said scheduled items or quantities to a human being for any purpose, including but not limited to diagnostic, therapeutic, and research purposes, except as permitted by a valid authorization. | |
| 3. Amend § 30.21 to read as follows: | |
| § 30.21 <i>Requirements for the approval of applications—(a) Requirements of general applicability.</i> A domestic application for radioisotopes procurement will not be approved unless: | |
| (1) The radioisotope is requested for one or more of the following purposes: Research or development, human use (including medical therapy), industrial uses, processing or making of compounds, or such other useful applications as may be developed; | |
| (2) The applicant has suitable equipment and facilities for the protection of health and safety (such as handling devices, work areas, shields, measuring and monitoring instruments); and | |
| (3) The applicant has suitably trained and experienced personnel and is otherwise qualified to use radioisotopes for the requested purpose. | |
| (b) <i>Special requirements applicable to human uses by institutions.</i> An application by an institution for authorization to procure radioisotopes, other than sealed sources, for human use will not be approved unless: | |
| (1) The applicant satisfies the general requirements specified in paragraph (a) of this section; | |
| (2) The institution has appointed a medical isotopes committee of at least three members to evaluate all proposals for research, diagnosis, and therapeutic use of radioisotopes within that institution. Membership of the committee should include physicians expert in internal medicine, hematology, therapeutic radiology, and a person experienced in assay of radioisotopes and protection against ionizing radiations; | |

(3) The institution possesses adequate facilities for the clinical care of patients;

(4) The physician designated on the application as the individual user is licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine, and has substantial experience in the proposed use, the handling and administration of radioisotopes and where applicable, the clinical management of radioactive patients; and

(5) The applicant, if the application is for a general authorization, has also (i) previously received a reasonable number of authorizations for radioisotope procurement for a variety of radioisotopes for a variety of human uses; (ii) appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems; and (iii) appointed a medical isotope committee (see subparagraph (2) of this paragraph) which will review and approve, in advance of purchase of radioisotopes; proposals for human uses.

(c) *Special requirements applicable to human uses by individual physicians.* An application by a physician for authorization to procure radioisotopes, other than sealed sources, for human use will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant is a physician licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine;

(3) The applicant has access to a hospital possessing adequate facilities to hospitalize and monitor the applicant's radioactive patients whenever it is advisable; and

(4) The applicant has extensive experience in the proposed use, the handling and administration of radioisotopes, and where applicable, the clinical management of radioactive patients. (The physician shall furnish suitable evidence of such experience with his application. A statement from the medical isotope committee in the institution where he acquired his experience, indicating its amount and nature, may be submitted as evidence of such experience.)

(d) *Special requirements applicable to human use of sealed sources.* An application for authorization to procure radioisotopes in sealed sources for human use will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section; and

(2) The applicant or, if the application is made by an institution, the individual user (i) has specialized training in the therapeutic use of the radioactive device considered (teletherapy unit, beta applicator, etc.) or has experience equivalent to such training; and (ii) is a physician licensed by a state or territory of the United States or the District of Columbia to dispense drugs in the practice of medicine.

(e) *Special requirements applicable to general authorizations for use in re-*

search and development. An application for a general authorization to procure radioisotopes for use in research and development will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant has received a reasonable number of authorizations for radioisotope procurement for a variety of radioisotopes for a variety of research and development uses;

(3) The applicant has established an isotope committee (composed of such persons as a radiological safety officer, a representative of the business office, and one or more persons trained or experienced in the safe use of radioactive materials) which will review and approve, in advance of purchase of radioisotopes, proposals for such uses; and

(4) The applicant has appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems.

(f) *Special requirements applicable to general authorizations for processing.* An application for a general authorization to procure radioisotopes for use in processing for distribution to other authorized persons will not be approved unless:

(1) The applicant satisfies the general requirements specified in paragraph (a) of this section;

(2) The applicant has received a reasonable number of authorizations for radioisotope procurement for processing, resale, and distribution of a variety of radioisotopes; and

(3) The applicant has appointed a radiological safety officer who will advise on or be available for advice and assistance on radiological safety problems.

4. Amend § 30.30 to read as follows:

§ 30.30 *Issuance of authorizations.* Upon approval of an application, the Commission will issue an Authorization for Radioisotope Procurement, Form AEC-374. The authorization shall be the only valid approval for procurement, and its issuance shall be based upon the representations made in the application and shall be subject to and in accordance with the regulation in this part and the terms and conditions stated in the application. Authorizations are issued for the procurement only of the radioisotope or radioisotopes specified in the authorization in the quantity or quantities specified and for the use or uses designated therein.

5. Amend § 30.32 to read as follows:

§ 30.32 *Expiration.* An authorization shall expire at the end of the period stated therein without the necessity of notice or warning from the Commission. The holder thereof shall neither order nor receive radioisotopes after the expiration of such authorization and no person shall transfer radioisotopes to another person after the expiration date of the transferee's authorization. Expiration of a holder's authorization does not affect his authority to retain possession of previously acquired radioisotopes for the use or uses specified in the authorization and subject to all the condi-

tions and limitations incorporated therein, or otherwise imposed by this part.

6. Amend § 30.54 to read as follows:

§ 30.54 *Inspections and tests.* Each person who possesses or uses radioisotopes shall permit the Commission, at all reasonable times, to make such inspections and tests as the Commission deems appropriate or necessary for enforcement of the regulations in this part, including, but not limited to, inspections and tests of (a) radioisotopes being used, (b) facilities wherein radioisotopes are used or stored, (c) radiation detection and monitoring instruments, (d) equipment or devices utilizing radioisotopes or used in connection with the utilization of radioisotopes, and (e) radioisotope waste disposal methods.

(60 Stat. 755-775, as amended; 42 U. S. C. 1801-1819)

Dated at Washington, D. C., this 7th day of January 1954.

K. D. NICHOLS,
General Manager.

[F. R. Doc. 54-230; Filed, Jan. 13, 1954; 8:45 a. m.]

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 56]

PART 610—MINIMUM EN ROUTE IFR ALTITUDES

OPERATION PROCEDURES OVER MOUNTAINOUS TERRAIN AND ALONG PARTICULAR ROUTES

The purpose of this amendment is to modify Part 610, Regulations of the Administrator, § 610.3 (c), concerning operation procedures over mountainous terrain and along particular routes, to permit flights at the published minimum terrain clearance altitude within 25 miles of a VOR station even though a higher IFR altitude is prescribed for the route segment. The amendment is adopted without delay in order to provide for safety in air commerce. Therefore, compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable.

Section 610.3 (c) is revised to read:

§ 610.3 *Operation procedures over mountainous terrain and along particular routes.* * * *

(c) *Minimum terrain clearance altitudes.* At certain locations VOR reception may not be adequate under normal operating conditions at the minimum terrain clearance altitude along a route segment. Where it is necessary to fly at an altitude higher than the minimum terrain clearance altitude to assure acceptable VOR reception, the higher altitude will be published as the minimum en route IFR altitude for that route segment. However, flights may be conducted at the minimum terrain clearance altitude when within 25 miles of a VOR station based on a reasonable estimate of that distance. At points where the minimum en route IFR altitude is higher than the minimum en route ter-

rain clearance altitude, the altitude specified will be denoted by footnote, and the minimum terrain clearance altitude will be shown as advisory information and for utilization as noted above.

Example:

Roswell, N. Mex.: Hobbs, N. Mex., 17,000'
 15,000'—Minimum terrain clearance altitude.

(Sec. 205, 52 Stat. 984, as amended; 49 U. S. C. 425. Interpret or apply sec. 601, 52 Stat. 1007, as amended; 49 U. S. C. 551)

These rules shall become effective January 25, 1954.

[SEAL]

F. B. LEE,

Administrator of Civil Aeronautics.

[P. R. Doc. 54-231; Filed, Jan. 13, 1954;
 8:45 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

SOLICITATION OF PROXIES

On October 9, 1953, the Commission announced (in Securities Exchange Act Release No. 4950) that it had under consideration proposed amendments to its proxy rules under the Securities Exchange Act of 1934, and invited all interested persons to submit views and comments in writing with respect to the proposals. Subsequently, on December 4, 1953, the Commission gave notice (in Securities Exchange Act Release No. 4971) that a public hearing would be held at which interested persons would have an opportunity to present their views on the proposed amendments, and such a hearing was held on December 16, 1953.

The Commission has considered all of the comments and suggestions received in writing and at the public hearing, and has determined that the amendments set forth below should be adopted. The principal changes made are described below.

I. Sections 240.14a-3 and 240.14a-6 (Rules X-14A-3 and X-14A-6): In order to make available at the Commission an adequate number of copies of definitive proxy statements and annual reports, §§ 240.14a-3 and 240.14a-6 are amended to require the furnishing to the Commission of four copies of such material, instead of the three copies now required. In addition, the amendment to § 240.14a-6 provides that copies of definitive proxy material be filed with each exchange upon which any security of the issuer is listed and registered. The existing requirement in § 240.14a-6 that three copies of preliminary material be filed with the Commission is not changed.

II. Section 240.14a-3 (Rule X-14A-3): 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. The rule is amended to extend this period from 30 days to 60 days, so as to give more time for the consideration of security holder proposals.

The Commission has determined not to adopt the proposed amendment which would have authorized the omission from the management's proxy material of the name and address of a security holder submitting a proposal for action at the meeting of security holders.

The present rule provides for submission of proposals which are proper subjects for action by security holders but does not specifically provide that State law is the standard for determining what is a proper subject for such action. In a prior release, however, the Commission has so stated. (Securities Exchange Act Release No. 3638, January 3, 1945). To clarify this point, the amended rule specifically provides that a security holder's proposal may be omitted from the management proxy material if it is one which, under the laws of the issuer's domicile, is not a proper subject for action by security holders. The amended rule thus specifically provides that State law is to be the standard of eligibility of a proposal under the rule. The Commission wishes to make it clear that it considers this standard consistent with the decision of the Court of Appeals in the case of *S. E. C. v. Transamerica Corporation* (163 F. 2d 511, C. A. 3, 1947). Under the provisions of the amended Rule X-14A-8 (c) (5), management would also be permitted to omit from its proxy material a proposal which is a recommendation or request with respect to the conduct of the ordinary business operations of the issuer.

The rule places the burden of proof upon the management to show that a particular security holder's proposal is not a proper one for inclusion in management's proxy material. Where management contends that a proposal may be omitted because it is not proper under State law, it will be incumbent upon management to refer to the applicable statute or case law and furnish a supporting opinion of counsel.

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 at present 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, the amended rule provides 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. However, the Commission may authorize a shorter period where it is shown that there is good

cause for failure to comply with the 20-day requirement.

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. The rule is now amended to provide that a proposal may be omitted for a period of three years from the last previous submission if it was submitted within the previous five years and received less than 3 percent in the case of a single submission, less than 6 percent upon a second submission or less than 10 percent upon a third or subsequent submission during such five year period.

III. Items 6, 7 and 8 of Schedule 14A: Item 6 calls for information with respect to the nominees for election as directors of the issuer. The amended item requires information also 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.

Item 7 calls for information with respect to remuneration and other transactions with management and other persons. Since the previous revisions of the item, certain interpretative and reporting difficulties have arisen. The amendments to this item are intended to eliminate these difficulties.

The requirements relating to pension and retirement benefits are separated from those relating to other deferred remuneration payments. This should aid in distinguishing between the two types of payments and result in a simplification of the applicable instructions. For the same reason the requirements regarding disclosure with respect to options are separated from those with respect to other transactions with insiders. Also, a new instruction has been added which permits the omission of information where the aggregate market value of securities covered by options granted or exercised is not more than \$10,000 for any one person or \$30,000 for officers and directors as a group.

The instructions to the paragraph relating to indebtedness of insiders have been amended to provide that information need not be given where the aggregate indebtedness of any one person does not exceed \$10,000 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 exceeded \$1,000 during the period.

The scope of the paragraph relating to transactions with insiders has been limited by revising the instructions thereto to permit the omission of information in certain cases. The revision also presents a more precise statement of the requirements relating to such transactions.

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. This item has been amended to make it consistent with the requirements of Regulation S-X relative to the independence of accountants.

Statutory basis. The action herein described is taken pursuant to the Securities Exchange Act of 1934, particularly sections 14 (a) and 23 (a) thereof.

Text of amendments. 1. Section 240.14a-3 (c) (Rule X-14A-3 (c)) is amended by changing the word "Three" in the first sentence to "Four."

2. Section 240.14a-6 (c) (Rule X-14A-6 (c)) is amended to read as follows:

(c) Four definitive copies of the proxy statement, form of proxy and all other soliciting material, in the form in which such material is furnished to security holders, shall be filed with, or mailed for filing to, the Commission not later than the date such material is first sent or given to any security holders. Three copies of such material shall at the same time be filed with, or mailed for filing to each national securities exchange upon which any security of the issuer is listed and registered.

3. Section 240.14a-8 (Rule X-14A-8) is amended to 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 first date on which management 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 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 any of the following circumstances:

(1) If the proposal as submitted is, under the laws of the issuer's domicile, not a proper subject for action by security holders; 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 fallen 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, relating to any annual or special meeting of security holders held within the preceding five calendar years, it may be omitted from the management's proxy material relating to any meeting of security holders held within the three calendar years after the latest such previous submission: *Provided, That:*

(i) If the proposal was submitted at only one meeting during such preceding 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 preceding period, it received at the time of its second submission less than 6 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 preceding 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), or such shorter period prior to such date as the Commission may permit, 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, and, where such reasons are based on matters of law, a supporting opinion of counsel. 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 and a copy of such supporting opinion of counsel.

4. Items 6, 7, and 8 of Schedule 14A are amended 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, state when his term of office or the term of office for which he is a nominee will expire, and all other positions and offices with the issuer presently held by him, and indicate which persons are nominees for election as directors at that meeting.

(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 equity 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.

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

direct aggregate remuneration exceeded \$30,000, naming each such person.

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

| (A) | (B) | (C) |
|---|---|------------------------|
| Name of individual or identity of group | Capacities in which remuneration was received | 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 under any existing plan in the event of retirement at normal retirement date, directly or indirectly, by the issuer or any of its subsidiaries to each director or officer named in answer to paragraph (a) (1):

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

Instructions. 1. The term "plan" in this paragraph and in paragraph (c) includes all plans, contracts, authorizations or arrangements, whether or not set forth in any formal document.

2. 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.

3. 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.

4. In the case of any plan (other than those specified in instruction 2) where the amount set aside each year depends upon the amount of earnings of the issuer or its subsidiaries 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, unless it is impracticable to do so, in which case there shall be stated the method of computing such benefits.

(c) Describe briefly all remuneration payments (other than direct remuneration for services and pension or retirement benefits) proposed to be made in the future directly or indirectly by the issuer or any of its subsidiaries pursuant to any existing plan or arrangement 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 directors 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. 1. 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. (i) Where the total market value on the granting dates of the securities called for by all options granted during the period specified does not exceed \$10,000 for any officer or director named in answer to paragraph (a) (1), or \$30,000 for all officers and directors as a group, this item need not be answered with respect to options granted to such person or group. (ii) Where the total market value on the dates of purchase of all securities purchased through the exercise of options during the period specified does not exceed \$10,000 for any such person or \$30,000 for such group, this item need not be answered with respect to options exercised by such person or group.

4. The information for all directors and officers as a group regarding market value of the securities on the granting date of the options and on the purchase date, may be given in the form of price ranges for each calendar quarter during which options were granted or exercised.

(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 \$10,000 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 mate-

rial 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 depository of funds, transfer agent, registrar, trustee under a trust indenture, or other similar services;

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

(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.

7. This paragraph (f) does not require the disclosure of any interest in any transaction unless such interest and transaction are material.

Item 8. Selection of auditors. If action is to be taken with respect to the selection or approval of auditors, or if it is proposed that particular auditors shall be recommended 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 pro-

motor, underwriter, voting trustee, director, officer or employee.

These amendments shall be effective as to any solicitation of proxies commenced on or after February 6, 1954, except that the amendment to the second sentence of Rule X-14A-8 (a) (§ 240.14a-8 (a)) shall be effective only as to a solicitation commenced on or after March 6, 1954. However, the amendments to Schedule 14A may be made effective at the option of an issuer as to any proxy solicitation commenced on or after January 6, 1954.

(Sec. 23 (a), 48 Stat. 901 as amended; 15 U. S. C. 78w. Interprets or applies sec. 14, 48 Stat. 895 as amended; 15 U. S. C. 78n)

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 5, 1954.

[F. R. Doc. 54-239; Filed, Jan. 13, 1954;
8:47 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Internal Revenue Service, Department of the Treasury

Subchapter A—Income and Excess Profits Taxes
[Regs. 118; T. D. 6059]

PART 39—INCOME TAX; TAXABLE YEARS BEGINNING AFTER DECEMBER 31, 1951

MISCELLANEOUS AMENDMENTS

Regulations 118 (26 CFR, Part 39) are amended as follows:

PARAGRAPH 1. Section 39.23 (m)-1 (e) (4) is amended by striking the first sentence thereof.

PAR. 2. Section 39.53-3 is amended to read as follows:

§ 39.53-3 *Extensions of time in the case of foreign organizations, certain domestic corporations, and citizens of United States residing or traveling abroad.* An extension of time for filing returns of income is hereby granted up to and including the fifteenth day of the sixth month following the close of the taxable year in the case of:

(a) Foreign partnerships, regardless of whether they maintain an office or place of business within the United States;

(b) Foreign corporations which maintain an office or place of business within the United States;

(c) Domestic corporations which transact their business and keep their records and books of account abroad;

(d) Domestic corporations whose principal income is from sources within the possessions of the United States; and

(e) American citizens residing or traveling abroad, including persons in military or naval service on duty outside the United States.

In all such cases a statement must be attached to the return showing that the person for whom the return is made is a person described in this section. Taxpayers who take advantage of this extension of time will be charged with interest at the rate of 6 percent per annum on the first installment of tax,

if any, from the original due date until paid.

PAR. 3. Section 39.44-5 is amended by inserting immediately after the second sentence of paragraph (c) thereof the following new sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district director of internal revenue for the internal revenue district in which the last return of the decedent is filed, and any bond filed on or after such date shall be filed with such district director."

PAR. 4. Section 39.112 (b) (6)-3 is amended as follows:

(A) By striking from the first sentence of paragraph (a) (2) thereof the words "for transmittal to the Commissioner".

(B) By striking the first sentence of paragraph (a) (3) thereof and inserting in lieu of such sentence the following: "For each of the taxable years which falls wholly or partly within the period of liquidation, the recipient corporation may be required to file a bond, the amount of which shall be fixed by the district director of internal revenue."

(C) By inserting at the end of paragraph (a) (3) thereof the following sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district director of internal revenue for the internal revenue district in which the return was filed, and any bond filed on or after such date shall be filed with such district director."

PAR. 5. Section 39.112 (f)-1 (e) (3) is hereby amended by striking the part which follows the first sentence and inserting in lieu thereof the following: "Such application shall be made prior to the expiration of the one year after the close of the first taxable year in which any part of the gain from the conversion is realized, and shall contain all of the details in connection with the involuntary conversion. Such application, if made before September 1, 1953, shall be made to the Commissioner, or, if made on or after September 1, 1953, shall be made to the district director of internal revenue for the internal revenue district in which the return is filed for the first taxable year in which any of the gain from the involuntary conversion is realized. No extension of time shall be granted pursuant to such application unless the taxpayer can show reasonable cause for not being able to replace the converted property within the required period of time."

PAR. 6. Section 39.131 (c)-2 is amended by inserting after the last sentence thereof the following new sentence: "On and after September 1, 1953, the functions of the Commissioner with respect to such bonds shall be performed by the district director of internal revenue, and any bond filed on or after such date shall be filed with the district director."

PAR. 7. Section 39.143-7 (b) is amended by striking the last sentence thereof.

Because this Treasury decision merely amends Regulations 118 to incorporate therein the changes made to Regulations 111 (26 CFR Part 29) by Treasury De-

cision 6041 (18 F. R. 5515), approved September 9, 1953, and to correct certain clerical errors, it is found unnecessary to issue this Treasury decision with notice and public procedure thereon under section 4 (a) of the Administrative Procedure Act, approved June 11, 1946, or subject to the effective date limitation of section 4 (c) of said act.

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

[SEAL] T. COLEMAN ANDREWS,
Commissioner of Internal Revenue.

Approved: January 8, 1954.

M. B. FOLSOM,
Acting Secretary of the Treasury.

[F. R. Doc. 54-237; Filed, Jan. 13, 1954;
8:46 a. m.]

TITLE 30—MINERAL RESOURCES

Chapter I—Bureau of Mines, Department of the Interior

Subchapter C—Explosives and Related Articles;
Tests for Permissibility and Suitability

PART 17—BLASTING DEVICES (SCHEDULE 26)

MISCELLANEOUS AMENDMENTS

The Bureau of Mines has determined that certain phases of its testing schedule as set forth in Part 17 (Schedule 26) require alteration. Since the following changes or amendments tend to decrease and clarify the present requirements, it is determined that the notices and procedures prescribed by section 4 of the Administrative Procedures Act (60 Stat. 237; 5 U. S. C. 1003) are impractical, unnecessary, and the rules and regulations shall become effective as of the date of filing in the FEDERAL REGISTER.

The following revisions are made in Part 17 of this title, heretofore promulgated (18 F. R. 1003): 1. Paragraphs (g) and (h) of § 17.11 are deleted and new paragraphs (g), (h) and (i) are substituted as follows:

§ 17.11 *Conditions under which blasting devices are to be used.* * * *

(g) A misfired device may not be opened in the mine unless an exception to this section is included as part of the approval for each specific device. The conditions which constitute a misfire will be specified in the original approval.

(h) A waiting period of 15 minutes shall be required before any personnel are allowed to return to the face after a misfire has occurred.

(i) Other conditions which will be set down by the Bureau as appropriate to the particular device tested.

2. Subparagraph (2) of § 17.15 (a) is deleted and a new subparagraph (2) is substituted as follows:

§ 17.15 *Tolerances as applied to field samples.* * * *

(a) *Chemical analysis of field samples.* * * *

(2) *Other ingredients.* For ingredients in quantities of 60 percent or more, the tolerance shall be ± 3 percent of the total. For ingredients in quantities not exceeding 60 percent, the tolerances shall be in accordance with those shown

in table 2, except for carbonaceous combustible material, where the tolerance shall be ± 3 percent of the total.

(Sec. 5, 36 Stat. 370, as amended; 30 U. S. C. 7. Interpret or apply sec. 3, 36 Stat. 370, as amended; 30 U. S. C. 5)

DOUGLAS MCKAY,
Secretary of the Interior.

JANUARY 7, 1954.

[F. R. Doc. 54-236; Filed, Jan. 13, 1954;
8:46 a. m.]

TITLE 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket Nos. 10724, 10725]

PART 8—STATIONS ON SHIPBOARD IN THE MARITIME SERVICE

Correction

In Federal Register Document 54-36, appearing at page 66 of the issue for Wednesday, January 6, 1954, item 2g should read as follows:

g. Amend § 8.354 (a) (2) to read with respect to the specific frequencies set forth, therein, as follows:

2782 kc⁴
4162.5 kc⁴ } until May 1, 1954.

4067 kc⁴
4372.4 kc⁴ } beginning January 1, 1954.

PART 10—PUBLIC SAFETY RADIO SERVICES

ERRATA

In the matter of revision of Part 10, Public Safety Radio Services.

The Commission's order in the above-entitled matter, dated December 14, 1953,

published in the FEDERAL REGISTER December 18, 1953 (18 F. R. 8491) is corrected as follows:

1. In the table of contents, change title of § 10.103 to read "Types of emission."

2. In § 10.102, delete paragraph (b) and redesignate paragraph (c) as (b).

3. In § 10.255 (g) insert limitation note 4 opposite the frequency band 159.51 to 161.79 Mc. in the table.

4. In § 10.355 (d) delete limitation notes 7, 9, and 10, opposite the frequency 31.02 Mc. in the table.

5. In § 10.461 (b) delete reference to limitation note 10 and substitute limitation note 9 therefor.

6. In § 10.462 (e) change the first three entries in the frequency table to read as follows:

| Frequency or band (kc.) | Classes of station(s) | Limitation |
|-------------------------|-----------------------|------------|
| 3000 to 3000..... | Fixed..... | 9 |
| 2726..... | Base and mobile..... | 10 |
| 3391..... | do..... | |

FEDERAL COMMUNICATIONS COMMISSION.

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-252; Filed, Jan. 13, 1954;
8:50 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

ELECTRIC RAILWAY ANNUAL REPORT FORM G

At a session of the Interstate Commerce Commission, Division 1, held at

its office in Washington, D. C., on the 17th day of December A. D. 1953.

The matter of annual reports from electric railway companies being under consideration, and it appearing that the changes in existing regulations to be effectuated by this order are only minor changes with respect to the data to be furnished, and that public rule-making procedures are unnecessary:

It is ordered, That the order dated December 10, 1952, in the matter of annual reports from electric railways (49 CFR 120.21) be, and it is hereby, modified with respect to annual reports for the year ended December 31, 1953, and subsequent years, as follows:

§ 120.21 Form prescribed for electric railways. All electric railway companies subject to the provisions of section 20, Part I of the Interstate Commerce Act, are hereby required to file annual reports for the year ended December 31, 1953, and for each succeeding year until further order, in accordance with Annual Report Form G (Electric Railways), which is hereby approved and made a part of this section. The annual report shall be filed, in duplicate, in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31 of the year following the one to which it relates.

(Sec. 12, 24 Stat. 386, as amended; 49 U. S. C. 20, 913)

NOTE: Budget Bureau No. 60-R102.10.

By the Commission, Division 1.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-249; Filed, Jan. 13, 1954;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[E: 60005; Grp. 273]

ARIZONA

NOTICE OF FILING OF PLAT OF SURVEY

JANUARY 6, 1954.

Notice is given that the plat of original survey of the following described lands, accepted October 13, 1953, will be officially filed in the Land and Survey Office, Phoenix, Arizona, effective at 10:30 a. m. on the 35th day after the date of this notice:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 2 N., R. 20 W.,

Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (all), Sec. 1,

Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (all), Sec. 2,

Lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$,

NW $\frac{1}{4}$ SW $\frac{1}{4}$ (all), Sec. 3,

Lots 1, 2, 3, 4, 5, 6, S $\frac{1}{2}$ N $\frac{1}{2}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, SW $\frac{1}{4}$

(all), Sec. 4,

Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$ (all), Sec. 5,

Lots 1, 2, 3, 4, 5, 6, 7, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NW $\frac{1}{4}$,

E $\frac{1}{2}$ SW $\frac{1}{4}$, SE $\frac{1}{4}$ (all), Sec. 6,

Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (all), Sec. 7,

All Sec. 8,

Lot 1, NW $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$, W $\frac{1}{2}$

(all), Sec. 9,

Lots 1, 2, 3, 4, 5, NE $\frac{1}{4}$ NW $\frac{1}{4}$, NE $\frac{1}{4}$, NE $\frac{1}{4}$

SE $\frac{1}{4}$, S $\frac{1}{2}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ SW $\frac{1}{4}$

(all), Sec. 10,

All Secs. 11, 12, 13, 14, 15, 16 and 17 inclusive.

Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (all), Sec. 18,

Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (all), Sec. 19,

All Secs. 20, 21, 22, 23, 24, 25, 26, 27, 28,

and 29 inclusive,

Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (all), Sec. 30,

Lots 1, 2, 3, 4, E $\frac{1}{2}$ W $\frac{1}{2}$, E $\frac{1}{2}$ (all), Sec. 31,

All secs. 32, 33, 34, 35 and 36 inclusive.

The area described aggregates 22,920.97 acres.

Public Land Order No. 848, of July 1, 1952, withdrew this entire township from all forms of appropriation under the public-land laws, including the mining and mineral-leasing laws, and reserved it for the use of the Department of the Army in connection with the Yuma Test Station.

In view thereof, the lands described will not be subject to disposition under

the general public land laws by reason of the official filing of this plat.

THOS. F. BRITT,
Manager.

[F. R. Doc. 54-251; Filed, Jan. 13, 1954;
8:49 a. m.]

CALIFORNIA

CLASSIFICATION ORDER

JANUARY 7, 1954.

1. Pursuant to the authority delegated to me by the Regional Administrator, Region II, Bureau of Land Management, by Order No. 1, Amendment No. 2, dated January 29, 1953 (18 F. R. 23), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described land in the Los Angeles

⁴ Filed as part of original document.

land district, embracing approximately 155 acres.

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 395

For lease and sale for homesite purposes only:

T. 1 S., R. 7 E., S. B. M.,
Sec. 18, N $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$, N $\frac{1}{2}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NW $\frac{1}{4}$
SE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$.

The lands are located in San Bernardino County, California, approximately 4 miles southeasterly from the Town of Joshua Tree. Access to the lands can be had by a graded road passing through the Joshua Tree National Monument from the Town of Joshua Tree. The topography is from hilly to gentle slopes, and vegetation is a desert shrub association. Water for domestic purposes will probably have to be hauled in.

2. As to applications regularly filed prior to 9:30 a. m., December 14, 1953, which describe tracts in accordance with the provisions contained herein, this order shall be effective upon the date of this order.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like

proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All of the lands will be leased in tracts of approximately 5 acres with approximate dimensions of 660 feet north and south and 330 feet east and west, each tract forming an aliquot part of the official survey of the section.

6. Preference right leases referred to in paragraph 2 will be issued only if the tract applied for conforms to or is amended to conform to the area, dimensions and orientation specified in paragraph 5.

7. Leases will be issued for a period of three years at an annual rental of \$5.00 payable for the entire lease period in advance of issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$100.00 per tract. Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

8. Tracts will be subject to all existing rights-of-way and to rights-of-way 33 feet in width along the boundaries thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

9. All inquiries relating to these lands should be addressed to the Manager, Land Office, Los Angeles, California.

E. I. ROWLAND,
Regional Chief,
Division of Lands.

[F. R. Doc. 54-232; Filed, Jan. 13, 1954;
8:45 a. m.]

CALIFORNIA
CLASSIFICATION ORDER

JANUARY 7, 1954.

1. Pursuant to the authority delegated to me by the Regional Administrator, Region II, Bureau of Land Management, by Order No. 1, Amendment No. 2, dated January 29, 1953 (18 F. R. 23), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C. 682a), as hereinafter indicated, the following described lands in the Sacramento land district, embracing approximately 140 acres,

CALIFORNIA SMALL TRACT CLASSIFICATION
No. 397

For lease and sale for homesite purposes only:

T. 20 N., R. 6 E., M. D. M.,
Sec. 31, E $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$,
N $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, N $\frac{1}{2}$
NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$
NW $\frac{1}{4}$.

For lease and sale for business and homesite purposes only:

T. 20 N., R. 6 E., M. D. M.,
Sec. 31, S $\frac{1}{2}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$ NE $\frac{1}{4}$.

The lands are located in Butte County, California, about two miles northeast of Enterprise and seven miles southwest of Feather Falls. The lands are accessible from a paved road which crosses the area. The topography is hilly with a vegetative cover of scattered yellow pine and incense cedar and an understory of brush.

2. As to applications regularly filed prior to 9:00 a. m., December 31, 1953, which describe tracts in accordance with the provisions contained herein, this order shall be effective upon the date of this order.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All of the lands will be leased in rectangular tracts of approximately 660

feet by 330 feet containing approximately 5 acres. Each tract must be described as an aliquot part of a legal subdivision established by the official survey of the section. All tracts will be oriented with the longer dimension extending north and south except that no amendment will be required in the case of the preference right leases referred to in paragraph 2. Where such preference right leases were filed with the longer dimension extending east and west the remaining tract in the ten acre subdivision will also be leased with the longer dimension extending east and west.

6. Leases will be issued for a period of three years at an annual rental of \$5.00 payable in advance for the entire lease period in advance of issuance of the lease as to all lands classified for homesite purposes only. Leases on land classified for business and homesite purposes will be issued for a period of three years at a minimum annual rental of \$20.00 payable in advance for the entire lease period and subject to increase in accordance with the schedule of rentals contained in the lease. Leases will contain an option to purchase clause at the following appraised values:

$E\frac{1}{2}NE\frac{1}{4}NE\frac{1}{4}$, $N\frac{1}{2}S\frac{1}{2}NE\frac{1}{4}$, $SW\frac{1}{4}SW\frac{1}{4}NE\frac{1}{4}$,
 $E\frac{1}{2}SE\frac{1}{4}NW\frac{1}{4}$, $SW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ Sec. 31,
 \$40.00 per acre.
 $NW\frac{1}{4}SE\frac{1}{4}NW\frac{1}{4}$ Sec. 31, \$30.00 per acre.
 $N\frac{1}{2}NW\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$, $SE\frac{1}{4}NE\frac{1}{4}NW\frac{1}{4}$ Sec. 31,
 \$25.00 per acre.

Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

7. Tracts will be subject to all existing rights-of-way and to rights-of-way 33 feet in width along the boundaries thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, county or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

8. All inquiries relating to these lands should be addressed to the Manager, Land Office, Sacramento, California.

E. I. ROWLAND,
 Regional Chief,
 Division of Lands.

[F. R. Doc. 54-233; Filed, Jan. 13, 1954;
 8:45 a. m.]

NEVADA

CLASSIFICATION ORDER

JANUARY 7, 1954.

1. Pursuant to the authority delegated to me by the Regional Administrator, Region II, Bureau of Land Management, by Order No. 1, Amendment No. 2, dated January 29, 1953 (18 F. R. 23), I hereby classify under the Small Tract Act of June 1, 1938 (52 Stat. 609), as amended July 14, 1945 (59 Stat. 467, 43 U. S. C.

682a), as hereinafter indicated, the following described lands in the Nevada land district, embracing approximately 80 acres,

NEVADA SMALL TRACT CLASSIFICATION No. 97

For lease and sale for homesite purposes only:

T. 18 N., R. 20 E., M. D. M.,
 Sec. 34, $E\frac{1}{2}SW\frac{1}{4}$.

This land is located twelve miles south of Reno, Nevada, and is one-half mile south of paved State Highway No. 17. The land is accessible by unimproved road. The topography ranges from gentle slopes to hilly. Vegetation is a sagebrush-juniper type. Water for domestic use will probably be obtainable in wells of moderate depth.

2. As to applications regularly filed prior to 1:00 p. m., September 26, 1952, and are for the type of site for which the lands are classified, this order shall become effective upon the date of this order.

3. This order shall not otherwise become effective to change the status of such lands until 10:00 a. m. on the 35th day after the date of this order. At that time the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to applications under the Small Tract Act as follows:

(a) *Ninety-one day period for preference-right filings.* For a period of 91 days, commencing at the hour and on the day specified above, the public lands affected by this order shall be subject only to application under the Small Tract Act of June 1, 1938, 52 Stat. 609 (43 U. S. C. 682a), as amended, by qualified veterans of World War II, subject to the requirements of applicable law. All applications filed under this paragraph either at or before 10:00 a. m. on the 35th day after the date of this order shall be treated as though filed simultaneously at that time. All applications filed under this paragraph after 10:00 a. m. on the said 35th day shall be considered in the order of filing.

(b) *Date for non-preference-right filings.* Commencing at 10:00 a. m. on the 126th day after the date of this order, any lands remaining unappropriated shall become subject to disposal under the Small Tract Act only. All such applications filed either at or before 10:00 a. m. on the 126th day after the date of this order, shall be treated as though filed simultaneously at the hour specified on such 126th day. All applications filed thereafter shall be considered in the order of filing.

4. A veteran shall accompany his application with a complete photostatic, or other copy (both sides), of his certificate of honorable discharge, or of an official document of his branch of the service which shows clearly his honorable discharge as defined in § 181.36 of Title 43 of the Code of Federal Regulations, or constitutes evidence of other facts upon which the claim for preference is based and which shows clearly the period of service. Other persons claiming credit for service of veterans must furnish like proof in support of their claims. Persons asserting preference rights, through

settlement or otherwise, and those having equitable claims, shall accompany their application by duly corroborated statements in support thereof, setting forth in detail all facts relevant to their claims.

5. All of the lands will be leased in tracts containing approximately 5 acres with dimensions of 660 feet north and south and 330 feet east and west which form aliquot parts of the existing official survey.

6. Preference right leases referred to in paragraph 2 will be issued only if the lands described in the application conforms to or is amended to conform to the area and dimensions specified in paragraph 5.

7. Leases will be for a period of three years at an annual rental of \$5.00 payable for the entire lease period in advance of the issuance of the lease. Leases will contain an option to purchase clause at the appraised value of \$250.00 per tract in the $E\frac{1}{2}E\frac{1}{2}SW\frac{1}{4}$ and $E\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ Section 34 and \$150.00 per tract in the $W\frac{1}{2}NE\frac{1}{4}SW\frac{1}{4}$ and $W\frac{1}{2}W\frac{1}{2}SE\frac{1}{4}SW\frac{1}{4}$ Section 34. Application to purchase may be filed during the term of the lease but not more than 30 days prior to the expiration of one year from the date of the lease issuance.

8. Tracts will be subject to all existing rights-of-way and to rights-of-way 33 feet in width on or as near as practicable to the boundaries thereof for road purposes and public utilities. Such rights-of-way may be utilized by the Federal Government, or the State, County or municipality in which the tract is situated, or by any agency thereof. The rights-of-way may, in the discretion of the authorized officer of the Bureau of Land Management, be definitely located prior to the issuance of the patent. If not so located, they may be subject to location after patent is issued.

9. All inquiries relating to these lands should be addressed to the Manager, Nevada Land and Survey Office, Reno, Nevada.

E. I. ROWLAND,
 Regional Chief,
 Division of Lands.

[F. R. Doc. 54-234; Filed, Jan. 13, 1954;
 8:46 a. m.]

Office of the Secretary

[Order No. 2743]

FISH AND WILDLIFE SERVICE

DESIGNATION, FUNCTIONS AND DUTIES OF
 ACTING DIRECTOR

JANUARY 7, 1954.

SECTION 1. *Succession.* (a) The Assistant Director shall perform the duties of the Director, Fish and Wildlife Service, in the event of the absence, sickness, resignation or death of the Director.

(b) Albert M. Day, Assistant to the Director, shall perform the duties of the Director, in the event of the absence, sickness, resignation or death of the Director and the Assistant Director.

(c) Clarence Cottam, Assistant to the Director, shall perform the duties of the Director in the event of the absence,

sickness, resignation or death of the Director, the Assistant Director, and Albert M. Day.

(d) The Chief, Division of Administration shall perform the duties of the Director in the event of the absence, sickness, resignation or death of the Director, the Assistant Director, Albert M. Day, and Clarence Cottam.

SEC. 2. *Title.* The officer performing under authority of section 1 of this order shall sign documents under the title "Acting Director."

SEC. 3. *Revocation.* Order No. 2723, dated June 4, 1953 (18 F. R. 3351), is hereby revoked.

(Reorg. Plan No. 3 of 1950, 16 F. R. 3174)

DOUGLAS MCKAY,
Secretary of the Interior.

[F. R. Doc. 54-235; Filed, Jan. 13, 1954;
8:46 a. m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[Docket Nos. 10365, 10366]

PEOPLES BROADCASTING CO. AND WGAL,
INC. (WGAL-TV)

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Peoples Broadcasting Company, Lancaster, Pennsylvania, Docket No. 10365, File No. BPCT-654; WGAL, Inc. (WGAL-TV), Lancaster, Pennsylvania, Docket No. 10366, File No. BPCT-910; for television construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 11th day of January 1954;

The Commission having under consideration the Initial Decision herein, the exceptions thereto, and the request for oral argument;

It is ordered, that oral argument herein, before the Commission en banc is scheduled for Tuesday, January 26, 1954, at 2:30 p. m. at the offices of the Commission in Washington, D. C.

Released: January 11, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-253; Filed, Jan. 13, 1954;
8:50 a. m.]

[Docket No. 10804]

NIAGARA FRONTIER AMUSEMENT CORP.

ORDER CONTINUING HEARING

In re application of Niagara Frontier Amusement Corporation, Buffalo, New York, for a construction permit for new television station; Docket No. 10804, File No. BPCT-1746.

Hearing in this matter having commenced on January 8, 1954; and counsel for applicant Niagara Frontier Amusement Corporation and the Chief of the Broadcast Bureau of this Commission having appeared, and during this Hearing having represented that pursuant to

the provisions of § 1.841 of the Commission rules much of the evidence can be reduced to Stipulations between the said parties; and that expeditious preparation, exchange of such proposed Stipulations, and conferences between said parties relative to final agreement thereon requires the same; and both counsel for Niagara Frontier Amusement Corporation and the Chief of the Broadcast Bureau having requested such continuance for such purpose;

It is ordered, This 8th day of January 1954, that this hearing be continued to 10:00 a. m., January 15, 1954. It is understood that this date may be advanced upon further application and consent of the said parties.

Released: January 8, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-254; Filed, Jan. 13, 1954;
8:50 a. m.]

[Docket Nos. 10836—10838]

TULSA BROADCASTING CO. ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Tulsa Broadcasting Company, Muskogee, Oklahoma, Docket No. 10836, File No. BPCT-1261; Oklahoma Press Publishing Company, Muskogee, Oklahoma, Docket No. 10837, File No. BPCT-1326; Ashley L. Robison, Muskogee, Oklahoma, Docket No. 10838, File No. BPCT-1810; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of January 1954;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 8 in Muskogee, Oklahoma; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing, that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters of the fact that their applications were mutually exclusive, of the necessity for a hearing and of all objections to their applications; and were given an opportunity to reply; and

It further appearing, that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Tulsa Broadcasting Company and Oklahoma Press Publishing Company are legally, financially and technically qualified to construct, own and operate a television broadcast station; and that Ashley L. Robison is legally so qualified

and is technically so qualified except as to the matter referred to in issue "2" below;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on the 5th day of February 1954 in Washington, D. C., upon the following issues:

(1) To determine whether Ashley L. Robison is financially qualified to construct, own and operate his proposed television station.

(2) To determine whether the installation of the station proposed by Ashley L. Robison in his above-entitled application would constitute a hazard to air navigation.

(3) To determine on a comparative basis which of the operations proposed in the above-entitled applications would best serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences among the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to Tulsa Broadcasting Company and Oklahoma Press Publishing Company give reasonable assurance that the proposals set forth in their respective applications will be effectuated.

Released: January 11, 1954.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-255; Filed, Jan. 13, 1954;
8:50 a. m.]

[Docket Nos. 10839—10841]

CENTRAL PLAINS ENTERPRISES, INC., ET AL.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Central Plains Enterprises, Inc., Tulsa Oklahoma, Docket No. 10839, File No. BPCT-1581; R. J. Fryer, R. C. Hanson, Roland J. Fryer and Everett R. Jones, Jr., d/b/a Fryer Television Company, Tulsa, Oklahoma, Docket No. 10840, File No. BPCT-1629. The Oil Capital Television Corporation, Tulsa, Oklahoma, Docket No. 10841, File No. BPCT-1630; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of January 1954;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 2 in Tulsa, Oklahoma; and

It appearing that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters of the fact that their applications were mutually exclusive, of the necessity for a hearing and of all objections to their applications; and were given an opportunity to reply; and

It further appearing that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; that Central Plains Enterprises, Inc., and The Oil Capital Television Corporation are legally, financially and technically qualified to construct, own and operate a television broadcast station; and that Fryer Television Company is legally and technically so qualified;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on the 5th day of February 1954 in Washington, D. C., upon the following issues:

1. To determine whether Fryer Television Company is financially qualified to construct, own and operate its proposed television station.

2. To determine on a comparative basis which of the operations proposed in the above-entitled applications would best serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences among the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to Central Plains Enterprises, Inc. and The Oil Capital Television Corporation give reasonable assurance that

the proposals set forth in their respective applications will be effectuated.

Released: January 11, 1954.

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

[F. R. Doc. 54-256; Filed, Jan. 13, 1954;
8:50 a. m.]

[Docket Nos. 10844-10845]

RADIO ASSOCIATES, INC., AND WLOX
BROADCASTING CO.

ORDER DESIGNATING APPLICATIONS FOR CONSOLIDATED HEARING ON STATED ISSUES

In re applications of Radio Associates, Inc., Biloxi, Mississippi, Docket No. 10844, File No. BPCT-1150; WLOX Broadcasting Company, Biloxi, Mississippi, Docket No. 10845, File No. BPCT-1157; for construction permits for new television stations.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 6th day of January 1954;

The Commission having under consideration the above-entitled applications, each requesting a construction permit for a new television broadcast station to operate on Channel 13 in Biloxi, Mississippi; and

It appearing, that the above-entitled applications are mutually exclusive in that operation by more than one applicant would result in mutually destructive interference; and

It further appearing that pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-named applicants were advised by letters of the fact that their applications were mutually exclusive, of the necessity for a hearing and of all objections to their applications; and were given an opportunity to reply; and

It further appearing that upon due consideration of the above-entitled applications, the amendments filed thereto, and the replies to the above letters, the Commission finds that under section 309 (b) of the Communications Act of 1934, as amended, a hearing is mandatory; and that each of the above-named applicants is legally, financially and technically qualified to construct, own and operate a television broadcast station;

It is ordered, That pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-entitled applications are designated for hearing in a consolidated proceeding to commence at 10:00 a. m. on the 5th day of February 1954, in Washington, D. C., to determine on a comparative basis which of the operations proposed in the above-entitled applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applications as to:

(a) The background and experience of each of the above-named applicants having a bearing on its ability to own and operate the proposed television station.

(b) The proposals of each of the above-named applicants with respect to the management and operation of the proposed station.

(c) The programming service proposed in each of the above-entitled applications.

It is further ordered, That the issues in the above-entitled proceeding may be enlarged by the Examiner, on his own motion or on petition properly filed by a party to the proceeding and upon sufficient allegations of fact in support thereof, by the addition of the following issue: To determine whether the funds available to the applicant will give reasonable assurance that the proposals set forth in the applications will be effectuated.

Released: January 11, 1954.

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

[F. R. Doc. 54-257; Filed, Jan. 13, 1954;
8:50 a. m.]

CANADIAN-U. S. A. TELEVISION
AGREEMENT

RECAPITULATION OF CANADIAN TV
NOTIFICATIONS

Recapitulation of notifications received from the Canadian Government authorizing construction of television broadcast stations in accordance with Part B of the Canadian-U. S. A. Television Agreement.

| | |
|---|------------------|
| St. John, New Brunswick New Brunswick Broadcasting Co., Ltd. 27.8 kw 14.5 dbk 1200T 40G 45-28-40N 66-13-55W | CHSJ-TV Ch-4 |
| Sydney, Nova Scotia Cape Breton Broadcasters, Ltd. 24 kw 13.8 dbk 299T 280G 46-10-50N 60-11-30W | CJCB-TV Ch-4 |
| Hamilton, Ontario Niagara TV, Ltd. 80.6 kw 19.1 dbk 442T 311G 43-12-15N 79-46-05W | DA Ch-11 |
| London, Ontario London Free Press Printing Co., Ltd. 117 kw 20.7 dbk 576T 544G 42-57-15N 81-15-56W | CFPL-TV Ch-10 |
| Sudbury, Ontario CKSO Radio, Ltd. 1.25 kw 9 dbk 205T 267G 46-29-38N 81-00-00W | CKSO-TV Ch-5 |
| Toronto, Ontario Canadian Broadcasting Corp. 26.65 kw 14.1 dbk 382T 481G 43-39-43N 79-22-42W | CBLT Ch-9 |
| Windsor, Ontario Western Ontario Broadcasting Co., Ltd. 103 kw 20.1 dbk 630T 615G 42-18-59N 83-02-58W | CKLW-TV Ch-9 |
| Montreal, Quebec Canadian Broadcasting Corp. 15.7 kw 12.0 dbk 912T 259G 45-30-20N 73-35-32W | CBFT Ch-2 |
| Quebec City, Quebec Television de Quebec, Ltd. .923 kw 3 dbk 457T 480G 46-52-40N 71-15-20W | Ch-4 |

Blmowski, Quebec Ch-3
 Lower St. Lawrence Radio, Inc.
 22.5 kw 15.1 dbk 1100T 225G
 48-19-40N 68-50-09W

Regina, Saskatchewan CKCK-TV
 Transcanada Communications, Ltd. Ch-2
 20 kw 13 dbk 326T 288G
 50-28-46N 104-34-16W

CODE

T—Antenna height above average terrain.
 G—Antenna height above ground.
 DA—Directional antenna.
 01-02-03N 01-02-03W—Latitude and longitude.
 00.0 kw 00.0 dbk—Effective radiated power (visual).

FEDERAL COMMUNICATIONS COMMISSION,

[SEAL] WM. P. MASSING,
Acting Secretary.

[F. R. Doc. 54-258; Filed, Jan. 13, 1954;
 8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-2292]

EL PASO NATURAL GAS CO.

ORDER FIXING DATE OF HEARING

El Paso Natural Gas Company (Applicant), a Delaware corporation with its principal office in El Paso, Texas, on October 26, 1953, filed application with the Federal Power Commission for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act authorizing the construction and operation of two taps and meter stations on its authorized 30-inch Permian-San Juan crossover line near the villages of Grants and Tatum, New Mexico, for the transportation and sale of natural gas subject to the jurisdiction of the Commission, as described in the application on file with the Commission, and open to public inspection.

The Commission finds: This proceeding is a proper one for disposition under the provisions of § 1.32 (b) (18 CFR 1.32 (b)) of the Commission's rules of practice and procedure. Applicant having requested that its application be heard under the shortened procedure provided by the aforesaid rule for noncontested proceedings, and no request to be heard, protest, or petition having been filed subsequent to the giving of due notice of the filing of the application, including publication in the FEDERAL REGISTER on November 13, 1953 (18 F. R. 7211).

The Commission orders:

(A) Pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing be held on January 26, 1954, at 9:30 a. m., e. s. t., in the Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by the application: *Provided, however,* That the Commission may, after a noncontested hearing, forthwith dispose of the proceeding pursuant to the provisions of § 1.32 (b) of the Commission's rules of practice and procedure.

(B) Interested State Commissions may participate as provided by §§ 1.8 and 1.37 (f) (18 CFR 1.8 and 1.37 (f)) of the said rules of practice and procedure.

Adopted: January 7, 1954.

Issued: January 8, 1954.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 54-238; Filed, Jan. 13, 1954;
 8:47 a. m.]

OFFICE OF DEFENSE MOBILIZATION

[ODM (DPA) Request No. 25—DPAV-33 (b)]

SCOVILL MANUFACTURING CO. ET AL.

ADDITION TO LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF AN ARMY ORDNANCE INTEGRATION COMMITTEE ON CARTRIDGE CASES

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there are herewith published the names of the following companies which have accepted the request to participate in the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Cartridge Cases," dated September 4, 1951, which request and original list of companies accepting such request were published on May 6, 1952, in 17 F. R. 4184. An additional list of companies accepting such request was published on January 15, 1953, in 18 F. R. 335.

Scovill Manufacturing Company, Waterbury, Conn.

The Kilby Steel Company, Anniston, Ala.
 Motor Wheel Corporation, Lansing, Mich.
 Skagit Steel & Iron Works, Sedro-Woolley, Wash.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; E. O. 10480, August 14, 1953, 18 F. R. 4939.)

Dated: January 12, 1954.

ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-271; Filed, Jan. 13, 1954;
 8:51 a. m.]

[ODM (DPA) Request No. 46—DPAV-44 (b)]

CATTIE BROTHERS STEEL AND INDUSTRIAL STORAGE CO.

ADDITION TO LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF DEFENSE WAREHOUSEMEN'S ASSOCIATION OF PHILADELPHIA

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there is herewith published the name of the following company which has accepted the request to participate in the activities of the Defense Warehousemen's Association of Philadelphia in accordance with the voluntary agreement entitled, "Defense Warehousemen's Association of Philadelphia," which request and original list of companies accepting such request was published in 17 F. R. 8965 on October 7, 1952.

Cattie Brothers Steel and Industrial Storage Company, Southwest Corner Gaul and Letterly Streets, Philadelphia 25, Pa.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; E. O. 10480, August 14, 1953, 18 F. R. 4939.)

Dated: January 12, 1954.

ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-272; Filed, Jan. 13, 1954;
 8:51 a. m.]

[ODM (DPA) Request No. 50—DPAV-50 (b)]

WEATHERHEAD CO. AND HUNTER DOUGLAS CORP.

ADDITION TO LIST OF COMPANIES ACCEPTING REQUEST TO PARTICIPATE IN ACTIVITIES OF ORDNANCE CORPS INTEGRATION COMMITTEE ON BURSTER CASINGS

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there are herewith published the names of the following companies which have accepted the request to participate in the activities of the Ordnance Corps Integration Committee on Burster Casings in accordance with the voluntary plan entitled "Plan and Regulations of Ordnance Corps Governing the Integration Committee on Burster Casings," dated March 31, 1953, which request and original list of companies accepting such request were published in 18 F. R. 5576 on September 17, 1953.

The Weatherhead Company, 300 East 131st Street, Cleveland 8, Ohio.

Hunter Douglas Corporation, 3016 Kansas Avenue, Riverside, Calif.

(Sec. 708, 64 Stat. 818, as amended; 50 U. S. C. App. Sup. 2158; E. O. 10480, August 14, 1953, 18 F. R. 4939.)

Dated: January 12, 1954.

ARTHUR S. FLEMMING,
Director.

[F. R. Doc. 54-273; Filed, Jan. 13, 1954;
 8:51 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-3237]

ADOLF GOBEL, INC.

ORDER SUMMARILY SUSPENDING TRADING

At a regular session of the Securities and Exchange Commission held at its office in the city of Washington, D. C., on the 8th day of January A. D. 1954.

The Commission by order adopted March 13, 1953, pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, having summarily suspended trading in the \$1.00 par value common stock of Adolf Gobel, Inc., on the American Stock Exchange for a period of ten days from that date, and subsequently having entered additional orders further suspending such trading in order to prevent fraudulent, deceptive or manipulative acts or practices; and

The Commission being of the opinion that the public interest requires the summary suspension of trading in such se-

curity on that Exchange and that such action is necessary and appropriate for the protection of investors; and

The Commission being of the opinion that such suspension is necessary in order to prevent fraudulent, deceptive or manipulative acts or practices, with the result that it will be unlawful under section 15 (c) (2) of the Securities Exchange Act of 1934 and the Commission's Rule X-15C2-2 thereunder, for any broker or dealer to make use of the mails or of any means or instrumentality of interstate commerce to effect any transaction in, or to induce or attempt to induce the purchase or sale of, such security otherwise than on a national securities exchange.

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive or manipulative acts or practices, effective at the opening of the trading session on said Exchange on January 11, 1954, for a period of ten days.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-242; Filed, Jan. 13, 1954;
8:48 a. m.]

[File Nos. 54-196, 59-97, 70-2681]

MISSION OIL CO. ET AL.

NOTICE OF FILING OF APPLICATION FOR
FURTHER EXTENSION OF TIME FOR DIS-
POSITION BY SINCLAIR OIL CORP. OF CER-
TAIN COMMON STOCK OF SUBSIDIARY

JANUARY 7, 1954.

In the matter of The Mission Oil Company, Southwestern Development Company and subsidiaries and Sinclair Oil Corporation, File Nos. 54-196, 59-97, Albert R. Jones, et al., File No. 70-2681.

Notice is hereby given that Sinclair Oil Corporation ("Sinclair"), a registered holding company which is exempt from the provisions of the Public Utility Holding Company Act of 1935 ("act"), other than sections 9 (a) (2) and 11 (b), (c) and (e) thereof, has filed with this Commission, pursuant to said act, an application requesting the Commission to extend for a further period of six months from December 21, 1953, the time within which to effect a disposition of its holdings of the common stock of Westpan Hydrocarbon Company ("Westpan"), which was provided for in a plan approved by the Commission, pursuant to section 11 (e) of the act, by order dated December 21, 1951.

Notice is further given that any interested person may, not later than January 20, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on said application, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said application which he desires to controvert, or may request that he be notified should the Commission order a hearing thereon. Any such re-

quest should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after January 20, 1954, said application, as filed or as amended, may be granted, or the Commission may take such other action as it deems necessary or appropriate.

All interested persons are referred to said application which is on file in the offices of this Commission for a statement of the request for a further extension of time and the reasons given for such request.

The plan provided, among other things, for the disposition by Sinclair, within one year from December 21, 1951 "or such longer time as the Commission may by further order grant", of the reclassified common stock of Southwestern Development Company ("Southwestern"), a registered holding company, and the common stocks of Colorado Interstate Gas Company ("Colorado") and Westpan, non-utility subsidiaries of Southwestern, received by Sinclair under the provisions of the plan. Sinclair disposed of the common stock of Colorado and the Commission, by orders dated December 24, 1952 and July 1, 1953, extended to December 21, 1953 the time within which Sinclair should effect a disposition of the common stocks of Southwestern and Westpan.

On December 24, 1953, the Commission issued its order granting and permitting to become effective an application-declaration regarding, inter alia, (1) the merger of all of Southwestern's public-utility subsidiaries into a single surviving company, Amarillo Gas Company, whose name will be changed to Pioneer Natural Gas Company ("Pioneer"), which will acquire the capital stock of Amarillo Oil Company, a non-utility subsidiary of Southwestern; (2) the liquidation and dissolution of Southwestern; (3) the acquisition by Sinclair of the shares of capital stock of Pioneer which it will receive in lieu of the stock of Southwestern; and (4) the sale by Sinclair (within six months from the date of the Commission's order or within such longer time as the Commission may by further order direct) of the stock of Pioneer which it will receive.

In support of the application for a further extension of time, Sinclair states that it has been unable in the exercise of due diligence to dispose of the common stock of Westpan.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-240; Filed, Jan. 13, 1954;
8:47 a. m.]

[File No. 70-3173]

MYSTIC VALLEY GAS CO.

NOTICE OF FILING REGARDING SALE OF
PRINCIPAL AMOUNT OF FIRST MORTGAGE
BONDS AT COMPETITIVE BIDDING

JANUARY 7, 1954.

Notice is hereby given that Mystic Valley Gas Company ("Mystic"), a public-

utility subsidiary of New England Electric System ("NEES"), a registered holding company, has filed an application pursuant to the Public Utility Holding Company Act of 1935 ("act"). Applicant has designated section 6 (b) of the act and Rules U-42 (b), (2) and U-50 thereunder as applicable to the proposed transactions which are summarized as follows:

Mystic proposes to issue and sell, pursuant to the competitive bidding requirements of Rule U-50, \$5,500,000 principal amount of its First Mortgage Bonds, Series A, due 1974. The price of the bonds which shall be not less than the principal amount nor more than 102½ percent thereof and the interest rate which shall be a multiple of 1/8 of 1 percent and not in excess of 5 percent will be determined by competitive bidding. Bids will be received up to 12:00 noon on a date fixed by Mystic by giving notice at least 42 hours in advance thereof. Mystic requests that the period for inviting bids be shortened to not less than six days.

The proceeds (exclusive of accrued interest) derived from the sale of the bonds will be used by Mystic to pay an equal principal amount of its promissory notes. Mystic presently has outstanding \$5,550,000 principal amount of 3¼ percent notes payable to a bank maturing March 1, 1954.

Mystic is organized and doing business in The Commonwealth of Massachusetts and represents that the sale of its bonds will be expressly authorized by the Department of Public Utilities of that State.

The expenses to be incurred in connection with the issue and sale of the bonds, including expenses for services, at cost, by New England Power Service Company, an affiliated service company, are estimated by Mystic to amount to \$58,000.

Mystic requests that the Commission's order become effective upon issuance.

Notice is further given that any interested person may, not later than January 27, 1954, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reason or reasons for such request and the issues, if any, of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 425 Second Street NW., Washington 25, D. C. At any time after said date, the application, as filed or as amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rules U-20 and U-100 thereof.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 54-241; Filed, Jan. 13, 1954;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

[4th Sec. Application 28820]

IRON AND STEEL FROM ST. LOUIS, MO., AND EAST ST. LOUIS AND BELLEVILLE, ILL., TO OWENSBORO, KY.

APPLICATION FOR RELIEF

JANUARY 11, 1954.

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

Filed by: R. E. Boyle, Jr., Agent, for the Illinois Central Railroad Company.

Commodities involved: Iron and steel, carloads.

From: St. Louis, Mo., East St. Louis and Belleville, Ill.

To: Owensboro, Ky.

Grounds for relief: Competition with rail carriers and circuitous routes.

Schedules filed containing proposed rates: C. A. Spaninger, Agent, I. C. C. No. 1329, supp. 25.

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

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-244; Filed, Jan. 13, 1954; 8:48 a. m.]

[4th Sec. Application 28821]

INGOT MOLDS FROM CLEVELAND, OHIO, TO WORCESTER, MASS.

APPLICATION FOR RELIEF

JANUARY 11, 1954.

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

Filed by: H. R. Hinsch, Alternate Agent, for carriers parties to his tariff I. C. C. No. 4350.

Commodities involved: Ingot molds, ingot mold sprue plates and ingot mold stools, carloads.

From: Cleveland, Ohio.

To: Worcester, Mass.

Grounds for relief: Competition with rail carriers, circuitry, and competition with water, or water-rail carriers.

Any interested person desiring the Commission to hold a hearing upon such

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

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-245; Filed, Jan. 13, 1954; 8:48 a. m.]

[4th Sec. Application 28822]

SAND FROM LARSEN, WIS., TO CADILLAC, GRAND HAVEN AND GRAND RAPIDS, MICH.

APPLICATION FOR RELIEF

JANUARY 11, 1954.

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

Filed by: W. J. Prueter, Agent, for carriers parties to schedule listed below.

Commodities involved: Sand, in carloads.

From: Larsen, Wis.

To: Cadillac, Grand Haven, and Grand Rapids, Mich.

Grounds for relief: Rail Competition, circuitry, and to apply rates constructed on the basis of the short line distance formula.

Schedules filed containing proposed rates: W. J. Prueter, Agent, I. C. C. No. A-3718, supp. 47.

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

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-246; Filed, Jan. 13, 1954; 8:48 a. m.]

[4th Sec. Application 28823]

DENSE SODA ASH FROM OHIO, MICHIGAN, NEW YORK, AND VIRGINIA TO OKLAHOMA AND FORT SMITH, ARK.

APPLICATION FOR RELIEF

JANUARY 11, 1954.

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

Filed by: F. C. Kratzmeir, Agent, for carriers parties to schedules listed below.

Commodities involved: Dense soda ash, carloads.

From: Specified points in Ohio, Michigan, New York and Virginia.

To: Fort Smith, Ark., Ada, Blackwell, Muskogee and other points in Oklahoma.

Grounds for relief: Competition with rail carriers, circuitous routes and market competition.

Schedules filed containing proposed rates: F. C. Kratzmeir, Agent, I. C. C. No. 3919, supp. 204; F. C. Kratzmeir, Agent, I. C. C. No. 4053, supp. 31.

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

By the Commission.

[SEAL] GEORGE W. LAIRD,
Secretary.

[F. R. Doc. 54-247; Filed, Jan. 13, 1954; 8:49 a. m.]

[4th Sec. Application 28824]

COMMODITY RATES BETWEEN COLORADO POINTS AND THE SOUTHWEST

APPLICATION FOR RELIEF

JANUARY 11, 1954.

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

Filed by: F. C. Kratzmeir, Agent, for carriers parties to his tariffs I. C. C. Nos. 3886 and 4046.

Involving: Commodity rates.

Between: Ralston, Leyden Junction, Plastic and Rocky, Colo., on the one hand, and points in the Southwest, on the other.

Grounds for relief: Rail competition, circuitry, and to maintain grouping.

Any interested person desiring the Commission to hold a hearing upon such application shall request the Commis-

