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TITLE 7—AGRICULTURE

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders), Department of Agriculture

PART 988—MILK IN KNOXVILLE, TENN., MARKETING AREA

ORDER SUSPENDING CERTAIN PROVISIONS

Pursuant to the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), hereinafter referred to as the "Act", and of the order, as amended (7 CFR Part 900), regulating the handling of milk in the Knoxville, Tennessee, marketing area, hereinafter referred to as the "order", it is hereby found and determined that:

1. The following provisions of § 988.93 will not tend to effectuate the declared policy of the act for the months of May, June and July 1956:

(a) For the months of March through July, subtract the Class II price, adjusted for Class II butterfat differential, from the Class I price, adjusted by the Class I butterfat differential and the Class I location differential.

(b) For the months of August through February * * *

2. Notice of proposed rule making, public procedure thereon, and 30 days notice of the effective date hereof, are found to be impracticable, unnecessary, and contrary to the public interest in that:

(a) The information upon which this action is based did not become available in sufficient time for such compliance;

(b) This suspension order will relieve handler(s) who operate nonpool plant(s), distributing less than 15 percent of receipts of milk in the marketing area, of making payments for such milk distributed in the marketing area. Petitioner's producers are intermingled with producers supplying regulated handlers under this order. Petitioner has made payments required under § 988.93 (b) during the past several months and these payments have been sufficient during this period to maintain an orderly marketing situation. To increase such payments as required by § 988.93 (a) at this time would be disruptive of orderly marketing conditions;

(c) This suspension order is necessary to reflect current marketing conditions and to facilitate, promote, and maintain orderly marketing conditions in such marketing area; and

(d) This suspension order does not require of persons affected substantial or extensive preparation prior to its effective date.

Therefore, good cause exists for making this order effective for the period May, June and July 1956.

It is therefore ordered, That the following provisions of § 988.93 of the order be and hereby are suspended for May, June and July 1956;

(a) For the months of March through July, subtract the Class II price, adjusted for Class II butterfat differential, from the Class I price, adjusted by the Class I butterfat differential and the Class I location differential.

(b) For the months of August through February * * *
(Sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c)

Done at Washington, D. C., this 23d day of April 1956, to be effective on and after May 1, 1956.

[SEAL] EARL L. BUTZ,
Assistant Secretary.

[F. R. Doc. 56-3260; Filed, Apr. 25, 1956; 8:53 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

PART 141a—SOLICITATION OF COMMERCIAL LIFE INSURANCE ON MILITARY INSTALLATIONS IN OVERSEA AREAS

This part is added to this chapter.

- Sec.
141a.1 General.
141a.2 Application.
141a.3 DOD Life Insurance Board.
141a.4 Minimum requirements for companies.
141a.5 Announcement of findings.
141a.6 Change in status.

AUTHORITY: §§ 141a.1 to 141a.6 issued under sec. 202, 61 Stat. 500, as amended; 5 U. S. C. 171a.

§ 141a.1 General. Pursuant to § 141.3 (d) of this subchapter, companies desir-

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CFR SUPPLEMENTS

(As of January 1, 1956)

The following Supplements are now available:

- Title 16 (\$1.25)
- Title 17 (\$0.60)
- Title 20 (\$1.00)

Previously announced: Title 3, 1955 Supp. (\$2.00); Title 7: Parts 1-209 (\$1.25); Title 8 (\$0.50); Title 9 (\$0.70); Titles 10-13 (\$0.70); Title 14: Part 400 to end (\$1.00); Title 18 (\$0.50); Title 19 (\$0.50); Title 21 (Rev., 1955) (\$5.50); Titles 22 and 23 (\$1.00); Title 24 (\$0.75); Title 25 (\$0.50); Title 26: Parts 1-79 (\$0.35), Parts 80-169 (\$0.50), Parts 170-182 (\$0.30), Parts 183-299 (\$0.35), Part 300 to end, Ch. 1, and Title 27 (\$1.00); Titles 30 and 31 (\$1.25); Title 32: Parts 1-399 (\$0.60), Parts 700-799 (\$0.35), Parts 800-1099 (\$0.40), Part 1100 to end (\$0.35); Titles 40-42 (\$0.65); Title 49: Parts 1-70 (\$0.60), Parts 71-90 (\$1.00), Parts 91-164 (\$0.50), Part 165 to end (\$0.65)

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ing to sell commercial life insurance to members of the Armed Forces on military installations under United States jurisdiction in oversea areas may, on application, be authorized to do so in accordance with DOD Instruction 1344.1, dated December 15, 1955, subject: "Solicitation of Commercial Life Insurance on Military Installations." (FEDERAL REGISTER, Vol. 21, No. 14, January 21, 1956.)

§ 141a.2 *Applications.* (a) Applications will be submitted to the Department of Defense May 1 to June 30, each year. They will not be accepted or considered at any other time. Applications will be in letter form and appropriately documented. They must be signed by the President or Vice President of the company and attested to. The corporate seal must be affixed to the application by an authorized official. The application must furnish the following information:

(1) Foreign countries and commands (e. g.: Army, Europe, Air Force, Europe; Navy, Far East; Air Force, Northeast; etc.) where it is desired to solicit on military bases or installations.

(2) Plans for control of and supervision to be exercised by the company over its agents.

(3) List of States and jurisdictions in which the company is licensed and dates of such licensing.

(4) Information from each of the last five annual statements to include:

(i) Admitted assets.
(ii) Net reserve.
(iii) Combined paid up capital and surplus, or surplus.

(iv) Insurance in force, reported by classes.

(5) A statement that the company has complied with or will comply with the applicable laws of the country or countries wherein it proposes to solicit (By "laws of the country" is meant all national, provincial, city or country laws or ordinances of any country, as applicable), and upon being authorized to do business in such country or countries, a statement to that effect.

(6) Rate of lapse of policies sold to military personnel, including only life insurance, but excluding group life insurance, for each of the last five years and an explanation of the methods or formulae used in computing.

(7) An authenticated copy of the current annual statement as sworn to by authorized company officials and filed with the insurance department of the state of domicile.

(8) An authenticated copy of a current convention or "association type" report of examination if the company is licensed by more than one state, otherwise, a current report of one insurance department.

(9) A sworn statement covering the following items:

(i) That the policies to be offered adhere to the standards prescribed by § 141.4 of this subchapter (Paragraph VB, DOD Instruction 1344.1, December 15, 1955).

(ii) The amount of unassigned surplus and paid up capital or only surplus if a non-stock company. In computing

the amount of unassigned surplus, include as liabilities all debts due or to become due, contingent or otherwise as provided in the Life Insurance Act of the District of Columbia Act of June 19, 1934; C 672, 48 Stat. 1125, as amended.

(iii) That the policies to be offered for sale (a) do not contain other than standard provisions such as those prescribed by the Life Insurance Act of the District of Columbia (cited in subdivision (ii) of this subparagraph), and (b) do not provide for a variation in the amount of death benefit depending upon the length of time the policy has been in force.

(iv) That none of its officers, directors, or principal stockholders, or any members of his immediate family, receives or has any contract to receive commissions, directly or indirectly, from military business currently transacted by the company, or if the company cannot so attest, a disclosure and justification for such contracts.

(v) That the company has not made any loan (except policy loans) to any director, officer, or principal stockholder, or any member of his immediate family, within the last year, and there is not currently outstanding any loan to such person made prior to that period.

(vi) That the company will be responsible for the acts of its agents actually connected with the sale of insurance to military personnel.

(10) The ratio of military business to total business (including only life insurance, but excluding group life insurance) annually for the last five years computed on the basis of the following:

(i) Number of policy holders.
(ii) Insurance in force.
(iii) Premium income.

(11) Name, age, legal residence, citizenship and present address of each agent who will solicit overseas, the state or states in which such agents are licensed; the date of licensing, expiration dates, and the area in which each agent will solicit.

(b) Any explanatory remarks that will assist the Department of Defense in evaluating applications are invited.

(c) Applications and any correspondence relating thereto should be addressed to:

Chairman, Life Insurance Board, Department of Defense, The Pentagon Building, Washington 25, D. C.

§ 141a.3 *Department of Defense Life Insurance Board.* (a) The Department of Defense Life Insurance Board is hereby established to act as principal advisor to the Secretary of Defense on all matters pertaining to the sale of commercial life insurance to servicemen.

(b) Duties and functions. In addition it shall be the duty and function of the Board to:

(1) Recommend final action on applications received from Insurance Companies to solicit commercial life insurance on overseas bases and installations under U. S. jurisdiction.

(2) Maintain a current list of agents representing life insurance companies authorized to solicit on military installations overseas.

(3) Receive and review reports of violations of regulations governing solicitation on bases and installations.

(4) Recommend final penalty action against companies for cause to include the withdrawal of soliciting privileges.

(5) Perform such other related functions as may be directed.

§ 141a.4 *Minimum requirements for companies.* (a) The Department of Defense will require, among other things, that the following minimum standards be met by companies authorized to solicit on overseas bases and installations:

(1) The company must have demonstrated continuous successful operation in the life insurance business within the continental limits of the United States or the territories or possessions for a period of five years, immediately preceding the date of application.

(2) The company affirms its intentions and ability to comply with the applicable laws of the country or countries wherein it proposes to engage in business.

(3) The company must be licensed to do business by any twelve (or more) of the states, territories, or the District of Columbia; or must comply with the following:

(i) Be licensed to do business in at least one of the states, territories, or the District of Columbia.

(ii) Meet minimum standards for initial licensing under current laws where domiciled even though presently doing business under statutes previously enacted.

(iii) Have unassigned surplus and paid up capital (or surplus, if a non-stock company) at least equal to the average required by all the states and the District of Columbia when computed by the method prescribed by the Life Insurance Act of the District of Columbia as cited in § 141a.2 (a) (9) (ii).

(b) In making its recommendation the Board will also consider the integrity and stability of the company's management as evidenced by the information submitted in § 141a.2 and such other relevant information as may be officially brought to its attention.

§ 141a.5 *Announcement of findings.*

(a) Final action upon applications for authorization will be forwarded by registered mail. Approvals shall not be construed or interpreted as Department of Defense indorsement of any company.

(b) In the event the finding is unfavorable, specific reasons for such finding shall be included.

(c) Upon receipt of notification of an unfavorable finding, the company shall have 30 days in which to file an appeal for reconsideration. Such appeals will be accompanied by substantiating evidence.

§ 141a.6 *Change in status.* (a) It is incumbent on companies to maintain with the Department of Defense a current list of agents, together with areas in which doing business. Changes must be promptly reported. Failure to report such change will result in non-acceptance of the agents credentials by overseas commanders.

(b) Material changes affecting the company's status as certified to in ac-

cordance with § 141a.2 must be reported promptly. The Department of Defense reserves the right to withdraw authorization for failure to report such changes when such change is material to the original authorization.

CARTER L. BURGESS,
Assistant Secretary of Defense,
(Manpower, Personnel and Reserve).

[F. R. Doc. 56-3246; Filed, Apr. 25, 1956;
9:44 a. m.]

TITLE 32A—NATIONAL DEFENSE, APPENDIX

Chapter I—Office of Defense Mobilization

[Defense Mobilization Order IX-2]

DMO IX-2—CREATING A TELECOMMUNICATIONS ADVISORY BOARD

By virtue of the authority vested in me pursuant to the National Security Act of 1947, as amended; Reorganization Plan No. 3, effective June 12, 1953; the Defense Production Act of 1950, as amended; Executive Order 10460 of June 16, 1953 and Executive Order 10480 of August 15, 1953, it is hereby ordered:

1. There is established in the Office of Defense Mobilization a Telecommunications Advisory Board which shall consist of the Assistant to the Director for Telecommunications as Chairman, and a representative from each of the following departments and agencies: Department of State, Department of Defense, Department of Commerce, Central Intelligence Agency, Federal Civil Defense Administration, Federal Communications Commission.

2. The Telecommunications Advisory Board shall be called upon to furnish advice and guidance to the Director of the Office of Defense Mobilization with regard to:

(a) The relationship of national telecommunication policies to specific national mobilization plans.

(b) The compatibility of national telecommunication policies and programs with other policies and programs involving the national security.

(c) Such other related national telecommunication matters as may be requested.

3. This order shall take effect April 23, 1956.

OFFICE OF DEFENSE
MOBILIZATION,
ARTHUR S. FLEMING,
Director.

[F. R. Doc. 56-3218; Filed, Apr. 25, 1956;
8:45 a. m.]

TITLE 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 208—FLOOD CONTROL REGULATIONS
TUOLUMNE RIVER PROJECT, CALIF.; HETCH
HETCHY, CHERRY VALLEY, AND DON PEDRO
DAMS AND RESERVOIRS

Pursuant to the provisions of section 7 of the act of Congress approved Decem-

ber 22, 1944 (58 Stat. 890; 33 U. S. C. 709), and of contract no. DA-04-167-Eng-38 dated August 29, 1949 between the United States of America and the City and County of San Francisco, California, the Turlock Irrigation District, Turlock, California, and the Modesto Irrigation District, Modesto, California, § 208.82 is hereby prescribed to govern the use and operation jointly of Hetch Hetchy Dam and Reservoir, Cherry Valley Dam and Reservoir, and Don Pedro Dam and Reservoir, all on Tuolumne River and tributaries, California, for flood-control purposes:

§ 208.82 *Hetch Hetchy, Cherry Valley, and Don Pedro Dams and Reservoirs.* The Turlock Irrigation District and Modesto Irrigation District, acting jointly, hereinafter called the Districts, shall operate Don Pedro Dam and Reservoir in the interest of flood control, and the City and County of San Francisco, hereinafter called the City, shall operate Hetch Hetchy Dam and Reservoir and Cherry Valley Dam and Reservoir in the interest of flood control all as follows:

(a) Storage space in Don Pedro Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram currently in force for that reservoir, except when storage of floodwater is necessary as prescribed in paragraph (d) of this section. The Flood-Control Storage Reservation Diagram in force as of the promulgation of this section is that dated 4 April 1956, File No. TU-1-26-7, and is on file in the Office of the Chief of Engineers, Department of the Army, Washington, D. C., in the office of the Turlock Irrigation District, Turlock, California, and in the office of the Modesto Irrigation District, Modesto, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the Districts. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the presidents of the Districts and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, the office of the Turlock Irrigation District, Turlock, California, and the office of the Modesto Irrigation District, Modesto, California.

(b) Storage space in Hetch Hetchy Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram for that reservoir currently in force, except when storage of floodwater is necessary as prescribed in paragraph (e) of this section. The Flood-Control Storage Reservation Diagram in force as of the promulgation of this section is that dated April 4, 1956, File No. TU-3-26-1, and is on file in the Office, Chief of Engineers, Department of the Army, Washington, D. C., and in the office of the Public Utilities Commission of the City and County of San

Francisco, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the City. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the Public Utilities Commission of the City and County of San Francisco, California, and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, and the office of the Public Utilities Commission of the City and County of San Francisco, California.

(c) Storage space in Cherry Valley Reservoir shall be kept available for flood-control purposes in accordance with the Flood-Control Storage Reservation Diagram currently in force for that reservoir except when storage of floodwater is necessary as prescribed in paragraph (e) of this section. The Flood-Control Storage Reservoir Diagram in force as of the promulgation of this section is that dated April 4, 1956, File No. TU-2-26-6, and is on file in the Office, Chief of Engineers, Corps of Engineers, Department of the Army, Washington, D. C., and in the office of the Public Utilities Commission of the City and County of San Francisco, California. Revisions of the Flood-Control Storage Reservation Diagram may be developed from time to time as necessary by the Corps of Engineers and the City. Each such revision shall be effective upon the date specified in the approval thereof by the Chief of Engineers and by the Public Utilities Commission of the City and County of San Francisco, California, and from that date until replaced shall be the Flood-Control Storage Reservation Diagram currently in force for the purpose of this section. Copies of the Flood-Control Storage Reservation Diagram currently in force shall be kept on file in and may be obtained from the office of the District Engineer, Corps of Engineers, in charge of the locality, and the office of the Public Utilities Commission of the City and County of San Francisco, California.

(d) Any water temporarily stored in the flood-control space indicated by the Flood-Control Storage Reservation Diagram currently in force for Don Pedro Reservoir shall be released as rapidly as can be accomplished without causing flows in Tuolumne River below LaGrange Dam to exceed 7,000 c. f. s. during rain floods or to exceed 9,000 c. f. s. at all other times.

(e) Any water temporarily stored in the flood-control space indicated by the Flood-Control Storage Reservation Diagrams currently in force for Hetch Hetchy and Cherry Valley Reservoirs shall be released as rapidly as can be accomplished without exceeding the respective safe channel capacities, and without materially contributing to major encroachment into the flood-control space at Don Pedro Reservoir. Such releases shall be proportioned between

Hetch Hetchy and Cherry Valley Reservoirs in such manner as to assure that the percentage of encroachment into the flood-control space at the two reservoirs will tend toward equality insofar as possible. Whenever the storage space in Don Pedro Reservoir is less than 90 percent of that indicated by the Flood-Control Storage Reservation Diagram currently in force for that reservoir, releases from Hetch Hetchy and Cherry Valley Reservoirs shall be restricted to those required in connection with the generation of hydroelectric power in the power system of the City and in connection with diversion into the water supply system of the City.

(f) In the event that the water level in Don Pedro Reservoir rises above elevation 605.55 at the dam (top of spillway gates), subsequent operation of the dam shall be such as to cause downstream flows to exceed as little as possible the criteria prescribed in paragraph (d) of this section, and in no event to cause the maximum subsequent release from the reservoir to exceed the estimated maximum subsequent inflow to the reservoir.

(g) In the event that the water level in Hetch Hetchy Reservoir rises above elevation 3806 at the dam (top of spillway gates), subsequent operation of the dam shall be such as to cause downstream flows to exceed as little as possible the criteria prescribed in paragraph (e) of this section, and in no event to cause the maximum subsequent release from the reservoir to exceed the estimated maximum subsequent inflow to the reservoir.

(h) In the event that the water level in Cherry Valley Reservoir rises above elevation 4700 at the dam (spillway crest), subsequent operation of the dam shall be such as to cause downstream flows to exceed as little as possible the criteria prescribed in paragraph (e) of this section, and in no event to cause the maximum subsequent release from the reservoir to exceed the estimated maximum subsequent inflow to the reservoir.

(i) Nothing in the regulations of this section shall be construed to require dangerously rapid changes in magnitudes of releases from any of the reservoirs.

(j) The Districts shall procure such current basic hydrologic data, make such current determinations of required flood-control storage reservation in Don Pedro Reservoir, and current calculations of permissible releases from Don Pedro Reservoir as are required to accomplish the flood-control objectives of the regulations of this section.

(k) The City shall procure such current basic hydrologic data, and make such current calculations of permissible releases from Hetch Hetchy and Cherry Valley Reservoirs as are required to accomplish the flood-control objectives of the regulations of this section.

(l) The City shall keep the District Engineer, Corps of Engineers, in charge of the locality, and the Districts currently advised of reservoir releases, reservoir storages, basic operating criteria which affect the schedule of operations, and such other operating data as the

District Engineer, Corps of Engineers, may request for Hetch Hetchy, Eleanor, and Cherry Valley Reservoirs.

(m) The Districts shall keep the District Engineer, Corps of Engineers, in charge of the locality, and the City currently advised of reservoir releases, reservoir storages, basic operating criteria which affect the schedule of operations, and such other operating data as the District Engineer, Corps of Engineers, may request for Don Pedro Reservoir.

(n) The flood-control regulations of this section are subject to temporary modification by the District Engineer, Corps of Engineers, if found necessary in time of flood emergency. Request for and action on such modifications may be made by any available means of communication, and such action shall be confirmed in writing under date of same day to the operating agency for the reservoir affected.

[Regs., April 4, 1956, ENGWE] (Sec. 7, 58 Stat. 890; 33 U. S. C. 709)

[SEAL] JOHN A. KLEIN,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 56-3219; Filed, Apr. 25, 1956; 8:45 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter I of Title 39 is amended in the following respects:

PART 3—MAIL TREATED IN CONFIDENCE

a. Amend the part caption of Part 3 to read as set forth above.

b. Amend the section caption of § 3.1 *Confidential treatment of mail* to read as follows:

§ 3.1 *Mail treated in confidence.* * * *

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 4—INFORMATION ON POSTAL MATTERS

a. In § 4.2 *General postal publications* make the following changes:

1. Amend paragraph (a) (4) to read as follows:

(4) You may obtain chapters 1 and 2 (3-hole punched for filing) from the Superintendent of Documents, Washington 25, D. C., together with periodic looseleaf supplements, for approximately 1 year, for \$2.

2. Amend paragraph (b) to read as follows:

(b) *Directory of post offices.* The Directory of Post Offices contains an alphabetical list of post offices and a list of post offices arranged alphabetically by States. You may purchase this directory with binder for \$8, or without binder for \$5, from the Superintendent of Documents, Washington 25, D. C. These prices include subscription to looseleaf amendments for an indefinite period.

3. Add new paragraph (c) to read as follows:

(c) *Directory of international mail.* The Directory of International Mail con-

tains rates and other conditions in detail governing mail to foreign countries, but excludes the information covered in general for all countries in Subchapters K-T of this chapter. This directory may be purchased with binder for \$5, without binder for \$2.50, from the Superintendent of Documents, Washington 25, D. C. These prices include subscription to looseleaf amendments for an indefinite period.

b. Section 4.3 *Confidential matter* is amended to read as follows:

§ 4.3 *Privileged matter.* The following records, documents, and information are privileged matter, and may not be disclosed by subordinate officers or employees of the Department without authorization:

- Reports of Postal Inspectors.
- Records of the Postal Inspection Service.
- Names of post office box holders.
- Names and addresses of post office patrons and former patrons, except as provided in § 13.5 of this chapter.
- Records regarding mail matter.
- Records regarding postal savings accounts.
- Records regarding money orders.

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 46—RURAL SERVICE

In § 46.5 *Rural boxes* amend the listing of manufacturers in paragraph (a) as follows:

1. Change the address of the Akron Metal Sales Co. to read as follows:

Akron Metal Sales Co., 275 North Forge Street, Akron 4, Ohio.

2. Delete from the listing the following companies:

Dayton Plastic & Metal Stampings, 321 North Western Avenue, Post Office Box 852, Dayton 7, Ohio.

Northwestern Mail Box Co., 2655-2723 Spruce Street, St. Louis 3, Mo.

(R. S. 161, 396, as amended; sec. 1, 39 Stat. 423; 5 U. S. C. 22, 360, 39 U. S. C. 191, 192)

[SEAL] ABE MCGREGOR GOFF,
The Solicitor.

[F. R. Doc. 56-3256; Filed, Apr. 25, 1956; 8:52 a. m.]

MISCELLANEOUS AMENDMENTS TO CHAPTER

Chapter I of Title 39 is amended in the following respects:

PART 13—ADDRESSES

In § 13.1 *General information* add new paragraph (g) to read as follows:

(g) All mail should bear the name and address of the sender. See §§ 12.4 (d), 16.1 (b) (6), 25.5 (a) (1), 26.6 (a), 47.7 (b), 48.3, 48.4 (a) (2), 51.5 (a), 52.1 (b), and 53.1 (b) of this chapter for mail which must show a return address.

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 16—BULK MAILINGS

In § 16.1 *Second class publications* make the following changes:

1. Amend paragraph (b) to read as follows:

(b) *Wrapping.* (1) Single copies not tied in bundles or wrapped in packages as specified in paragraph (d) (4) of this section must be enclosed in wrappers or envelopes.

(2) All single copies addressed to Army-Air Force post offices must be enclosed in wrappers or envelopes.

(3) Heavy magazines should be wrapped singly, and publications of small size or of a flimsy nature should be placed in envelopes.

(4) Use white or other light-colored paper for wrapping. Do not use old newspapers.

(5) Use wrappers that may be easily removed and replaced.

(6) Envelopes used as wrappers must show in the upper left corner of the address side the name and address of the publication and in the upper right corner a notice of entry.

2. Amend paragraph (c) (6) to read as follows:

(6) When the address is placed on the wrapper it should appear on the flat side and never on the fold. Addresses, including address strips, must be placed in a visible position either on the wrapper or directly on the copies.

3. Amend paragraph (d) (4) to read as follows:

(4) *Copies for same Post Office.* When there are more than five individually addressed copies of a publication for subscribers at the same post office they must be securely wrapped in packages or tied in bundles and labeled for the post office. The twine and paper used must be strong enough for the weight and size of the package or bundle. When the packages and bundles for one post office will fill approximately one-third of a sack, they must be placed in a direct sack, or sacks, for that post office. When there is less than one-third of a sack for a post office, a direct sack shall not be made up except where a direct sack is necessary materially to advance the mail.

4. Amend paragraph (g) to read as follows:

(g) *Controlled circulation publications.* The weight of mailings of controlled circulation publications (see Part 23 of this chapter) is obtained in the manner prescribed for obtaining the weight of mailings of second-class publications. Controlled circulation postage is collected and accounted for in the same manner as second-class postage. Each mailing must be prepared and made up for dispatch in the manner prescribed for second-class mail (see paragraphs (a) through (d), of this section).

(R. S. 161, 396, as amended; sec. 203, 62 Stat. 1262; 5 U. S. C. 22, 369, 39 U. S. C. 291b)

PART 22—SECOND CLASS

In § 22.4 *What may be mailed at the second-class rates* amend subdivision (iv) of paragraph (h) (3) to read as follows:

(iv) Pages having printed paper illustrations pasted to them.

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 24—THIRD CLASS

a. In § 24.1 *Rates* amend the table in the following respect: In the column headed "Kind of mail" strike out "Hotel and steamship room keys (mailed uncovered)" and insert in lieu thereof the following: "Keys and identification devices (mailed without cover under conditions in § 24.2 (a) (3))."

b. In § 24.2 *Classification* make the following changes:

1. Amend paragraph (a) (3) to read as follows:

(3) Keys, identification cards, identification tags, or similar identification devices which bear, contain, or have securely attached the name and complete post office address of a person, organization, or concern with instructions to return to such address and a statement guaranteeing the payment, on delivery, of the postage due.

2. Amend the last sentence of paragraph (b) (2) to read as follows: "(See § 16.2 of this chapter and § 24.4 for other conditions governing acceptance of bulk mailings)."

3. Add new subparagraph (4) to paragraph (b) to read as follows:

(4) The rate for keys and identification items placed loose in the mails under the conditions in paragraph (a) (3) of this section is applied to each item according to its weight. When there are several items for the same addressee, the office of mailing will place them in an envelope or wrapper addressed to the intended recipient and marked to show the amount of postage due. The amount of postage will be computed on each item and not on the bulk weight of the mailing piece.

c. Section 24.3 *Weight and size limitations* is amended to read as follows:

§ 24.3 *Weight and size limitations—*
(a) *Weight.* The weight of each piece may not exceed 8 ounces, except for items described in § 24.2 (a) (3) and (4) and letters for the blind. (See Part 28 of this chapter.)
(b) *Size.* No limit.

d. In § 24.4 *Payment of postage* make the following changes:

1. Amend paragraph (a) (2) to read as follows:

(2) Mail any number of pieces at one time. Authorized nonprofit organizations which mail books and catalogs, seeds, cuttings, bulbs, roots, cions, and plants at the special single piece rate for these articles must mark the articles "Nonprofit Organization" or "Nonprofit Org." in the upper right corner adjacent to the postage.

2. Amend subdivision (ii) of paragraph (b) (4) to read as follows:

(ii) Authorized nonprofit organizations mailing at special bulk rates must print the words "Nonprofit Organization" or "Nonprofit Org."

(R. S. 161, 396, as amended; sec. 7, 30 Stat. 358, as amended, sec. 1, 25 Stat. 1, as amended, sec. 5, 41 Stat. 583, as amended, sec. 206, 43 Stat. 1067, as amended; 5 U. S. C. 22, 369, 39 U. S. C. 221, 235, 249, 291a)

PART 27—FRANKED, PENALTY, AND FREE MAIL

a. In § 27.2 *Penalty mail* make the following changes:

1. Amend paragraph (a) (4) to read as follows:

(4) Bulletins, reports, periodicals, reprints of articles, and other publications necessary for the dissemination of results of researches and experiments, including lists of publications available for distribution, when mailed by agricultural experiment stations designed by the act of March 2, 1887, as amended by the act of August 11, 1955, as follows: The officer in charge of a station that claims the privilege of sending materials free through the mails must file an application with the Bureau of Post Office Operations, Mail Classification Division, through the post office where the station is located, stating the date of establishment of the station, its name or designation, its official organization, the names of its officers, the name of the college, school or institution to which it is attached, if any, the legislation of the State or Territory providing for its establishment, and any other legislation granting it the benefits of the act of Congress referred to in this section.

2. Amend paragraph (b) (3) to read as follows:

(3) Official mailings by agricultural experiment stations must bear in the upper left corner of the address side the name of the station, the name of the post office at which the matter is to be accepted, and the name and title of the officer in charge of the station, followed by the words "Publication—Free." The title of the bulletin or report followed by the word "Free" may be used.

3. Amend paragraph (c) (3) to read as follows:

(3) Official mail may not be sent in penalty envelopes by special delivery without prepayment of the fee or by airmail without prepayment of the air postage. Exception: Penalty envelopes containing urgent official communications of the Postal Service may be sent special delivery or airmail without payment of fee or postage.

b. In § 27.6 *Absentee balloting materials* amend paragraph (a) to read as follows:

(a) *Purpose.* Balloting materials consisting of post card applications, ballots, voting instructions, and envelopes, are sent through the mails free of postage, including airmail postage, for the purpose of enabling every person in any of the following categories to vote by absentee ballot when he is absent from the place of his voting residence and is otherwise eligible to vote:

(1) Members of the Armed Forces while in the active service and their spouses and dependents.

(2) Members of the merchant marine of the United States and their spouses and dependents.

(3) Civilian employees of the United States in all categories serving outside the United States and the District of Columbia and their spouses and dependents when residing with or accompanying them, whether or not the employee is subject to the civil-service laws and the Classification Act of 1949, and whether or not paid from funds appropriated by the Congress.

(4) Members of religious groups or welfare agencies assisting members of the Armed Forces, who are officially attached to and serving with the Armed Forces, and their spouses and dependents.

(R. S. 161, 396, as amended; sec. 7, 18 Stat. 343, as amended, secs. 5, 6, 19 Stat. 335, as amended, secs. 101, 102, 69 Stat. 584; 5 U. S. C. 22, 369, 2171, 2172, 39 U. S. C. 321, 329)

PART 34—PERMIT IMPRINTS

In § 34.3 *Content of permit imprints* add the following to paragraph (a): "Exception: The date may be omitted from post cards."

(R. S. 161, 396, as amended; sec. 5, 41 Stat. 583, as amended, 47 Stat. 647; 5 U. S. C. 22, 369; 39 U. S. C. 273, 273a)

PART 37—PREPAYMENT AND REFUNDS

In § 37.2 *Refunds* make the following changes:

1. Amend paragraphs (b) to read as follows:

(b) *Application.* Submit an application on Form 3533, in duplicate, to the postmaster together with the envelope or wrapper, or the portion thereof having names and addresses of sender and addressee, canceled postage and postal markings, or other evidence of payment of the amount of postage and fees for which refund is desired.

2. Amend paragraph (i) to read as follows:

(i) *Special services.* Special delivery, special handling and certified mail fees may be refunded when the article fails to receive the special service for which the fee has been paid. Registered, insured, and COD fees are not refundable after the mail has been accepted by the post office even through the article is later withdrawn from the mailing post office. The fees paid for restricted delivery of registered, insured, COD, or certified mail, and the fee paid for return receipt on registered, insured, or certified mail, may be refunded when failure to render service is the fault of the Postal Service. (See § 51.4 (f) of this chapter.)

(R. S. 161, 396, as amended; sec. 2, 33 Stat. 1001; 5 U. S. C. 22, 369, 39 U. S. C. 300)

PART 47—FORWARDING MAIL

In § 47.3 *Postage for forwarding* add new subparagraph (7) to paragraph (b) to read as follows:

(7) Controlled circulation publications (See Part 23 of this chapter) are subject to additional postage for forwarding at the single-piece third- or fourth-class

rate according to weight. These publications are forwarded only when the sender or addressee has guaranteed forwarding postage.

(R. S. 161, 396, as amended; sec. 1, 64 Stat. 210; 5 U. S. C. 22, 369, 39 U. S. C. 278a)

PART 48—UNDELIVERABLE MAIL

In § 48.2 *Treatment by classes* amend paragraph (i) to read as follows:

(i) *Foods, drugs, and cosmetics.* (1) Undeliverable packages containing food or drugs will be destroyed. They will not be sold, donated or retained as dead parcel post.

(2) Undeliverable packages containing cosmetics such as soaps, perfumes, powders, home permanent waves, hand lotions, hand creams, after-shave lotions and deodorant sticks or pastes which bear no statements claiming medicinal properties will be treated as dead parcel post. Lipsticks will be destroyed. If there is any question whether the use of a cosmetic might, as the result of deterioration or for other reason, jeopardize life or health, the article will be destroyed.

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 51—REGISTRY

a. In § 51.3 *Declaration by sender* add new paragraphs (c) and (d), to read as follows:

(c) *Official paid mail.* Government agencies or officials not entitled to register official mail free under § 51.4 (g) must declare the actual value of the matter presented and pay fees and surcharges prescribed by § 51.4 (a).

(d) *Official free mail.* A declaration of value is not required on mail registered free under the provisions of § 51.4 (g).

b. In § 51.4 *Fees, surcharges, and return receipts* amend paragraph (g) to read as follows:

(g) *Free registration of mail.* (1) All mail relating to the census and addressed to the Census Office, or to any official thereof, that is endorsed "Official Business, Census Office," may be sent by registered mail without payment of a registration fee.

(2) All mail relating to naturalization, including duplicate papers required to be sent to the Immigration and Naturalization Service by clerks of State or Federal courts addressed to the Department of Justice or to the Immigration and Naturalization Service, may be sent by registered mail without payment of a registration fee, if endorsed "Official Business."

(3) Diplomatic Corps of the countries of the Postal Union of the Americas and Spain who are stationed in the United States may send correspondence by registered mail without payment of the registration fee. See § 27.3 (a) of this chapter for preparation of such mail.

(4) Official correspondence may be sent by registered mail between consulates (consuls and vice consuls) of the countries of the Postal Union of the Americas and Spain stationed in the

United States and by such consulates to the Government of the United States or to their respective embassies or legations without payment of the registration fee. See § 27.3 (b) of this chapter for preparation of such mail.

(5) Currency sent to the Treasurer of the United States, Washington, D. C., for redemption, contained in letters or parcels with postage prepaid by the sender, and redeemed currency mailed to the Treasurer of the United States, may be transmitted by registered mail without payment of registration fee, under the following conditions:

(i) The contents must be exhibited to the postmaster and a list furnished giving a detailed description of the money. For currency, the serial number, series date, and denomination must be given. Coin need be described only by number and denomination of pieces.

(ii) After the contents have been compared with the list and found correct, the letter or parcel must be sealed in the presence of the postmaster.

(iii) The list must be left with the postmaster.

(iv) No liability is assumed by the Postal Service. If coverage is desired, the regular registration fees must be paid for liability.

(6) Official matter of executive departments or independent Government institutions located in Washington, D. C., or of the Public Printer may be registered free. Government officers officially stationed at Washington, D. C., whose official mail is registered free from there, have the same privilege elsewhere when temporarily away from Washington if the mail is endorsed "Temporarily Absent From Washington, D. C." This privilege does not apply to officers not officially stationed at Washington or those in the field service of their departments.

(7) Letters or parcels relating exclusively to the business of the United States Civil Service Commission, Washington, D. C., and addressed to the Commission by members of local boards of examiners outside Washington, are registered free.

(8) Official mail of the Postal Service which requires registration may be registered without payment of a fee.

(9) The value is not required to be declared on matter entitled to free registration. No indemnity will be paid for any matter registered free.

c. In § 51.7 *Delivery* amend paragraph (d) to read as follows:

(d) *Notice of arrival.* If the carrier is unable to deliver registered mail, he will leave a notice for you. If your mail is not delivered by carrier, a notice of arrival will be issued through your regular mail channels, and if the mail is not delivered within 5 days a second notice will be issued, provided the maximum period for which the mail may be held permits.

(R. S. 161, 396, 3926, as amended; 5 U. S. C. 22, 369)

PART 52—INSURANCE

In § 52.1 *Description* amend paragraph (b) to read as follows:

(b) *Classes of mail to which applicable.* You may insure only third- and fourth-class mail or airmail which contains third- or fourth-class matter. Insured airmail may contain incidental first-class enclosures. The mail must bear the complete names and addresses of sender and addressee. The following are not acceptable for insurance.

(1) Parcels marked Insured but not insured by the Postal Service.

(2) Parcels containing matter offered for sale, addressed to prospective purchasers who have not ordered or authorized their sending. If such matter is received in the mails, payment will not be made for loss, rifling, or damage.

(3) Nonmailable matter.

(4) Articles that are so fragile as to prevent their safe carriage in the mails regardless of packaging.

(5) Articles which are not adequately packed to withstand normal handling in the mail.

(R. S. 161, 396, as amended; sec. 8, 37 Stat. 558, as amended; sec. 1, 41 Stat. 581; 5 U. S. C. 22, 369, 39 U. S. C. 244, 382)

PART 53—COD

In § 53.1 Description, add new paragraph (d) to read as follows:

(d) *Canal Zone.* There is no COD service with the Canal Zone.

(R. S. 161, 396, as amended; sec. 8, 37 Stat. 558, as amended; sec. 1, 41 Stat. 581; 5 U. S. C. 22, 369; 39 U. S. C. 244, 382)

PART 54—PAYMENT FOR LOSSES

In § 54.1 *Payments permitted* strike out the present introductory statement and insert in lieu thereof the following and redesignate present paragraphs (a) through (k) as subparagraphs (1) through (11):

§ 54.1 *Payments permitted*—(a) *Limit of payment.* The amount paid for registered, insured, and COD losses will not exceed the maximum amount of liability prescribed in §§ 51.4, 52.2, and 53.2 of this chapter for the fee paid.

(b) *Wrong fee collected.* Whenever it is shown to the satisfaction of the Postmaster General that the sender was charged a fee less than that required to cover the amount of insurance desired by the sender, through error on the part of the Postal Service, the deficiency in fee may be collected from the sender and postal insurance may be paid within the limit fixed for the higher fee.

(c) *Rules for payment.* The following rules apply to payments by the Postal Service:

(R. S. 161, 396, 3926, as amended; sec. 8, 37 Stat. 558, as amended; sec. 1, 41 Stat. 581; 5 U. S. C. 22, 369, 39 U. S. C. 244, 381, 382)

PART 56—SPECIAL DELIVERY

In § 56.2 *Payment for special delivery* amend paragraph (b) by converting "Post Office Department" to "Postal Service."

(R. S. 161, 396, as amended; 5 U. S. C. 22, 369)

PART 58—CERTIFIED MAIL

a. In § 58.2 *Class of mail to which applicable* add the following to the text: "Official matter of the Postal Service may be sent as certified mail without payment of the fee."

b. Section 58.4 *Mailing* is amended to read as follows:

§ 58.4 *Mailing*—(a) *Payment of fees and postage.* A certified mail stamp is available for the fee. However, the fee and postage may be paid by ordinary postage stamps, meter stamps, or by permit imprints.

(b) *Where to mail.* You may mail certified mail at the post office, branch, or station or give it to a rural carrier. It may also be deposited in mail drops in post offices, street letter boxes, or any other receptacles for first-class mail, provided you follow specific directions in paragraph (c) of this section.

(c) *How to mail.* Obtain blank certified mail coupons (no charge) at your post office or from your rural mail carrier. Also obtain blank return receipt forms if needed. Following is the procedure:

(1) Enter on the receipt portion of the certified mail coupon the name and complete address of the person or firm to whom the mail is addressed.

(2) If return receipt is wanted, check block on the mailing receipt to show the fee and endorse the article on the address side near the certified mail endorsement "Return Receipt Requested" or "Return Receipt Requested Showing Address Where Delivered." See § 58.3 (b). Enter the certified mail number on the return receipt card, address it to yourself and attach it to the back of small envelopes and on front of packages and large envelopes if it will not cover the address. If you desire the return receipt to show the address where the article was delivered, there is a block at the top of the form which must be checked by you.

(3) Be sure to attach to the envelope sufficient postage stamps to pay for the certified mail fee, first-class postage, return receipt fee, or special-delivery fee.

(4) If you want a postmarked sender's receipt, attach the certified mail sticker to the address side of the article and present the article and the completed coupon to the postal employee. If given to a rural carrier, he will bring the postmarked receipt back to you.

(5) If you do not want a postmarked receipt, attach the Certified Mail sticker to the address side of the article, detach your receipt, and mail the article. Mark your receipt to show the date.

(6) If you desire to restrict delivery of certified mail to the addressee or someone named by him in writing, endorse the mail "Deliver to Addressee Only" or "Deliver to Addressee or Order."

(d) *Firm mailing books.* If you mail an average of three or more letters at one time, you may use mailing books. Form 3877a, which is furnished by the Postal Service without charge, or specially printed mailing bills. A series of numbers will be furnished you. The

sheets of the book become the sender's receipts. If you want the firm mailing bills received by the Postal Service, present the books with the articles to be mailed. You must also obtain at your expense a stamp for endorsing the certified letters, or you may have your envelope overprinted with the endorsement. The endorsement must be a facsimile or proportionate enlargement of the official endorsement shown in § 58.1. Following are instructions for use of the forms:

(1) Insert the word "Certified" in the space provided at the top of the form.

(2) The mailer must endorse and number the letters. If return receipt or special-delivery services are requested, mark the letters "Return Receipt Requested," "Return Receipt Requested Showing Address Where Delivered," or "Special Delivery." Prepare and attach return receipt to the back of the envelopes with the receipt side showing.

(3) Show on the bill the number of each article and the name and address of addressee.

(4) Enter only the amount of fees paid for return receipts.

(5) Affix necessary postage to the articles.

(6) The accepting employee will count the items, receipt the bill for the total number, and return the bill to you.

(R. S. 161, 388, 396; secs. 304, 309, 42 Stat. 24, 25, sec. 501, 65 Stat. 290, sec. 12, 65 Stat. 676; 5 U. S. C. 22, 140, 361, 369, 39 U. S. C. 246f)

[SEAL]

ABE MCGREGOR GOFF,
The Solicitor.

[F. R. Doc. 56-3257; Filed, Apr. 25, 1956; 8:52 a. m.]

TITLE 43—PUBLIC LANDS: INTERIOR

Chapter I—Bureau of Land Management, Department of the Interior

Appendix—Public Land Orders

[Public Land Order 1298]

[1495407]

ALASKA

PARTIALLY REVOKING EXECUTIVE ORDER NO. 6132 OF MAY 15, 1933, WHICH WITHDREW LANDS FOR THE ALASKA COMMUNICATION SYSTEM

By virtue of the authority vested in the President by section 1 of the act of June 25, 1910, c. 421 (36 Stat. 847; 43 U. S. C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

Executive Order No. 6132 of May 15, 1933, which withdrew certain public lands in Alaska for use of the War Department as a site for the Army radio station at Point Barrow, is hereby revoked so far as it affects the following-described lands:

Beginning at corner No. 6, U. S. Survey No. 2979, thence
S. 13° 02' E., 460.00 feet
N. 76° 58' E., 120.00 feet
N. 13° 02' W., 460.00 feet to line 5-6 U. S. S. 2979
S. 77° 03' W., 120.00 feet along line 5-6 U. S. C. 2979 to point of beginning.

The tract described contains 1.26 acres.

The lands are withdrawn by Public Land Order No. 82 of January 22, 1943.

WESLEY A. D'EWART,
Assistant Secretary of the Interior.

APRIL 20, 1956.

[P. R. Doc. 56-3220; Filed, Apr. 25, 1956; 8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle

[Ex Parte No. MC-40]

PART 193—PARTS AND ACCESSORIES NECESSARY FOR SAFE OPERATION

QUALIFICATIONS AND MAXIMUM HOURS OF SERVICE OF EMPLOYEES OF MOTOR CARRIERS AND SAFETY OF OPERATION AND EQUIPMENT

At a General Session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 12th day of April A. D. 1956.

The matter of parts and accessories necessary for safe operation, particularly the provisions of § 193.91 relating to aisle seats in buses, as prescribed by order dated April 14, 1952, effective July 1, 1952, the record in the above entitled proceeding, and petition of National Bus Traffic Association, Inc., dated February 8, 1956, for modification of that section being under consideration; and

It appearing that modification of the said section will be in the public interest; and that the modification is permissive in nature or otherwise such that the public rule making requirements of section 4 (a) of the Administrative Procedure Act are deemed unnecessary;

It is ordered, That effective May 1, 1956, § 193.91 of the Motor Carrier Safety Regulations (49 CFR 193.91) be, and it is hereby, amended by changing the period at the end thereof to a comma and adding the following: "Provided, however, That this section shall not apply with respect to any bus while engaged exclusively in the transportation of agricultural workers in charter transportation if such bus carries not to exceed eight passengers on temporary fold-

ing seats located in the center aisle of the bus; and provided further, That if such temporary seats are used, the carrier at the end of each month in which such transportation is provided, shall promptly file a report with the Bureau of Motor Carriers of this Commission containing the following information: (a) Number of bus trips during the month involving the use of such temporary seats; (b) aggregate passenger miles of such trips; (c) details concerning any injuries sustained by persons riding on the temporary seats; (d) details of injuries sustained by others in same bus not riding the temporary seats."

Notice of this order shall be given to the general public by depositing a copy thereof in the office of the Secretary of the Commission, Washington, D. C., and by filing a copy thereof with the Director, Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304)

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[P. R. Doc. 56-3241; Filed, Apr. 25, 1956; 8:49 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 52]

FROZEN FRIED FISH STICKS

UNITED STATES STANDARDS FOR GRADES¹

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Standards for Grades of Frozen Fried Fish Sticks pursuant to the authority contained in the Agricultural Marketing Act of 1946 (60 Stat. 1087 et seq., as amended; 7 U. S. C. 1621 et seq.). These proposed grade standards are recommended by the Fish and Wildlife Service, U. S. Department of Interior, based on data developed by that agency. This proposal, if made effective, will be the first issue by the Department of grade standards for this product.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U. S. Department of Agriculture, Washington 25, D. C., not later than 60 days after publication hereof in the FEDERAL REGISTER.

¹ Compliance with these standards does not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

The proposed standards are as follows:

PRODUCT DESCRIPTION, AND GRADES	
Sec. 52.3141	Product description.
52.3142	Grades of frozen fried fish sticks.
WEIGHTS AND DIMENSIONS	
52.3143	Recommended weights and dimensions.
FACTORS OF QUALITY	
52.3144	Ascertaining the grade for frozen fried fish sticks.
52.3145	Ascertaining the score for the factors which are rated.
52.3146	Appearance.
52.3147	Defects.
52.3148	Character.
LOT CERTIFICATION TOLERANCES	
52.3149	Tolerances for certification of officially drawn samples.
SCORE SHEET	
52.3150	Score sheet for frozen fried fish sticks.

AUTHORITY: §§ 52.3141 to 52.3150 issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

PRODUCT DESCRIPTION AND GRADES

§ 52.3141 *Product description.* Frozen fried fish sticks are clean, wholesome, rectangularly-shaped portions of breaded, pre-cooked, and frozen fish flesh. The portions of fish flesh, composed primarily of large pieces, are coated with a suitable batter and breaded; are cooked by frying in suitable oil or fat; and are frozen in accordance with good commercial practice and maintained at temperatures necessary for the preservation of the product. Frozen

fried fish sticks contain not less than 60 percent, by weight, of fish flesh. All sticks comprising an individual package are prepared from the flesh of only one species of fish.

§ 52.3142 *Grades of frozen fried fish sticks.* (a) "U. S. Grade A" is the quality of frozen fried fish sticks that possess a good flavor and odor, that possess a good appearance, that are practically free from defects, that possess a good character, and that for those factors which are rated in accordance with the scoring system outlined in this subpart the total score is not less than 85 points: *Provided*, That the frozen fried fish sticks may possess a reasonably good appearance and a reasonably good character if the total score is not less than 85 points.

(b) "U. S. Grade B" is the quality of frozen fried fish sticks that possess a reasonably good flavor and odor, that possess a reasonably good appearance, that are reasonably free from defects, that possess a reasonably good character, and that for those factors which are rated in accordance with the scoring system outlined in this subpart the total score is not less than 70 points: *Provided*, That the frozen fried fish sticks may fail to possess a reasonably good appearance and fail to possess a reasonably good character if the total score is not less than 70 points.

(c) "Substandard" is the quality of frozen fried fish sticks that fail to meet the requirements of U. S. Grade B.

WEIGHTS AND DIMENSIONS

§ 52.3143 *Recommended weights and dimensions.* The recommended weights

and dimensions of frozen fried fish sticks are not incorporated in the grades of the finished product since weights and dimensions, as such, are not factors of quality for the purposes of these grades. It is recommended that the largest dimension of a fish stick be at least three times that of the next largest dimension and that the average weight of the individual sticks be not less than $\frac{3}{4}$ ounce and not greater than $1\frac{1}{4}$ ounces.

FACTORS OF QUALITY

§ 52.3144 *Ascertaining the grade—*
(a) *General.* In addition to considering other requirements outlined in the standards, the following quality factors are evaluated in ascertaining the grade of the product:

(1) *Factor not rated by score points.*
(i) Flavor and odor.

(2) *Factors rated by score points.* The relative importance of each factor which is rated is expressed numerically on the scale of 100. The maximum number of points that may be given such factors are:

Factors:	Points
Appearance	35
Defects	40
Character	25
Total score.....	100

(b) The grade of frozen fried fish sticks is ascertained by observing the product in the frozen state and after it has been heated in a suitable manner.

(c) *Percent of fish flesh.* "Percent of fish flesh" means the average percent, by weight, of fish flesh in an individual package.

(d) *Good Flavor and odor.* "Good flavor and odor" means that the product has the good flavor and odor of properly prepared breaded fish sticks. The flesh portion has the good flavor and odor of properly prepared fish of the particular species. The coating has the good flavor and odor obtained when all components have been properly prepared, used, and maintained. The product is free from rancidity, bitterness, and staleness, from bacterial spoilage flavors and odors, and from off-flavors and off-odors of any kind.

(e) *Reasonably good flavor and odor.* "Reasonably good flavor and odor" means that the product may be somewhat lacking in good flavor and odor, but is free from rancidity and from objectionable bacterial spoilage flavor, and from off-flavors and off-odors of any kind.

(f) *Heating in a suitable manner.* "Heating in a suitable manner" means heating in accordance with the recommendations accompanying the product. However, if specific instructions are lacking the product should be heated as follows:

(1) Place the product while still in the frozen state on a flat or shallow pan of sufficient size that at least 10 ounces of the product can be spread evenly on the pan with no portion of a stick closer than $\frac{1}{4}$ inch to another or to the edge of the pan.

(2) Place the pan and frozen contents in a properly ventilated oven pre-heated to 400 degrees Fahrenheit and remove when the product is thoroughly heated.

§ 52.3145 *Ascertaining the score for the factors which are rated.* The essential variations within each factor which is rated are so described that the value may be ascertained for each factor and expressed numerically. The numerical range within each factor which is rated is inclusive. (For example, "21 to 25 points" means 21, 22, 23, 24, or 25 points).

§ 52.3146 *Appearance—*(a) *General.* The factor of appearance refers to the uniformity of size and shape of the frozen sticks, the color of the heated sticks, and the continuity of the coating of the product after heating.

(b) (A) *classification.* Frozen fried fish sticks that possess a good appearance may be given a score of 30 to 35 points. "Good appearance" means that the sticks are practically uniform in size and shape; that the product after heating possesses a practically uniform light brown to golden brown color or reddish-brown color characteristic of properly prepared frozen fried fish sticks; and that the sticks, after heating, possess a continuity of the coating not more than slightly affected by cracking or slipping.

(c) (B) *classification.* Frozen fried fish sticks that possess a reasonably good appearance may be given a score of 25 to 29 points. "Reasonably good appearance" means that the sticks are reasonably uniform in size and shape; that the product after heating possesses a reasonably uniform light brown to golden-brown color or reddish-brown color characteristic of properly prepared frozen fried fish sticks; and that the sticks, after heating, possess a continuity of the coating not materially affected by cracking or slipping.

(d) (SStd.) *classification.* Frozen fried fish sticks which fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 24 points, and shall not be graded above U. S. Grade B regardless of the total score of the product (this is a partial limiting rule).

§ 52.3147 *Defects—*(a) *General.* The factor of defects refers to the degree of freedom from bones, broken sticks, damaged sticks, and from blemishes.

(1) *Bones.* "Bones" means any bones that can be separated from the product, can be identified, and are of such character as to be potentially harmful.

(2) *Broken stick.* "Broken stick" means a fish stick which is separated in two or more parts or is strained apart to the extent that it cannot be readily handled as one stick.

(3) *Damaged stick.* "Damaged stick" means a fish stick which has been crushed or otherwise mutilated to the extent that its appearance is materially affected.

(4) *Blemished.* "Blemished" means the presence (in or on the fish flesh) of

blood spots, bruises, skin, protein curd spots, and objectionable dark layer fat, and (on or in the coating) of burned material, dark carbon specks, and other harmless extraneous material.

(5) *Seriously blemished.* "Seriously blemished" means blemished to the extent that the appearance is seriously affected.

(b) (A) *classification.* Frozen fried fish sticks that are practically free from defects may be given a score of 34 to 40 points. "Practically free from defects" means that:

(1) None of the sticks are broken;
(2) The sticks may be blemished to only a minor degree; and

(3) Not more than a total of 20 percent, by count, of the sticks may be damaged or contain bones: *Provided*, That bones may be present in not more than 10 percent, by count, of all the sticks.

(c) (B) *classification.* Frozen fried fish sticks that are reasonably free from defects may be given a score of 28 to 33 points. Frozen fried fish sticks that fall into this classification may not be graded above U. S. Grade B regardless of the total score for the product (this is a limiting rule). "Reasonably free from defects" means that not more than a total of 30 percent, by count, of the sticks may be defective because of bones, or are damaged sticks, broken sticks, or seriously blemished sticks: *Provided*, That

(1) Not more than 10 percent, by count, may be broken sticks;

(2) Not more than 30 percent, by count, may be damaged sticks;

(3) Not more than 20 percent, by count, of the sticks may contain bones; and

(4) Not more than 10 percent, by count, of the sticks may be seriously blemished.

(d) (SStd.) *classification.* Frozen fried fish sticks that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 27 points, and may not be graded above substandard regardless of the total score for the product (this is a limiting rule).

§ 52.3148 *Character—*(a) *General.* The factor of character refers to the presence or absence of free oil in the package and its effect on the condition of the package; the ease of separating the frozen sticks without damaging the coating or breaking the sticks; the tendency of the sticks to remain whole and unbroken when they are heated, handled, and served in the normal manner; the degree of freedom of the breaching from either an oiliness or crumbliness; the tenderness and moistness of the flesh; the consistency of the breaching in the heated product; and the adherence of the coating of the heated product.

(b) (A) *classification.* Frozen fried fish sticks that possess a good character may be given a score of 21 to 25 points. "Good character" means that oil from the product does not more than slightly damage the package; that there may be present not more than a very small

amount of loose breading in the package; that the sticks may be separated easily; that the sticks are not more than very slightly damaged by the normal handling incident to heating and serving; that no excess oil remains on the cooking utensil; that the breading is not more than slightly oily; that the flesh after heating has a good texture which is firm, tender and moist, characteristic of properly fried fish sticks for the species used; and that after heating the coating has a good crisp, tender texture not more than slightly affected by blistering or wrinkling.

(c) (B) *classification*. Frozen fried fish sticks that possess a reasonably good character may be given a score of 17 to 20 points. "Reasonably good character" means that oil from the product does not materially damage the package; that there may be present not more than a reasonable amount of loose breading in the package; that the sticks may be separated with only moderate damage to the coating; that the sticks are not more than moderately damaged by the normal handling incident to heating and serving; that the breading is not more than moderately oily; that the flesh after heating has a reasonably good texture which is not more than moderately tough, stringy, crumbly, mushy or spongy; and that after heating the coating has a reasonably good texture which may be not more than moderately pasty, mushy, tough, or crumbly and is not materially affected by blistering or wrinkling.

(d) (SStd.) *classification*. Frozen fried fish sticks that fail to meet the requirements of paragraph (c) of this section may be given a score of 0 to 16 points and shall not be graded above U. S. Grade B regardless of the total score for the product (this is a partial limiting rule).

LOT CERTIFICATION TOLERANCES

§ 52.3149 *Tolerances for certification of officially drawn samples*. (a) The grade of a specific lot from which samples have been officially drawn may be certified on the basis of such samples: *Provided*, That (1) all packages contain one species of fish; (2) all packages meet applicable provisions of the Federal Food, Drug, and Cosmetic Act in effect at the time of the aforesaid certification; *And provided further*, That, with respect to those factors which are rated by score points, such grade will be determined by averaging the total scores, if:

- (i) Not more than one-sixth of the packages fail to meet the grade indicated by the average of such total scores;
- (ii) None of the packages fall more than one grade below the grade indicated by the average of such total scores; and
- (iii) The average score of all packages for any factor subject to a limiting rule is within the score range of that factor for the grade indicated by the average of the total scores of the packages comprising the sample.

SCORE SHEET
§ 52.3150 *Score sheet for frozen fried fish sticks.*

Label.....		
Size and kind of container.....		
Species of fish.....		
Container mark or identification.....		
Size of lot.....		
Number of samples.....		
Net weight (oz.).....		
Number of sticks per container.....		
Factors		
Appearance.....	35	(A) 30-35 (B) 25-29 (SStd.) 10-24
Defects.....	40	(A) 34-40 (B) 28-33 (SStd.) 10-27
Character.....	25	(A) 21-25 (B) 17-20 (SStd.) 10-16
Total score.....	100	
Grade.....		
Flavor.....		

¹ Indicates partial limiting rule.
² Indicates limiting rule.

Dated: April 23, 1956.

[SEAL] ROY W. LENNARTSON,
*Deputy Administrator,
Marketing Services.*

[F. R. Doc. 56-3259; Filed, Apr. 25, 1956;
8:53 a. m.]

[7 CFR Part 1015]

[AC-281]

CUCUMBERS GROWN IN FLORIDA

NOTICE OF HEARING WITH RESPECT TO
PROPOSED MARKETING AGREEMENT AND
ORDER

Pursuant to the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and in accordance with the applicable rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders (7 CFR 900 et seq.), notice is hereby given of a public hearing to be held in the Court Room, Lee County Court House, Fort Myers, Florida, beginning at 9:30 a. m., local time May 28, 1956, with respect to a proposed marketing agreement and order authorizing regulation of the handling of cucumbers grown in Florida. The proposed marketing agreement and order have not received the approval of the Secretary of Agriculture.

The public hearing is for the purpose of receiving evidence with respect to the economic and marketing conditions, which relate to the provisions of the proposed marketing agreement and order, which are hereinafter set forth, and appropriate modifications thereof.

Growers and shippers in the State of Florida, as represented by the Florida Fruit and Vegetable Association, requested a hearing on the following proposed marketing agreement and order authorizing regulation of the handling

of cucumbers in the proposed production area.

DEFINITIONS

§ 1015.1 *Secretary*. "Secretary" means the Secretary of Agriculture of the United States, or any officer or employee of the Department to whom authority has heretofore been delegated, or to whom authority may hereafter be delegated, to act in his stead.

§ 1015.2 *Act*. "Act" means Public Act No. 10, 73d Congress, as amended and as reenacted and amended by the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.; 68 Stat. 906, 1047).

§ 1015.3 *Person*. "Person" means an individual, partnership, corporation, association, or any other business unit.

§ 1015.4 *Production area*. "Production area" means all territory in the State of Florida south or east of the Suwannee River.

§ 1015.5 *Cucumbers*. "Cucumbers" means all varieties of the edible fruit commonly known as cucumbers and grown within the production area.

§ 1015.6 *Handler*. "Handler" is synonymous with "shipper" and means any person (except a common or contract carrier of cucumbers owned by another person) who handles cucumbers or causes cucumbers to be handled.

§ 1015.7 *Handle*. "Handle" or "ship" means to transport, sell, or in any other way to place cucumbers in the current of commerce within the production area or between the production area and any point outside thereof: *Provided*, That such terms shall not include: (a) The transportation, sale, or delivery of cucumbers by a producer to a handler registered as such with the committee and who has adequate facilities within the production area for grading; or (b) the transportation to and sale of cucumbers at auction markets designated by the committee. In the event a producer sells cucumbers other than as indicated in paragraphs (a) and (b) of this section, such producer shall be the first handler of such cucumbers.

§ 1015.8 *Producer*. "Producer" means any person engaged in a proprietary capacity in the production of cucumbers for market.

§ 1015.9 *Grading*. "Grading" is synonymous with "preparation for market" and means the sorting or separation of cucumbers into grades, sizes, and packs for market purposes.

§ 1015.10 *Grade and size*. "Grade" means any one of the established grades of cucumbers and "Size" means any one of the established sizes of cucumbers set forth for each grade in U. S. Standards for Cucumbers (§§ 51.2220 to 51.2238 of this title) issued by the United States Department of Agriculture, or amendments thereto, or modifications thereof, or variations based thereon recommended by the committee and approved by the Secretary.

§ 1015.11 *Pack*. "Pack" means a unit of cucumbers in any type of container which falls within specific weight limits or within specific grade limits recommended by the committee and approved by the Secretary.

§ 1015.12 *Container*. "Container" means a box, bag, crate, hamper, basket, package, bulk load or any other type of unit used in the packaging, transportation, sale, shipment, or handling of cucumbers.

§ 1015.13 *Committee*. "Committee" means the Florida Cucumber Committee, established pursuant to § 1015.22.

§ 1015.14 *Fiscal period*. "Fiscal period" means the period beginning August 1 and ending July 31 following.

§ 1015.15 *District*. "District" means each of the geographic divisions of the production area initially established pursuant to § 1015.24, or as reestablished pursuant to § 1015.25.

§ 1015.16 *Export*. "Export" means shipment of cucumbers beyond the boundaries of continental United States.

COMMITTEE

§ 1015.22 *Establishment and membership*. (a) The Florida Cucumber Committee consisting of twelve members, of whom eight shall be producers and four shall be handlers, is hereby established. For each member of the committee there shall be an alternate who shall have the same qualifications as the member.

(b) Persons selected as committee members or alternates to represent producers or handlers shall be producers or handlers, respectively, or officers or employees of a producer or handler, respectively, in the district for which selected, and a resident of the production area.

§ 1015.23 *Term of office*. (a) The term of office of committee members, and their respective alternates, shall be for 1 year and shall begin as of August 1 and end as of July 31.

(b) Committee members and alternates shall serve during the term of office for which they are selected and have qualified, or during that portion thereof beginning on the date on which they qualify during such term of office and continuing until the end thereof, and until their successors are selected and have qualified.

§ 1015.24 *Districts*. For the purpose of determining the basis for selecting committee members the following districts of the production area are hereby initially established:

(a) *District No. 1*. The counties of Dade, Broward, Palm Beach, St. Lucie, Indian River, Martin, and Okeechobee in the State of Florida;

(b) *District No. 2*. The counties of Lee, Collier, Charlotte, Hendry, Monroe, and Glades in the State of Florida;

(c) *District No. 3*. The counties of Hardee, Manatee, DeSoto, Highlands, Hillsborough, Polk, Sarasota, and Pinellas in the State of Florida; and

(d) *District No. 4*. All the remaining counties within the production area not included in Districts 1, 2, and 3.

§ 1015.25 *Redistricting*. The committee may recommend, and pursuant thereto, the Secretary may approve, the reapportionment of members among districts, and the reestablishment of districts within the production area. In recommending any such changes, the committee shall give consideration to: (a) Shifts in cucumber acreage within districts and within the production area during recent years; (b) the importance of new production in its relation to existing districts; (c) the equitable relationship of committee membership and districts; (d) economies to result for producers in promoting efficient administration due to redistricting or reapportionment of members within districts; and (e) other relevant factors. No change in the districting or in apportionment of members within districts may become effective within less than 30 days prior to the date on which terms of office begin each year and no recommendations for such redistricting or reapportionment may be made less than six months prior to such date.

§ 1015.26 *Selection*. The Secretary shall select 2 producer members and 1 handler member of the committee with their respective alternates from each district.

§ 1015.27 *Nomination*. The Secretary may select the members of the committee and alternates from nominations which may be made in the following manner:

(a) A meeting or meetings of producers and handlers shall be held in each district to nominate members and alternates for the committee. For nominations to the initial committee, the meetings may be sponsored by the United States Department of Agriculture or by any agency or group requested to do so by such department. For nominations for succeeding members and alternates on the committee, the committee shall hold such meetings or cause them to be held prior to July 1 of each year, after the effective date of this subpart;

(b) At each such meeting at least two nominees shall be designated for each position as member and for each position as alternate member on the committee and eligible voters at such meetings may ballot to indicate the ranking of their choice for each nominee;

(c) Nominations for committee members and alternates, shall be supplied to the Secretary in such manner and form as he may prescribe, not later than July 15 of each year;

(d) Only producers may participate in designating nominees for producer members and alternates and only handlers may participate in designating nominees for handler members and alternates. In the event a person is engaged in producing or handling cucumbers in more than one district, such person shall elect the district within which he may participate as aforesaid in designating nominees; and

(e) Regardless of the number of districts in which a person produces or handles cucumbers, each such person is entitled to cast only one vote on behalf of himself, his agents, subsidiaries, affiliates, and representatives in designating

nominees for committee members and alternates. An eligible voter's privilege of casting only one vote as aforesaid shall be construed to permit a voter to cast one vote for each position to be filled in the respective district in which he elects to vote.

§ 1015.28 *Failure to nominate*. If nominations are not made within the time and in the manner specified in § 1015.27, the Secretary may, without regard to nominations, select the committee members and alternates, which selection shall be on the basis of the representation provided for in §§ 1015.24 through 1015.26, inclusive.

§ 1015.29 *Acceptance*. Any person selected as a committee member or alternate shall qualify by filing a written acceptance with the Secretary within ten days after being notified of such selection.

§ 1015.30 *Vacancies*. To fill committee vacancies, the Secretary may select such members or alternates from unselected nominees on the current nominee list from the district involved, or from nominations made in the manner specified in § 1015.27. If the names of nominees to fill any such vacancy are not made available to the Secretary within 30 days after such vacancy occurs, such vacancy may be filled without regard to nominations, which selection shall be made on the basis of the representation provided for in §§ 1015.24 through 1015.26, inclusive.

§ 1015.31 *Alternate members*. An alternate member of the committee shall act in the place and stead of the member for whom he is an alternate, during such member's absence. In the event of the death, removal, resignation, or disqualification of a member, his alternate shall act for him until a successor of such member is selected and has qualified.

§ 1015.32 *Procedure*. (a) Eight members of the committee shall be necessary to constitute a quorum and eight concurring votes shall be required to pass any motion or approve any committee action.

(b) The committee may provide for meeting by telephone, telegraph, or other means of communication, and any vote cast at such a meeting shall be promptly confirmed in writing: *Provided*, That if any assembled meeting is held, all votes shall be cast in person.

§ 1015.33 *Expenses and compensation*. Committee members and alternates may be reimbursed for expenses necessarily incurred by them in the performance of duties and in the exercise of powers under this part.

§ 1015.34 *Powers*. The committee shall have the following powers:

(a) To administer the provisions of this part in accordance with its terms;

(b) To make rules and regulations to effectuate the terms and provisions of this part;

(c) To receive, investigate, and report to the Secretary complaints of violation of the provisions of this part; and

(d) To recommend to the Secretary amendments to this part.

§ 1015.35 *Duties.* It shall be, among other things, the duty of the committee:

(a) At the beginning of each term of office, to meet and organize, to select a chairman and such other officers as may be necessary, to select subcommittees of committee members and to adopt such rules and regulations for the conduct of its business as it may deem advisable;

(b) To act as intermediary between the Secretary and any producer or handler;

(c) To furnish to the Secretary such available information as he may request;

(d) To appoint such employees, agents, and representatives as it may deem necessary and to determine the salaries and define the duties of each such person;

(e) To investigate from time to time and to assemble data on the growing, harvesting, shipping, and marketing conditions with respect to cucumbers;

(f) To prepare a marketing policy;

(g) To recommend marketing regulations to the Secretary;

(h) To recommend rules and procedures for, and to make determinations in connection with, issuance of certificates of privilege or exemptions, or both;

(i) To investigate an applicant's claim for exemption;

(j) To keep minutes, books, and records which clearly reflect all of the acts and transactions of the committee and such minutes, books and records shall be subject to examination at any time by the Secretary or his authorized agent or representative. Minutes of each committee meeting shall be reported promptly to the Secretary;

(k) At the beginning of each fiscal period, to prepare a budget of its expenses for such fiscal period, together with a report thereon;

(l) To cause the books of the committee to be audited by a competent accountant at least once each fiscal period, and at such other time as the committee may deem necessary or as the Secretary may request. The report of such audit shall show the receipt and expenditure of funds collected pursuant to this part; a copy of each such report shall be furnished to the Secretary and a copy of each such report shall be made available at the principal office of the committee for inspection by producers and handlers; and

(m) To consult, cooperate, and exchange information with other marketing agreement committees and other individuals or agencies in connection with all proper committee activities and objectives under this part.

EXPENSES AND ASSESSMENTS

§ 1015.40 *Expenses.* The committee is authorized to incur such expenses as the Secretary may find are reasonable and likely to be incurred during each fiscal period for its maintenance and functioning, and for such purposes as the Secretary, pursuant to this subpart, determines to be appropriate. Handlers shall share expenses upon the basis of a fiscal period. Each handler's share of such expense shall be proportionate to

the ratio between the total quantity of cucumbers handled by him as the first handler thereof during a fiscal period and the total quantity of cucumbers handled by all handlers as first handlers thereof during such fiscal period.

§ 1015.41 *Budget.* At the beginning of each fiscal period and as may be necessary thereafter, the committee shall prepare an estimated budget of income and expenditures necessary for the administration of this part. The committee may recommend a rate of assessment calculated to provide adequate funds to defray its proposed expenditures. The committee shall present such budget to the Secretary with an accompanying report showing the basis for its calculations.

§ 1015.42 *Assessments.* (a) The funds to cover the committee's expenses shall be acquired by the levying of assessments upon handlers as provided in this subpart. Each handler who first handles cucumbers shall pay assessments to the committee upon demand, which assessments shall be in payment of such handler's pro rata share of the committee's expenses.

(b) Assessments shall be levied upon handlers at rates established by the Secretary. Such rates may be established upon the basis of the committee's recommendations and other available information. Such rates may be applied to specified containers used in the production area.

(c) At any time during, or subsequent to, a given fiscal period the committee may recommend the approval of an amended budget and an increase in the rate of assessment. Upon the basis of such recommendations, or other available information, the Secretary may approve an amended budget and increase the rate of assessment. Such increase shall be applicable to all cucumbers which were regulated under this part and which were shipped by the first handler thereof during such fiscal period.

(d) The payment of assessments for the maintenance and functioning of the committee may be required under this part throughout the period it is in effect irrespective of whether particular provisions thereof are suspended or become inoperative.

§ 1015.43 *Accounting.* (a) All funds received by the committee pursuant to the provisions of this subpart shall be used solely for the purposes specified in this part.

(b) The Secretary may at any time require the committee, its members and alternates, employees, agents and all other persons to account for all receipts and disbursements, funds, property, or records for which they are responsible. Whenever any person ceases to be a member of the committee or alternate, he shall account to his successor, the committee, or to the person designated by the Secretary, for all receipts, disbursements, funds and property (including but not being limited to books and other records) pertaining to the committee's activities for which he is responsible, and shall execute such assignments and other instruments as may be neces-

sary or appropriate to vest in such successor, committee, or designated person, the right to all of such property and funds and all claims vested in such person.

(c) The committee may make recommendations to the Secretary for one or more of the members thereof, or any other person, to act as a trustee for holding records, funds, or any other committee property during periods of suspension of this subpart, or during any period or periods when regulations are not in effect and, if the Secretary determines such action appropriate, he may direct that such person or persons shall act as trustee or trustees for the committee.

§ 1015.44 *Refunds.* At the end of each fiscal period, monies arising from the excess of assessments over expenses shall be accounted for as follows:

(a) Each handler entitled to a proportionate refund of the excess assessments at the end of a fiscal period shall be credited with such refund against the operations of the following fiscal period unless he demands payment thereof, in which event such proportionate refund shall be paid to him; or

(b) The Secretary, upon recommendation of the committee, may determine that it is appropriate for the maintenance and functioning of the committee that some of the funds remaining at the end of a fiscal period which are in excess of the expenses necessary for committee operations during such period may be carried over into following periods as a reserve for possible liquidation. Upon approval by the Secretary, such reserve may be used upon termination of this order to liquidate the affairs of the committee: *Provided*, That upon termination of this part any monies in the reserve for liquidation which are not required to defray the necessary expenses of committee liquidation shall be returned upon a pro rata basis to all persons from whom such funds were collected.

RESEARCH AND DEVELOPMENT

§ 1015.48 *Research and development.* The committee, with the approval of the Secretary, may establish or provide for the establishment of marketing research and development projects designed to assist, improve, or promote the marketing, distribution, and consumption of cucumbers. The expenses of such projects shall be paid from funds collected pursuant to § 1015.42.

REGULATION

§ 1015.50 *Marketing policy.* Prior to or at the same time as initial recommendations are made pursuant to § 1015.51, the committee shall submit to the secretary a report setting forth the marketing policy it deems desirable for the industry to follow in handling cucumbers during the ensuing season. Additional reports shall be submitted from time to time if it is deemed advisable by the committee to adopt a new or modified marketing policy because of changes in the demand and supply situation with respect to cucumbers. The committee shall publicly an-

nounce the submission of each such marketing policy report and copies thereof shall be available at the committee's office for inspection by any producer or any handler. In determining each such marketing policy the committee shall give due consideration to the following:

- (a) Market prices of cucumbers including prices by grades, sizes, and quality in different packs, in the production area and in competing areas;
- (b) Supply of cucumbers, by grade, size, and quality in the production area, and in other production areas;
- (c) Trend and level of consumer income;
- (d) Marketing conditions affecting cucumber prices; and
- (e) Other relevant factors.

§ 1015.51 *Recommendations for regulations.* The committee, upon complying with the requirements of §§ 1015.32 and 1015.50, may recommend regulations to the Secretary whenever it finds that such regulations, as are provided for in this subpart, will tend to effectuate the declared policies of the act.

§ 1015.52 *Issuance of regulations.* The Secretary shall limit the handling of cucumbers whenever he finds from the recommendations and information submitted by the committee, or from other available information, that such regulation would tend to effectuate the declared policy of the act. Such regulation may:

- (a) Limit, in any or all portions of the production area, the handling of particular grades, sizes, qualities, maturities, varieties, or packs of cucumbers during any period; or
- (b) Limit the handling of particular grades, sizes, qualities, maturities, or packs of cucumbers differently, for different varieties, for different portions of the production area, for different containers, for different markets, for different purposes specified in § 1015.54, or any combination of the foregoing, during any period; or
- (c) Limit the handling of cucumbers by establishing, in terms of grades, sizes, or both, minimum standards of quality and maturity; or
- (d) Fix the size, weight, capacity, dimensions, or pack of the container or containers which may be used in the packaging, transportation, sale, shipment, or other handling of cucumbers.

§ 1015.53 *Minimum quantities.* The committee, with the approval of the Secretary, may establish, for any or all portions of the production area, minimum quantities below which handling will be free from regulations issued or effective pursuant to §§ 1015.42, 1015.52, 1015.54, 1015.60, or any combination thereof.

§ 1015.54 *Shipments for special purposes.* Upon the basis of recommendations and information submitted by the committee, or other available information, the Secretary, whenever he finds that it will tend to effectuate the declared policy of the act, shall modify, suspend, or terminate regulations issued pursuant to §§ 1015.42, 1015.52, 1015.53, 1015.60, or any combination thereof, in

order to facilitate handling of cucumbers for the following purposes:

- (a) For export;
- (b) For relief or for charity;
- (c) For processing; or
- (d) For other purposes which may be specified by the committee, with the approval of the Secretary.

§ 1015.55 *Notification of regulation.* The Secretary shall notify the committee of any regulations issued or of any modification, suspension, or termination thereof. The committee shall give reasonable notice thereof to handlers.

§ 1015.56 *Safeguards.* (a) The committee, with the approval of the Secretary, may prescribe adequate safeguards to prevent handling of cucumbers pursuant to § 1015.53 or § 1015.54 from entering channels of trade for other than the specific purpose authorized therefor, and rules governing the issuance and the contents of Certificates of Privilege if such certificates are prescribed as safeguards by the committee. Such safeguards may include requirements that:

- (1) Handlers shall file applications with the committee to ship cucumbers pursuant to §§ 1015.53 and 1015.54; or
 - (2) Handlers shall obtain inspection provided by § 1015.60, or pay the assessment levied pursuant to § 1015.42, or both, in connection with shipments made under § 1015.54; or
 - (3) Handlers shall obtain Certificates of Privilege from the committee to handle cucumbers effected or to be effected under the provisions of §§ 1015.53 and 1015.54.
- (b) The committee may rescind or deny Certificates of Privilege to any handler if proof is obtained that cucumbers handled by him for the purposes stated in §§ 1015.53 and 1015.54 were handled contrary to the provisions of this part.
- (c) The Secretary shall have the right to modify, change, alter, or rescind any safeguards prescribed and any certificates issued by the committee pursuant to the provisions of this section.
- (d) The committee shall make reports to the Secretary, as requested, showing the number of applications for such certificates, the quantity of cucumbers covered by such applications, the number of such applications denied and certificates granted, the quantity of cucumbers handled under duly issued certificates, and such other information as may be requested.

INSPECTION

§ 1015.60 *Inspection and certification.* (a) During any period in which handling of cucumbers are regulated pursuant to § 1015.52 or § 1015.54, or any combination thereof, no handler shall handle cucumbers unless each such handling is inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate, except when relieved from such requirements pursuant to § 1015.53 or § 1015.54, or both.

(b) Regrading, resorting, or repacking any lot of cucumbers shall invalidate any prior inspection certificates insofar

as the requirements of this section are concerned. In such event, the person responsible shall be considered the first handler of the regraded, resorted, or repacked quantity and liable for the payment of assessments thereon pursuant to § 1015.42. No handler shall handle cucumbers after they have been regraded, resorted, repacked, or in any other way further prepared for market, unless each lot of such cucumbers is inspected by an authorized representative of the Federal-State Inspection Service, or such other inspection service as the Secretary shall designate: *Provided*, That the committee, with approval of the Secretary, may provide for waiving inspection requirements on any cucumbers in circumstances where it appears reasonably certain that, after regrading, resorting, or repacking, such cucumbers meet the applicable quality and other standards then in effect. All lots so inspected and certified shall be identified by appropriate seals, stamps, or tags to be affixed to each of the outer containers under the supervision of the committee or the inspection agency.

(c) Insofar as the requirements of this section are concerned, the length of time for which an inspection certificate is valid may be established by the committee with approval of the Secretary.

(d) When the cucumbers are inspected in accordance with the requirements of this section a copy of each inspection certificate issued shall be made available to the committee by the inspection service.

EXEMPTIONS

§ 1015.65 *Procedure.* The committee may adopt, with approval of the Secretary, the procedures pursuant to which certificates of exemption will be issued to producers or handlers.

§ 1015.66 *Granting exemptions.* The committee shall issue certificates of exemption to any producer who applies for such exemption and furnishes adequate evidence to the committee, that by reason of a regulation issued pursuant to § 1015.52 he will be prevented from handling as large a proportion of his production as the average proportion of production handled during the entire season, or such portion thereof as may be determined by the committee, by all producers in said applicant's immediate production area and that the grade, size or quality of the applicant's cucumbers have been adversely affected by acts beyond the applicant's control and by acts beyond reasonable expectation. Each certificate shall permit the producer to handle the amount of cucumbers specified thereon. Such certificate shall be transferred with such cucumbers at time of transportation or sale.

§ 1015.67 *Investigation.* The committee shall be permitted at any time to make a thorough investigation of any producer's or handler's claim pertaining to exemptions.

§ 1015.68 *Appeal.* If any applicant for exemption certificates is dissatisfied with the determination by the committee with respect to his application, said applicant may file an appeal with the committee.

Such an appeal must be taken promptly after the determination by the committee from which the appeal is taken. Any applicant filing an appeal shall furnish evidence satisfactory to the committee for a determination on the appeal. The committee shall thereupon reconsider the application, examine all available evidence, and make a final determination concerning the application. The committee shall notify the appellant of the final determination, and shall furnish the Secretary with a copy of the appeal and a statement of considerations involved in making the final determination.

§ 1015.69 *Records.* (a) The committee shall maintain a record of all applications submitted for exemption certificates, a record of all exemption certificates issued or denied, the quantity of cucumbers covered by such exemption certificates, a record of the amount of cucumbers handled under exemption certificates, a record of appeals for reconsideration of applications, and such information as may be requested by the Secretary. Periodic reports on such records shall be compiled and issued by the committee upon request of the Secretary.

(b) The Secretary shall have the right to modify, change, alter, or rescind any procedure and any exemptions granted pursuant to §§ 1015.65, 1015.66, 1015.67, 1015.68, or any combination thereof.

EFFECTIVE TIME AND TERMINATION

§ 1015.70 *Effective time.* The provisions of this subpart, or any amendment thereto, shall become effective at such time as the Secretary may declare and shall continue in force until terminated in one of the ways specified in this subpart.

§ 1015.71 *Termination.* (a) The Secretary may at any time terminate the provisions of this subpart by giving at least one day's notice by means of a press release or in any other manner which he may determine.

(b) The Secretary may terminate or suspend the operations of any or all of the provisions of this subpart whenever he finds that such provisions do not tend to effectuate the declared policy of the act.

(c) The Secretary shall terminate the provisions of this subpart at the end of any fiscal period whenever he finds that such termination is favored by a majority of producers, who during a representative period, have been engaged in the production for market of cucumbers: *Provided*, That such majority has, during such representative period, produced for market more than fifty percent of the volume of such cucumbers produced for market.

(d) The provisions of this subpart shall, in any event, terminate whenever the provisions of the act authorizing them cease to be in effect.

§ 1015.72 *Proceedings after termination.* (a) Upon the termination of the provisions of this subpart the then functioning members of the committee shall continue as joint trustees for the purpose of liquidating the affairs of the committee of all the funds and property then

in the possession of or under control of the committee, including claims for any funds unpaid or property not delivered at the time of such termination. Action by said trusteeship shall require the concurrence of a majority of the said trustees.

(b) The said trustees shall continue in such capacity until discharged by the Secretary; shall, from time to time, account for all receipts and disbursements and deliver all property on hand, together with all books and records of the committee and of the trustees, to such person as the Secretary may direct; and shall, upon request of the Secretary, execute such assignments or other instruments necessary or appropriate to vest in such person full title and right to all of the funds, property, and claims vested in the committee or the trustees pursuant to this subpart.

(c) Any person to whom funds, property, or claims have been transferred or delivered by the committee or its members pursuant to this section, shall be subject to the same obligations imposed upon the members of the committee and upon the said trustees.

§ 1015.73 *Effect of termination or amendment.* Unless otherwise expressly provided by the Secretary, the termination of this subpart or of any regulation issued pursuant to this subpart, or the issuance of any amendments to either thereof, shall not (a) affect or waive any right, duty, obligation, or liability which shall have arisen or which may thereafter arise in connection with any provision of this subpart or any regulation issued under this subpart, or (b) release or extinguish any violation of this subpart or of any regulations issued under this subpart, or (c) affect or impair any rights or remedies of the Secretary or of any other person with respect to any such violations.

REPORTS

§ 1015.80 *Reports.* Upon request of the committee, made with approval of the Secretary, each handler shall furnish to the committee, in such manner and at such time as it may prescribe, such reports and other information as may be necessary for the committee to perform its duties under this part.

(a) Such reports may include, but are not necessarily limited to, the following: (1) The quantities of cucumbers received by a handler; (2) the quantities disposed of by him, segregated as to the respective quantities subject to regulation and not subject to regulation; (3) the date of each such disposition and the identification of the carrier transporting such cucumbers; and (4) identification of the inspection certificates and the exemption certificates, if any, pursuant to which the cucumbers were handled, together with the destination of each exempted disposition, and of all cucumbers handled pursuant to §§ 1015.53 and 1015.54.

(b) All such reports shall be held under appropriate protective classification and custody by the committee, or duly appointed employees thereof, so that the information contained therein which may adversely affect the competi-

tive position of any handler in relation to other handlers will not be disclosed. Compilations of general reports from data submitted by handlers is authorized, subject to prohibition of disclosure of individual handlers identities or operations.

(c) Each handler shall maintain for at least two succeeding years such records of the cucumbers received and disposed of by such handler as may be necessary to verify the reports he submits to the committee pursuant to this section.

MISCELLANEOUS PROVISIONS

§ 1015.81 *Compliance.* Except as provided in this part, no handler shall handle cucumbers, the handling of which has been prohibited by the Secretary in accordance with provisions of this part, and no handler shall handle cucumbers except in conformity to the provisions of this part.

§ 1015.82 *Right of the Secretary.* The members of the committee (including successors and alternates), and any agent or employee appointed or employed by the committee, shall be subject to removal or suspension by the Secretary at any time. Each and every order, regulation, decision, determination or other act of the committee shall be subject to the continuing right of the Secretary to disapprove of the same at any time. Upon such disapproval, the disapproved action of the said committee shall be deemed null and void, except as to acts done in reliance thereon or in compliance therewith prior to such disapproval by the Secretary.

§ 1015.83 *Duration of immunities.* The benefits, privileges, and immunities conferred upon any person by virtue of this subpart shall cease upon the termination of this subpart, except with respect to acts done under and during the existence of this subpart.

§ 1015.84 *Agents.* The Secretary may, by designation in writing, name any person, including any officer or employee of the United States, or name any agency in the United States Department of Agriculture, to act as his agent or representative in connection with any of the provisions of this subpart.

§ 1015.85 *Derogation.* Nothing contained in this subpart is, or shall be construed to be, in derogation or in modification of the rights of the Secretary or of the United States to exercise any powers granted by the act or otherwise, or, in accordance with such powers, to act in the premises whenever such action is deemed advisable.

§ 1015.86 *Personal liability.* No member or alternate of the committee nor any employee or agent thereof, shall be held personally responsible, either individually or jointly with others, in any way whatsoever, to any handler or to any person for errors in judgment, mistakes, or other acts, either of commission or omission, as such member, alternate, agent, or employee, except for acts of dishonesty, willful misconduct, or gross negligence.

§ 1015.87 *Separability.* If any provision of this subpart is declared invalid, or the applicability thereof to any person, circumstance, or thing is held invalid, the validity of the remainder of this subpart, or the applicability thereof to any other person, circumstance, or thing, shall not be affected thereby.

§ 1015.88 *Amendments.* Amendments to this subpart may be proposed, from time to time, by the committee or by the Secretary.

§ 1015.89 *Counterparts.* This agreement may be executed in multiple counterparts and when one counterpart is signed by the Secretary all such counterparts shall constitute, when taken together, one and the same instrument as if all signatures were contained in one original.¹

§ 1015.90 *Additional parties.* After the effective date hereof, any handler who has not previously executed this agreement may become a party hereto if a counterpart hereof is executed by him and delivered to the Secretary. This agreement shall take effect as to such new contracting party at the time such counterpart is delivered to the Secretary, and the benefits, privileges, and immunities conferred by this agreement shall then be effective as to such new contracting party.¹

§ 1015.91 *Order with marketing agreement.* Each signatory handler favors and approves the issuance of an order by the Secretary regulating the handling of cucumbers in the same manner as is provided for in this agreement; and each signatory handler hereby requests the Secretary to issue, pursuant to the act, such an order.¹

Copies of this notice may be obtained from the Hearing Clerk, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 23d day of April 1956.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 56-3258; Filed, Apr. 25, 1956;
8:53 a. m.]

FEDERAL TRADE COMMISSION

[16 CFR Ch. I]

[File No. 496]

TRADE PRACTICE RULES FOR THE PLASTICS HOUSEWARES INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by or having an interest in the proposed trade practice rules for the plastics

¹Applicable only to the proposed marketing agreement.

housewares industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 9, 1956. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., d. s. t., May 9, 1956, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through these proceedings is composed of persons, firms, corporations, and organizations engaged in the manufacture, design, offering for sale, sale, and distribution of plastics housewares, which include, but are not limited to, articles such as the following: Bowls, breadboxes, butter dishes, cake dishes, canister sets, cheese slicers, clothesline reels, clothespins, coasters, coat hangers, cookie jars, defroster trays, egg trays, flavor servers, forks, funnels, knives, measuring spoons, napkin holders, necktie racks, paper-towel holders, potato mashers, refrigerator boxes, refrigerator dishes, salt and pepper shakers, scoops, scourers, shoe racks, sink strainers, silverware trays, soap dishes, straws, tea strainers, toilet-paper holders, towel racks and holders, tumblers, utility trays, and waste baskets, which are molded of plastics. Not included as products of the industry are melamine dinnerware or articles made from thermoplastic film.

These proceedings were instituted pursuant to an industry application and have for their purpose the establishment of a comprehensive set of trade practice rules directed to the maintenance of fair competitive conditions in the industry and to the elimination and prevention of such acts and practices as are deemed violative of statutes administered by the Federal Trade Commission. A general trade practice conference for the industry was held in Washington, D. C., and this announced hearing constitutes a further step in the proceedings.

Of the Group II rules included in the tentative draft of rules considered at the conference, Rules A, B, C, and E thereof have been omitted in the draft of proposed rules for the reason that the same are of the type presently the subject of general study by the Commission. If, after completion of such study, it is determined that provisions of this type may be included as Group II rules for industries, an opportunity will

then be afforded to the members of this industry to have such rules included.

Issued: April 23, 1956.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-3236; Filed, Apr. 25, 1956;
8:49 a. m.]

[16 CFR Ch. I]

[File No. 491]

TRADE PRACTICE RULES FOR THE BLUEPRINT AND DIAZOTYPE COATERS INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJECTIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, affected by or having an interest in the proposed trade practice rules for the blueprint and diazotype coaters industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit, and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 14, 1956.

Opportunity to be heard orally in the matter will be afforded at the hearing commencing at 10 a. m., e. d. s. t., May 14, 1956, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard.

After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through this proceeding consists of persons, firms, corporations, and organizations engaged in the coating and sale of blueprint and/or diazotype light-sensitive paper, cloth, film, or other material, used for reproducing engineering and architectural drawings, designs, formulae, and office or business communications.

Proceedings looking to the promulgation of trade practice rules for this industry were instituted pursuant to an industry application. The rules are directed to the maintenance of fair competitive conditions in the industry and full protection of the purchasing public. A general trade practice conference was held in Chicago, Illinois, on November 21, 1955, at which rules were proposed for Commission consideration. The announced hearing constitutes a further step in the proceedings.

No Group II rules have been included for the reason that the Group II rules

recommended by the industry are of a type presently the subject of general study by the Commission. If, after completion of such study, it is determined that provisions of this type may be included as Group II rules for industries, an opportunity then will be afforded to the members of this industry to have such rules included.

Issued: April 23, 1956.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-3237; Filed, Apr. 25, 1956;
8:49 a. m.]

[16 CFR Ch. I]

[File No. 467]

TRADE PRACTICE RULES FOR THE MELAMINE DINNERWARE INDUSTRY

NOTICE OF HEARING AND OF OPPORTUNITY TO PRESENT VIEWS, SUGGESTIONS, OR OBJEC- TIONS

Opportunity is hereby extended by the Federal Trade Commission to any and all persons, firms, corporations, organizations, or other parties, including farm, labor, and consumer groups, affected by

or having an interest in the proposed trade practice rules for the melamine dinnerware industry, to present to the Commission their views concerning said rules, including such pertinent information, suggestions, or objections as they may desire to submit and to be heard in the premises. For this purpose they may obtain copies of the proposed rules upon request to the Commission. Such views, information, suggestions, or objections may be submitted by letter, memorandum, brief, or other communication, to be filed with the Commission not later than May 10, 1956. Opportunity to be heard orally will be afforded at the hearing beginning at 10 a. m., d. s. t., May 10, 1956, in Room 332, Federal Trade Commission Building, Pennsylvania Avenue at Sixth Street NW., Washington, D. C., to any such persons, firms, corporations, organizations, or other parties, who desire to appear and be heard. After due consideration of all matters presented in writing or orally, the Commission will proceed to final action on the proposed rules.

The industry for which trade practice rules are sought to be established through these proceedings is composed of persons, firms, corporations, and organizations engaged in the manufacture, design, distribution, or sale of melamine molded dinnerware.

These proceedings were instituted pursuant to an industry application and have for their purpose the establishment of a comprehensive set of trade practice rules directed to the maintenance of fair competitive conditions in the industry and to the elimination and prevention of such acts and practices as are deemed violative of statutes administered by the Federal Trade Commission. A general trade practice conference for the industry was held in Washington, D. C., and this announced hearing constitutes a further step in the proceedings.

Of the Group II rules included in the tentative draft of rules considered at the conference, Rules A, C, and D thereof have been omitted in the draft of proposed rules for the reason that the same are of the type presently the subject of general study by the Commission. If, after completion of such study, it is determined that provisions of this type may be included as Group II rules for industries, an opportunity will then be afforded to the members of this industry to have such rules included.

Issued: April 23, 1956.

By direction of the Commission.

[SEAL] ROBERT M. PARRISH,
Secretary.

[F. R. Doc. 56-3238; Filed, Apr. 25, 1956;
8:49 a. m.]

NOTICES

DEPARTMENT OF THE TREASURY

Bureau of Customs

[426.8311]

RIFLE BARRELS WHEN IMPORTED ASSEMBLED WITH RIFLE ACTIONS

NOTICE OF PROSPECTIVE SEPARATE TARIFF CLASSIFICATION

APRIL 20, 1956.

It appears probable that a correct interpretation of paragraph 365, Tariff Act of 1930, requires that barrels although imported assembled with rifle actions be separately classified under the provision for "barrels for * * * rifles, further advanced in manufacture than rough bored only" at a rate of duty higher than that heretofore assessed under an established and uniform practice on such rifle barrels when so imported.

Pursuant to § 16.10a (d) of the Customs Regulations (19 CFR 16.10a (d)), notice is hereby given that the existing uniform practice of considering barrels imported assembled with rifle actions as a single tariff entity and classifying the whole under paragraph 365, Tariff Act of 1930, as parts of rifles is under review in the Bureau of Customs.

Consideration will be given to any relevant data, views, or arguments pertaining to the correct tariff classification of barreled rifle actions which are submitted in writing to the Bureau of Customs, Washington 25, D. C. To assure consideration of such communications,

they must be received in the Bureau not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL] RALPH KELLY,
Commissioner of Customs.

[F. R. Doc. 56-3253; Filed, Apr. 25, 1956;
8:51 a. m.]

[443.7]

BICYCLE ACCESSORIES AND LAMPS IMPORTED WITH BICYCLES

NOTICE OF PROSPECTIVE TARIFF CLASSIFICATION

APRIL 20, 1956.

It appears probable that a correct interpretation of paragraph 371, Tariff Act of 1930, as modified, requires (1) that bicycle accessories imported with complete bicycles be treated as separate tariff entities and be classified in the same manner as though imported separately, and (2) that since bicycle lamps are parts of bicycles, following the principle of C. D. 556, as distinguished from accessories, their weight should be taken into account in determining the weight of the bicycle for the purposes of paragraph 371, as modified.

Such an interpretation would result in some instances in a rate of duty higher than that heretofore assessed on bicycle accessories and bicycles under an established and uniform practice.

For instance, if the weight of a bicycle lamp causes a bicycle having wheels over 25 inches in diameter, not designed for use with tires having a cross-sectional diameter of over 1½ inches, valued over \$16.66%, to weigh 36 pounds or more, the rate applicable to the bicycle would be 22½ percent ad valorem rather than 11¼ percent ad valorem. The lamp which is assessed with duty at the rate applied to the bicycle with which it is an entirety would be subject to the changed rate applicable to the bicycle.

In the case of accessories, such as the luggage carriers or kick stands in common use, the rate would change from the bicycle rate applicable under the provisions of paragraph 371, as modified, which is 11¼ percent or 30 percent ad valorem in some instances, to 22½ percent ad valorem under the provisions of paragraph 397 of the tariff act, as modified. The rates of duty applicable to other accessories would vary according to the character of the accessories.

Pursuant to § 16.10a (d) of the Customs Regulations (19 CFR 16.10a (d)), notice is hereby given that the Bureau of Customs has under review the existing uniform practices of (1) classifying bicycle accessories at the rates applicable under the provisions of paragraph 371, Tariff Act of 1930, as modified, to the bicycles with which they are imported, and (2), of not including the weight of bicycle lamps in the weight of the bicycles for the purposes of paragraph 371.

Consideration will be given to any relevant data, views, or arguments pertaining thereto which are submitted in writing to the Commissioner of Customs, Bureau of Customs, Washington 25, D. C., and received not later than 30 days from the date of publication of this notice in the FEDERAL REGISTER. No hearings will be held.

[SEAL]

RALPH KELLY,
Commissioner of Customs.

[F. R. Doc. 56-3254; Filed, Apr. 25, 1956;
8:51 a. m.]

DEPARTMENT OF JUSTICE Immigration and Naturalization Service

STATEMENT OF ORGANIZATION

MISCELLANEOUS AMENDMENTS

Effective upon publication in the FEDERAL REGISTER, the following amendments to the Statement of Organization of the Immigration and Naturalization Service (19 F. R. 8071, December 8, 1954), as amended, are prescribed:

1. The first sentence of paragraph (a) *Regional Offices* of section 1.51 *Field Service* is amended to read as follows: "The Northeast Regional Office, located in Burlington, Vermont, has jurisdiction over districts 1, 2, 3, 7, 21, 22, and 23, and the United States Immigration Station located at Hamilton, Bermuda."

2. District 17 of paragraph (b) *District Offices* of section 1.51 *Field Service* is amended to read as follows:

17. *Honolulu, T. H.* The district office in Honolulu, Territory of Hawaii, has jurisdiction over the Territory of Hawaii and Guam, Mariana Islands.

3. Paragraph (c) of section 1.51 *Field Service* is amended to read as follows:

(c) *Suboffices.* The following offices, in addition to the facilities maintained at Class A ports of entry listed in subparagraph (2), indicated by an asterisk, are designated as suboffices:

(1) Interior locations.

Albany, N. Y.
Albuquerque, N. Mex.
Boise, Idaho.
Cincinnati, Ohio.
Fairbanks, Alaska.
Fresno, Calif.
Hammond, Ind.
Manchester, N. H.
Memphis, Tenn.
Pittsburgh, Pa.
Phoenix, Ariz.
Reno, Nev.
Sacramento, Calif.
Salt Lake City, Utah.
St. Louis, Mo.
Spokane, Wash.
Syracuse, N. Y.

(2) *Ports of entry for aliens arriving by vessel or by land transportation.* Subject to the limitations prescribed in this subparagraph, the following places are hereby designated as ports of entry for aliens arriving by any means of travel other than aircraft. The designation of such a port of entry may be withdrawn whenever, in the judgment of the Commissioner, such action is warranted.

The ports are listed according to location by districts and are designated either Class A, Class B, or Class C. Class A means that the port is a designated port of entry for all aliens. Class B means that the port is a designated port of entry for aliens who at the time of applying for admission are lawfully in possession of valid resident aliens' border-crossing identification cards or valid nonresident aliens' border-crossing identification cards or are admissible without documents under the documentary waivers contained in 8 CFR 212.3 (a) (1) and (2). Class C means that the port is a designated port of entry only for aliens who are arriving in the United States as crewmen as that term is defined in section 101 (a) (10) of the act with respect to vessels.

DISTRICT NO. 1—ST. ALBANS, VT.

CLASS A

*Alburg, Vt.
*Alburg Springs, Vt.
*Beebe Plain, Vt.
*Beecher Falls, Vt.
*Canaan, Vt.
*Derby Line, Vt.
*East Richford, Vt.
*Highgate Springs, Vt.
*Newport, Vt.
*North Troy, Vt.
*Norton, Vt.
*Richford, Vt.
*St. Albans, Vt.
*West Berkshire, Vt.

CLASS B

Morses Line, Vt.

DISTRICT NO. 2—BOSTON, MASS.

CLASS A

Boston, Mass. (the port of Boston includes, among others, the port facilities at Braintree, Cambridge, Chelsea, Everett, Medford, Quincy, Somerville, and Weymouth, Mass.)
Gloucester, Mass.
New Bedford, Mass.
Connecticut Lakes, N. H.
*Providence, R. I.

CLASS C

Beverly, Mass.
Buzzards Bay, Mass.
Danvers, Mass.
Fairhaven, Mass.
Fall River, Mass.
Lynn, Mass.
Marblehead, Mass.
Nantucket, Mass.
Newburyport, Mass.
Oak Bluffs, Mass.
Plymouth, Mass.
Provincetown, Mass.
Salem, Mass.
Scituate, Mass.
Somerset, Mass.
Woods Hole, Mass.
Portsmouth, N. H.
Davisville, R. I.
Melville, R. I.
Newport, R. I.
Quonset Point, R. I.

DISTRICT NO. 3—NEW YORK, N. Y.

CLASS A

New York, N. Y. (the port of New York includes, among others, the port facilities at Bayonne, Carteret, Elizabeth, Elizabethport, Guttenberg, Hoboken, Jersey City, Linden, Newark, Perth Amboy, Port Newark, Sayreville, Sewaren, and Weehawken, N. J.; and at Poughkeepsie and Yonkers, N. Y.).

DISTRICT NO. 4—PHILADELPHIA, PA.

CLASS A

*Erie, Pa.
Philadelphia, Pa. (the port of Philadelphia includes, among others, the port facilities at Delaware City, Lewes, New Castle, and Wilmington, Del.; at Artificial Island, Billingsport, Camden, Deepwater Point, Fisher's Point, Gibbstown, Gloucester City, Paulsboro, and Trenton, N. J.; and at Chester, Essington, Fort Mifflin, Marcus Hook, and Morrisville, Pa.).

DISTRICT NO. 5—BALTIMORE, MD.

CLASS A

Baltimore, Md.

CLASS C

Piney Point, Md.

DISTRICT NO. 6—MIAMI, FLA.

CLASS A

Apalachicola, Fla.
Bocagrande, Fla.
Fernandina, Fla.
Fort Pierce, Fla.
*Jacksonville, Fla.
*Key West, Fla.
Miami, Fla.
Panama City, Fla.
Pensacola, Fla.
*Port Everglades, Fla. (Ft. Lauderdale).
St. Augustine, Fla.
*Tampa, Fla.
*West Palm Beach, Fla.

CLASS C

Carrabelle, Fla.
Port St. Joe, Fla.
St. Petersburg, Fla.

DISTRICT NO. 7—BUFFALO, N. Y.

CLASS A

Alexandria Bay, N. Y.
Buffalo, N. Y.
Cape Vincent, N. Y.
*Champlain, N. Y.
*Chateaugay, N. Y.
Clayton, N. Y.
*Fort Covington, N. Y.
Lewiston, N. Y.
Malone, N. Y.
*Mooers, N. Y.
Morristown, N. Y.
*Niagara Falls, N. Y.
*Ogdensburg, N. Y.
Oswego, N. Y.
Rochester, N. Y.
*Rooseveltown, N. Y.
*Rouses Point, N. Y.
*Thousand Island Bridge, N. Y.
*Trout River, N. Y.
Waddington, N. Y.
Youngstown, N. Y.

CLASS B

Cannons Corners, N. Y.
Churubusco, N. Y.
Hogansburg, N. Y.
Jamison's Line, N. Y.
Thousand Island Park, N. Y. (June, July, and August only).

CLASS C

Dunkirk, N. Y.
Sodus Point, N. Y.

DISTRICT NO. 8—DETROIT, MICH.

CLASS A

*Algonac, Mich.
Detroit, Mich.
Isle Royale, Mich.
*Marine City, Mich.
Marysville, Mich.
*Port Huron, Mich.
*Roberts Landing, Mich.
*St. Clair, Mich.
*Sault Ste. Marie, Mich.

CLASS B
 Detour, Mich.
 Mackinac Island, Mich.

CLASS C
 Alpena, Mich.
 Baraga, Mich.
 Bay City, Mich.
 Detour, Mich.
 Escanaba, Mich.
 Grand Haven, Mich.
 Holland, Mich.
 Houghton, Mich.
 Mackinac Island, Mich.
 Manistee, Mich.
 Marquette, Mich.
 Menominee, Mich.
 Munising, Mich.
 Muskegon, Mich.
 Port Island, Mich.
 Rogers City (Calcite), Mich.
 Saginaw, Mich.
 South Haven, Mich.

DISTRICT NO. 9—CHICAGO, ILL.

CLASS A
 Chicago, Ill.
 Green Bay, Wis.
 Milwaukee, Wis.

CLASS C
 East Chicago, Ind.
 Gary, Ind.
 Michigan City, Ind.
 Algoma, Wis.
 Ashland, Wis.
 Bayfield, Wis.
 Kenosha, Wis.
 Kewaunee, Wis.
 Manitowoc, Wis.
 Marinette, Wis.
 Oconto, Wis.
 Peshtigo, Wis.
 Port Washington, Wis.
 Racine, Wis.
 Sheboygan, Wis.
 Sturgeon Bay, Wis.
 Washburn, Wis.

DISTRICT NO. 10—ST. PAUL, MINN.

CLASS A
 Baudette, Minn.
 Duluth, Minn. (the port of Duluth includes, among others, the port facilities of Superior, Wis.).
 International Falls, Minn.
 Lancaster, Minn.
 Noyes, Minn.
 Pigeon River, Minn.
 Pine Creek, Minn.
 Ranier, Minn.
 Roseau, Minn.
 Warroad, Minn.
 Winton, Minn.
 Ambrose, N. Dak.
 Antler, N. Dak.
 Carbury, N. Dak.
 Dunselth, N. Dak.
 Fortuna, N. Dak.
 Hannah, N. Dak.
 Hansboro, N. Dak.
 Maida, N. Dak.
 Neche, N. Dak.
 Noonan, N. Dak.
 Northgate, N. Dak.
 Pembina, N. Dak.
 Portal, N. Dak.
 St. John, N. Dak.
 Saries, N. Dak.
 Sherwood, N. Dak.
 Walhalla, N. Dak.
 Westhope, N. Dak.

CLASS B
 Crane Lake, Minn.
 Gunflint Lake, Minn.
 Indus, Minn.
 Oak Island, Minn.
 Lake Metegoshe, N. Dak.

CLASS C
 Grand Marais, Minn.
 Two Harbors, Minn.

DISTRICT NO. 12—SEATTLE, WASH.

CLASS A
 Aberdeen, Wash. (the port of Aberdeen includes, among others, the port facilities at South Bend and Raymond, Wash.).
 Anacortes, Wash.
 Bellingham, Wash.
 Blaine, Wash.
 Danville, Wash.
 Ferry, Wash.
 Friday Harbor, Wash. (the port of Friday Harbor includes, among others, the port facilities at Roche Harbor, Wash.).
 Laurier, Wash.
 Longview, Wash.
 Lynden, Wash.
 Metaline Falls, Wash.
 Neah Bay, Wash.
 Northport, Wash.
 Olympia, Wash.
 Oroville, Wash.
 Port Angeles, Wash.
 Port Townsend, Wash.
 Seattle, Wash. (the port of Seattle includes, among others, the port facilities at Bangor, Blake Island, Bremerton, Eagle Harbor, Edmonds, Everett, Holmes Harbor, Houghton, Kennedydale, Keyport, Kingston, Manchester, Mukilteo, Orchard Point, Point Wells, Port Gamble, Port Ludlow, Port Orchard, Poulsbo, Shufleton, and Winslow, Wash.).
 Sumas, Wash.
 Tacoma, Wash. (the port of Tacoma includes, among others, the port facilities at Dupont, Wash.).

CLASS B
 Nighthawk, Wash.
 Point Roberts, Wash.

DISTRICT NO. 13—SAN FRANCISCO, CALIF.

CLASS A
 San Francisco, Calif.
CLASS C
 Eureka, Calif.

DISTRICT NO. 14—SAN ANTONIO, TEX.

CLASS A
 Brownsville, Tex. (the port of Brownsville includes, among others, the port facilities at Port Isabel, Tex.).
 Corpus Christi, Tex. (the port of Corpus Christi includes, among others, the port facilities at Harbor Island and Ingleside, Tex.).
 Del Rio, Tex.
 Eagle Pass, Tex.
 Falcon Heights, Tex.
 Hidalgo, Tex.
 Laredo, Tex.
 Los Ebanos, Tex.
 Progreso, Tex.
 Rio Grande City, Tex.
 Roma, Tex.

CLASS B
 San Ygnacio, Tex.

DISTRICT NO. 15—EL PASO, TEX.

CLASS A
 Columbus, N. Mex.
 El Paso, Tex.
 Fabens, Tex.
 Presidio, Tex.
 Ysleta, Tex.
CLASS B
 Antelope Wells, N. Mex.
 Monument No. 67, Near Cloverdale, N. Mex.
 Boquillas, Tex.
 Candelaria, Tex.
 Castolon, Tex.

Chinati, Tex.
 Port Hancock, Tex.
 Hot Springs, Tex.
 Lajitas, Tex.
 Polovo, Tex.
 Porvenir, Tex.
 Ruidosa, Tex.

DISTRICT NO. 16—LOS ANGELES, CALIF.

CLASS A
 Andrade, Calif.
 Calexico, Calif.
 San Diego, Calif.
 San Luis Obispo, Calif. (the port of San Luis Obispo includes, among others, the port facilities at Avila, Calif.).
 San Pedro, Calif. (this is the port of Los Angeles and includes, among others, the port facilities at El Segundo, Long Beach Harbor Area, and Redondo Beach, Calif.).
 San Ysidro, Calif.
 Tecate, Calif.
 Ventura, Calif. (the port of Ventura includes, among others, the port facilities at Port Hueneme and Elwood, Calif.).

CLASS B
 Campo, Calif.

DISTRICT NO. 17—HONOLULU, T. H.

CLASS A
 Agana, Guam, M. I. (including the port facilities at Apra Harbor, Guam).
 Honolulu, T. H.
CLASS C
 Hilo, T. H.
 Kahului, T. H.
 Nawiliwili, T. H.
 Port Allen, T. H.

DISTRICT NO. 18—TUCSON, ARIZ.

CLASS A
 Douglas, Ariz.
 Lukeville, Ariz.
 Naco, Ariz.
 Nogales, Ariz.
 Sasabe, Ariz.
 San Luis, Ariz.

CLASS B
 Lochial, Ariz.

DISTRICT NO. 20—DALLAS, TEX.

CLASS A
 Beaumont, Tex.
 Freeport, Tex.
 Galveston, Tex. (the port of Galveston includes, among others, the port facilities at Port Bolivar and Texas City, Tex.).
 Houston, Tex. (the port of Houston includes, among others, the port facilities at Baytown, Tex.).
 Port Arthur, Tex. (the port of Port Arthur includes, among others, the port facilities at Orange and Sabine, Tex.).

DISTRICT NO. 22—PORTLAND, MAINE

CLASS A
 Bangor, Maine (the port of Bangor includes, among others, the port facilities at Bar Harbor, Belfast, Brewer, Bucksport, Jonesport, Northeast Harbor, Prospect Harbor, Sandypoint, Seal Harbor, Searsport, and South West Harbor, Maine).
 Bridgewater, Maine.
 Calais, Maine (includes Ferry Point, Union and Milltown Bridges).
 Coburn Gore, Maine.
 Eastport, Maine.
 Fort Fairfield, Maine.
 Fort Kent, Maine.
 Houlton, Maine.
 Jackman, Maine.
 Limestone, Maine.
 Lubec, Maine.
 Madawaska, Maine.
 Portland, Maine.
 Van Buren, Maine.
 Vanceboro, Maine.

CLASS B

Boundary Cottage, Maine.
 Easton, Maine.
 Estcourt, Maine.
 Forest City, Maine.
 Four Falls Road, Maine.
 Hamlin, Maine.
 Hodgdon, Maine.
 Holeb, Maine.
 Knoxford Line Road (Mars Hill), Maine.
 Lake Frontier, Maine.
 Littleton, Maine.
 Monticello, Maine.
 Orient, Maine.
 Robbinston, Maine.
 St. Aurelie, Maine.
 St. Pamphile, Maine.

CLASS C

Bath, Maine.
 Boothbay Harbor, Maine.
 Rockland, Maine.

DISTRICT No. 23—HARTFORD, CONN.

CLASS C

Bridgeport, Conn.
 New Haven, Conn.
 New London, Conn. (includes the port facilities at Groton, Conn.)
 Stamford, Conn.

DISTRICT No. 24—CLEVELAND, OHIO

CLASS A

Cleveland, Ohio.
 *Sandusky, Ohio.
 *Toledo, Ohio.

CLASS C

Ashtabula, Ohio.
 Conneaut, Ohio.
 Fairport, Ohio.
 Huron, Ohio.
 Lorain, Ohio.
 Marblehead, Ohio.

DISTRICT No. 25—WASHINGTON, D. C.

CLASS A

Moorehead City, N. C.
 *Wilmington, N. C.
 *Newport News, Va.
 *Norfolk, Va.

CLASS C

Alexandria, Va.
 Fort Monroe, Va.
 Richmond, Va.
 U. S. Navy Mine Depot, Cheatham Annex, Va.

DISTRICT No. 26—ATLANTA, GA.

CLASS A

*Mobile, Ala.
 *Brunswick, Ga.
 *Savannah, Ga.
 *Charleston, S. C.
 Georgetown, S. C.

CLASS C

Beaufort, S. C. (the port of Beaufort includes Parris Island, Port Royal Island, and adjacent waters).

DISTRICT No. 27—SAN JUAN, P. R.

CLASS A

Aguadilla, P. R.
 Ensenada, P. R.
 Fajardo, P. R.
 Humacao, P. R.
 Jobos, P. R.
 Mayaguez, P. R.
 Ponce, P. R.
 San Juan, P. R.
 Christiansted, St. Croix, V. I.
 Frederiksted, St. Croix, V. I.
 Cruz Bay, St. John, V. I.
 *Charlotte Amalie, St. Thomas, V. I.

DISTRICT No. 28—NEW ORLEANS, LA.

CLASS A

Lake Charles, La.
 New Orleans, La. (the port of New Orleans includes, among others, the port facilities at Avondale, Bell Chasse, Braithwaite, Chalmette, Destrahan, Gretna, Harvey, Marrero, Norco, Port Sulphur, St. Rose, and Westwego, La.).
 Gulfport, Miss.

CLASS C

Baton Rouge, La.
 Morgan City, La.
 Pascagoula, Miss.

DISTRICT No. 30—HELENA, MONT.

CLASS A

*Eastport, Idaho.
 *Porthill, Idaho.
 *Babb, Mont.
 Chief Mountain, Mont. (May-October).
 Del Bonita, Mont.
 Goathaunt Camp, Mont. (May-October).
 *Havre, Mont.
 *Morgan, Mont.
 *Opheim, Mont.
 *Raymond, Mont.
 *Rooseville, Mont.
 *Scobey, Mont.
 *Sweetgrass, Mont.
 *Turner, Mont.
 *Whitetail, Mont.

CLASS B

Trail Creek, Mont.
 Whitlash, Mont.

DISTRICT No. 31—PORTLAND, OREG.

CLASS A

*Astoria, Oreg.
 Coos Bay, Oreg.
 Portland, Oreg.

DISTRICT No. 32—ANCHORAGE, ALASKA

CLASS A

Anchorage, Alaska (the port of Anchorage includes, among others, the port facilities at Seward and Whittier, Alaska).
 Eagle, Alaska (May-September).
 Haines, Alaska.
 *Juneau, Alaska (the port of Juneau includes, among others, the port facilities at Pelican, Sitka, and Taku Inlet, Alaska).
 *Ketchikan, Alaska (the port of Ketchikan includes, among others, the port facilities at Wrangell and Petersburg, Alaska).
 *Skagway, Alaska.
 *Tok Junction, Alaska.

(3) *Ports of entry for aliens arriving by aircraft.* In addition to the following international airports which are hereby designated as ports of entry for aliens arriving by aircraft, other places where permission for certain aircraft to land officially has been given and places where emergency or forced landings are made under 8 CFR 239 shall be regarded as designated for the entry of aliens arriving by such aircraft:

DISTRICT No. 1—ST. ALBANS, VT.

Burlington, Vt., Burlington Municipal Airport.

DISTRICT No. 6—MIAMI, FLA.

Fort Lauderdale, Fla., Broward County Airport.
 Key West, Fla., Meacham Field.
 Miami, Fla., Chalks Flying Service Seaplane Base.
 Miami, Fla., Miami International Airport.
 Tampa, Fla., Tampa International Airport.
 West Palm Beach, Fla., Palm Beach International Airport.

DISTRICT No. 7—BUFFALO, N. Y.

Albany, N. Y., Municipal Airport.
 Buffalo, N. Y., Municipal Airport.
 Malone, N. Y., Malone Dufort Airport.
 Massena, N. Y., Massena Airport.
 Ogdensburg, N. Y., Ogdensburg Harbor.
 Ogdensburg, N. Y., Ogdensburg Municipal Airport.
 Rochester, N. Y., Rochester Municipal Airport.
 Rouses Point, N. Y., Rouses Point Seaplane Base.
 Watertown, N. Y., Watertown Municipal Airport.

DISTRICT No. 8—DETROIT, MICH.

Detroit, Mich., Detroit Municipal Airport.
 Detroit, Mich., Detroit-Wayne Major Airport.
 Port Huron, Mich., St. Clair County Airport.
 Sault Ste. Marie, Mich., Sault Ste. Marie Airport.

DISTRICT No. 9—CHICAGO, ILL.

Chicago, Ill., Chicago Midway Airport.

DISTRICT No. 10—ST. PAUL, MINN.

Baudette, Minn., Baudette Municipal Airport.
 Duluth, Minn., Duluth Municipal Airport.
 Duluth, Minn., Sky Harbor Airport.
 International Falls, Minn., International Falls Municipal Airport.
 Grand Forks, N. Dak., Grand Forks Municipal Airport.
 Pembina, N. Dak., Port Pembina Airport.
 Portal, N. Dak., Portal Airport.

DISTRICT No. 12—SEATTLE, WASH.

Bellingham, Wash., Bellingham Airport.
 Friday Harbor, Wash., Friday Harbor.
 Oroville, Wash., Dorothy Scott Municipal Airport.
 Oroville, Wash., Dorothy Scott Seaplane Base.
 Port Townsend, Wash., Port Townsend Airport.
 Seattle, Wash., Boeing Municipal Air Field.
 Seattle, Wash., Lake Union.
 Spokane, Wash., Felts Field.

DISTRICT No. 14—SAN ANTONIO, TEX.

Brownsville, Tex., Rio Grande Valley International Airport at Brownsville, Tex.
 Eagle Pass, Tex., Eagle Pass Airport.
 Laredo, Tex., Laredo Municipal Airport.

DISTRICT No. 15—EL PASO, TEX.

El Paso, Tex., International Airport.

DISTRICT No. 16—LOS ANGELES, CALIF.

Calexico, Calif., Calexico Municipal Airport.
 San Diego, Calif., San Diego Municipal Airport (Lindbergh Field).

DISTRICT No. 17—HONOLULU, T. H.

Agana, Guam, Mariana Islands, Agana Field.

DISTRICT No. 18—TUCSON, ARIZ.

Douglas, Ariz., Bisbee-Douglas Airport.
 Nogales, Ariz., Nogales International Airport.

DISTRICT No. 22—PORTLAND, MAINE

Caribou, Maine, Caribou Municipal Airport.

DISTRICT No. 24—CLEVELAND, OHIO

Akron, Ohio, Municipal Airport.
 Cleveland, Ohio, Cleveland Hopkins Airport.
 Put in Bay, Ohio, Put in Bay Airport.
 Sandusky, Ohio, John G. Hinde Airport.

DISTRICT No. 30—HELENA, MONT.

Cut Bank, Mont., Cut Bank Airport.
 Great Falls, Mont., Gore Field.
 Havre, Mont., Havre-Hill County Airport.

DISTRICT No. 32—ANCHORAGE, ALASKA

Fort Yukon, Alaska, Fort Yukon Airfield.
 Juneau, Alaska, C. A. A. Field.
 Juneau, Alaska, Juneau Airport.
 Ketchikan, Alaska, Ketchikan Airport.
 Skagway, Alaska, Skagway Municipal Airport.
 Wrangell, Alaska, Wrangell Seaplane Base.

(4) Immigration stations in foreign countries. The following designated United States immigration stations in foreign countries are within the organization of the districts or regions indicated:

NORTHEAST REGION, BURLINGTON, VT.
Hamilton, Bermuda.

DISTRICT No. 1—ST. ALBANS, VT.
Montreal, Quebec, Canada.
Quebec, Quebec, Canada.

DISTRICT No. 7—BUFFALO, N. Y.
Toronto, Ontario, Canada.

DISTRICT No. 10—ST. PAUL, MINN.
Winnipeg, Manitoba, Canada.

DISTRICT No. 12—SEATTLE, WASH.
Vancouver, British Columbia, Canada.
Victoria, British Columbia, Canada.

DISTRICT No. 22—PORTLAND, MAINE
St. John, New Brunswick, Canada.
Yarmouth, Nova Scotia, Canada.

Dated: April 19, 1956.

J. M. SWING,
Commissioner of
Immigration and Naturalization.

[F. R. Doc. 53-3247; Filed, Apr. 25, 1956;
8:50 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

OREGON

ORDER PROVIDING FOR THE OPENING OF
PUBLIC LAND RESTORED FROM AIR-NAVIGATION
SITE WITHDRAWAL NO. 252

APRIL 17, 1956.

Pursuant to the request of the Department of Commerce, Civil Aeronautics Administration, of March 15, 1956, and in accordance with authority delegated to me by Director, Bureau of Land Management by section 2.5 of Order 541, dated April 21, 1954 (19 F. R. 2473, 2476), as amended, it is ordered as follows:

The lands hereinafter described, so far as they are withdrawn by Departmental Order of August 4, 1948, under provision of section 4, of the act of May 24, 1928 (49 U. S. C. Sec. 214) for Air-Navigation Site No. 252, are hereby opened for disposition under the public land laws as provided below.

1.

WILLAMETTE MERIDIAN, OREGON

T. 34 S., R. 39 E.,
Sec. 13: SW $\frac{1}{4}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$.
50.60 acres.

2. The topography of the land is almost level and is at an elevation of 3,500 feet. The soil is a shallow coarse sandy loam frequently intermingled with gravel and rock. The land supports a fair stand of sagebrush, cheat, bunch grass and weeds, and is in the semi-arid region of southeastern Oregon, with an annual precipitation of 10 inches. The land is suitable for the grazing of livestock. Due to the low natural precipitation, lack of irrigation water and poor shallow soil, none of the land is suitable for cultivation.

3. No application for the restored land may be allowed under the homestead, desert land, small tract or any other nonmineral public land law until so classified upon consideration of an application. Any application that is filed will be considered on its merits. The land will not be subject to occupancy or disposition until it has been classified.

4. Subject to any existing valid rights and the requirements of applicable law, the land described in paragraph 1 hereof, is hereby opened to filing of applications, selections and locations in accordance with the following:

(a) Applications and selections under the nonmineral public land laws and applications and offers under the mineral leasing laws may be presented to the Manager mentioned below beginning on the date of this order. Such applications, selections, and offers will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs.

(1) Applications by persons having prior existing settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284) as amended, presented prior to 10:00 a. m. on May 23, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on August 22, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public land laws, other than those coming under paragraphs (1) and (2) above, and applications and offers under the mineral leasing laws, presented prior to 10:00 a. m. on August 22, 1956, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

(b) The lands will be open to location under United States mining laws beginning 10:00 a. m. on August 22, 1956.

Persons claiming veteran's preference rights under paragraph (2) above must enclose with their application, proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference or equitable claims must enclose properly corroborated statements in support of their application, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning these applications shall be addressed to Manager, Land Office, Bureau of Land Management, 1001 Northeast Lloyd Boulevard, Post Office Box 3861, Portland 8, Oregon.

RUSSELL E. GETTY,
Acting State Supervisor.

[F. R. Doc. 56-3221; Filed, Apr. 25, 1956;
8:45 a. m.]

OREGON

RESTORATION ORDER UNDER FEDERAL POWER
ACT

APRIL 17, 1956.

Pursuant to Determination No. DA-444 Oregon, of the Federal Power Commission and in accordance with Order No. 541, section 2.5 of the Director, Bureau of Land Management, approved April 21, 1954 (19 F. R. 2473), as amended, it is ordered as follows:

The lands hereinafter described, so far as they are withdrawn and reserved for power purposes in either Power Site Reserve No. 584 or Water Power Designation No. 3, both dated January 19, 1917, are hereby restored, subject to the provisions of section 24, of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U. S. C. 818), as amended; *Provided, however*, That such restoration shall not affect the withdrawal of any other lands by said order or affect any other orders withdrawing or reserving the land hereinafter described;

WILLAMETTE MERIDIAN, OREGON

T. 39 S., R. 3 E.,
Sec. 3: SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 11: W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 15: S $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 21: N $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$.
440.00 acres.

The lands released from withdrawal by this order shall not become subject to the initiation of any rights or to any disposition under the public land laws until it is so provided by an order of classification to be issued by an authorized officer opening the lands to application under the Small Tract Act of June 1, 1938 (52 Stat. 609; 43 U. S. C. 682a), as amended, with a ninety-one day preference right period for filing such applications by veterans of World War II and other qualified persons entitled to preference under the act of September 27, 1944 (58 Stat. 497; U. S. C. 279-284), as amended.

RUSSELL E. GETTY,
Acting State Supervisor.

[F. R. Doc. 56-3222; Filed, Apr. 25, 1956;
8:46 a. m.]

[C-013293, C-013312, C-013325]

COLORADO

RESTORATION ORDER UNDER FEDERAL POWER
ACT

APRIL 20, 1956.

Pursuant to the following listed determinations of the Federal Power Commission and in accordance with au-

thority delegated to me by the Director, Bureau of Land Management, by section 2.5 of Order No. 541, dated April 21, 1954 (19 F. R. 2473-2476), it is ordered as follows:

Subject to valid existing rights and the provisions of existing withdrawals, the lands hereinafter described, so far as they are withdrawn or reserved for power purposes, are hereby opened to disposition under the public land laws, subject to the provisions of section 24 of the Federal Power Act of June 10,

1920 (41 Stat. 1075; 16 U. S. C. 818), as amended. The lands described in DA-375 are further subject to the prior right of the United States, its licensees or permittees, to use for power purposes those portions of the above-described land within the project boundary of Project No. 2187 as shown on the map designated Exhibit "K" (FPC No. 2187-3) and filed in the office of the Federal Power Commission on June 6, 1955, as part of the application for license for Project No. 2187.

Custom House, Box 1018, Denver 1, Colorado.

MAX CAPLAN,
State Supervisor.

[F. R. Doc. 56-3223; Filed, Apr. 25, 1956;
8:46 a. m.]

GROUP 297, ARIZONA

NOTICE OF FILING OF PLATS OF SURVEY AND ORDER PROVIDING FOR OPENING OF PUBLIC LANDS

APRIL 16, 1956.

Notice is given that the plats of survey accepted November 30, 1955, of T. 2 S., R. 22 E., T. 3 S., R. 16 E., T. 3 S., R. 22 E., T. 3 S., R. 23 E., T. 3 S., R. 24 E., T. 4 S., R. 16 E., T. 4 S., R. 24 E., and T. 7 S., R. 20 E., G. & S. R. B. & M., Arizona, including lands hereinafter described, will be officially filed in the Land Office at Phoenix, Arizona, effective at 10:00 a. m. on the 35th day after the date of this notice:

GILA AND SALT RIVER MERIDIAN, ARIZONA

T. 2 S., R. 22 E.,
Lots 1, 2, 3, 4, Sec. 2;
All Sec. 36.
T. 3 S., R. 16 E.,
Lots 1, 2, 3, 4, S $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 16;
All Sec. 32.
T. 3 S., R. 22 E.,
All Sec. 36.
T. 3 S., R. 23 E.,
Lots 1, 2, 3, 4, 5, S $\frac{1}{2}$ N $\frac{1}{2}$, SW $\frac{1}{4}$, W $\frac{1}{2}$ SE $\frac{1}{4}$,
NE $\frac{1}{4}$ SE $\frac{1}{4}$, (All), Sec. 2;
Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, (All), Sec. 3;
All Sec. 16.
T. 3 S., R. 24 E.,
All Sec. 32.
T. 4 S., R. 16 E.,
Lots 1, 2, 3, 4, 5, W $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$,
(W $\frac{1}{2}$), Sec. 32, N $\frac{1}{2}$, Sec. 36.
T. 4 S., R. 24 E.,
Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, (All), Sec. 2;
All Secs. 32 and 36.
T. 7 S., R. 20 E.,
Lots 1, 2, 3, 4, N $\frac{1}{2}$ S $\frac{1}{2}$ N $\frac{1}{2}$, (All), Sec. 32.

Within the above-described areas are 2,737.66 acres of public lands.

Available data indicates the lands in T. 2 S., R. 22 E. are very rough, with rocky ledges, rocky outcroppings and occasional rocky peaks. The soil is rocky clay and is very poor. The tracts in T. 3 S., R. 16 E. lie for the most part on the south slope of a high, rocky limestone ridge. The soil is rocky clay, and no part of the township is suited for farming. Sec. 36, T. 3 S., R. 22 E. is rolling, the soil is sand and rocky clay, and it is suitable only for grazing. The land in T. 3 S., R. 23 E. is very rocky and rough, and is suitable only for grazing. The soil is rocky and sandy loam. Sec. 32, T. 3 S., R. 24 E. is very high, rough and broken, and is good only for grazing. The soil is rocky loam. The tracts in T. 4 S., R. 16 E. consist mostly of high, rocky ridges and peaks. The soil is rocky, sandy clay, and is used for grazing purposes only. In T. 4 S., R. 24 E., Sec. 2, the land consists of high, rocky ridges and peaks, and Secs. 32 and 36, are made up of rolling, rocky ridges and peaks, and dry washes. The soil is rocky clay, and the only use is for grazing. Sec. 32, T. 7 S., R. 20 E. consists of rolling ridges, and the soil is rocky clay.

Determination No.	Dates and types of withdrawal	Description of Lands
DA-375.....	Power Site Reserve No. 81 of July 2, 1910..... Power Site Reserve No. 542 of Aug. 25, 1916, etc.	6th Principal Meridian, Colo.: T. 4 S., R. 74 W., Sec. 17, SE $\frac{1}{4}$. Unpatented portion.
DA-377.....	Power Site Reserve No. 81 of July 2, 1910.....	T. 3 S., R. 72 W., Sec. 33, S $\frac{1}{2}$ NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
DA-376.....	Power Site Reserve No. 50 of July 2, 1910.....	New Mexico Principal Meridian, Colo.: T. 50 N., R. 1 E., Sec. 4, SE $\frac{1}{4}$ SW $\frac{1}{4}$.

The above described lands contain 320 acres more or less of public land.

The lands described in DA-375 and 377 are near Georgetown and Idaho Springs, Colorado, respectively. The land described in DA-376 is about 5 miles northeast of Gunnison, Colorado, along the Gunnison River. The lands are only moderately accessible and are topographically unfit for agriculture other than grazing. It is unlikely that any of the lands are suitable for homesites.

No application for the lands will be allowed under the homestead, desert-land, small tract, or any other nonmineral public-land law unless the lands have already been classified as valuable or suitable for such type of application, or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

The lands described will be subject to application by the State of Colorado for a period of 90 days beginning April 20 and ending July 20, 1956, for right-of-way for public highways or as a source of material for construction and maintenance of such highways, in accordance with and subject to the provisions of section 24 of the Federal Power Act, as amended.

Subject to any existing rights and the requirements of applicable law, the lands described are hereby opened to filing of applications, selections, and locations in accordance with the following:

a. The lands have been open to location and entry under the United States Mining Laws pursuant to the act of August 11, 1955 (69 Stat. 683; 30 U. S. C. 621), and to applications and offers under the Mineral Leasing Laws. Applications and selections under the nonmineral public-land laws may be presented to the Manager mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the homestead, desert land, and small tract laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284, as amended), presented prior to 10:00 a. m. on May 26, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on August 25, 1956, will be governed by the time of filing.

(3) All valid applications and selections under the nonmineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on August 25, 1956, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

Persons claiming veterans' preference rights under paragraph a (2) above must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries regarding the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, 357 New

Subject to valid, existing rights, the State's title will attach to the following lands upon the official filing of the township plats: Lots 1, 2, 3, 4, Sec. 2, S $\frac{1}{2}$, S $\frac{1}{2}$ N $\frac{1}{2}$, and N $\frac{1}{2}$ NW $\frac{1}{4}$, Sec. 36, T. 2 S., R. 22 E., Lots 1, 2, 3, 4, S $\frac{1}{2}$ S $\frac{1}{2}$, Sec. 16, All Sec. 32, T. 3 S., R. 16 E., N $\frac{1}{2}$, W $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 36, T. 3 S., R. 22 E., Lots 3, 4, S $\frac{1}{2}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ SW $\frac{1}{4}$, and 25.14 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 2, and All Sec. 16, T. 3 S., R. 23 E., All Sec. 32, T. 3 S., R. 24 E., Lots 1, 2, 3, 4, 5, W $\frac{1}{2}$ NW $\frac{1}{4}$, and the NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 32, T. 4 S., R. 16 E., NW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, T. 4 S., R. 24 E., All Sec. 32, T. 4 S., R. 24 E., SW $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 4 S., R. 24 E., and Lots 1, 2, 3, 4, N $\frac{1}{2}$ S $\frac{1}{2}$, N $\frac{1}{2}$, (All), Sec. 32, T. 7 S., R. 20 E.

The N $\frac{1}{2}$, Sec. 36, T. 4 S., R. 16 E. was withdrawn by Executive Order of September 19, 1934, for the San Carlos Indians.

No applications for the remainder of these lands, namely, the N $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 36, T. 2 S., R. 22 E., SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, Sec. 36, T. 3 S., R. 22 E., SW $\frac{1}{4}$ SW $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ SE $\frac{1}{4}$, and 56 acres in the W $\frac{1}{2}$ NE $\frac{1}{4}$, Sec. 2, Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, S $\frac{1}{2}$, (All), Sec. 3, T. 3 S., R. 23 E., Lots 1, 2, 3, 4, S $\frac{1}{2}$ N $\frac{1}{2}$, SE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, SW $\frac{1}{4}$ SW $\frac{1}{4}$, Sec. 2, and W $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SE $\frac{1}{4}$, and the SE $\frac{1}{4}$ SE $\frac{1}{4}$, Sec. 36, T. 4 S., R. 24 E., may be allowed under the homestead, small tract, desert land, or any other non-mineral public land laws, unless the land has already been classified as valuable or suitable for such type of application or shall be so classified upon consideration of an application. Any application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified. At the hour and date specified above the said lands shall, subject to valid existing rights and the provisions of existing withdrawals, become subject to application, petition, location, or selection as follows:

(1) Applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph will be subject to the applications and claims mentioned in this paragraph.

(2) All valid applications under the Homestead, Desert Land, and Small Tract Laws by qualified veterans of World War II or of the Korean Conflict, and by others entitled to preference rights under the act of September 27, 1944 (58 Stat. 747; 43 U. S. C. 279-284 as amended), presented prior to 10:00 a. m. on May 22, 1956, will be considered as simultaneously filed at that hour. Rights under such preference right applications filed after that hour and before 10:00 a. m. on August 21, 1956, will be governed by the time of filing.

All valid applications and selections under the non-mineral public-land laws, other than those coming under paragraphs (1) and (2) above, presented prior to 10:00 a. m. on August 21, 1956, will be considered as simultaneously filed at that hour. Rights under such

applications and selections filed after that hour will be governed by the time of filing.

The lands will be open to mining locations under the United States mining laws beginning at 10:00 a. m. August 21, 1956.

Persons claiming veterans' preference rights must enclose with their applications proper evidence of military or naval service, preferably a complete photostatic copy of the certificate of honorable discharge. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their claims. Detailed rules and regulations governing applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

Inquiries concerning the lands shall be addressed to the Manager, Land Office, Bureau of Land Management, Phoenix, Arizona.

THOS. F. BRITT,

Manager.

[F. R. Doc. 56-3224; Filed, Apr. 25, 1956; 8:46 a. m.]

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

APRIL 20, 1956.

The Department of Territorial Police has filed an application, Serial No. Fairbanks 013140, for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including mining and mineral leasing laws. The applicant desires the land for use as an administrative site.

For a period of 60 days from the date of publication of this notice, persons having cause may present their objections in writing to the undersigned official of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

If circumstances warrant it, a public hearing will be held at a convenient time and place, which will be announced.

The determination of the Secretary on the application will be published in the FEDERAL REGISTER. A separate notice will be sent to each interested party of record.

The lands involved in the application are:

U. S. Survey 2770:
Lots 1 and 2.
Containing 2.49 acres.

ROGER R. ROBINSON,
Alaska Operations Supervisor.

[F. R. Doc. 56-3225; Filed, Apr. 25, 1956; 8:46 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards

Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), and Part 523 of the regulations issued thereunder (29 CFR Part 523), special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. The employment of learners under these certificates is limited to the terms and conditions therein contained and is subject to the provisions of Part 522. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods for certificates issued under general learner regulations (§§ 522.1 to 522.12) are as indicated below; conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 523.20 to 523.24, as amended March 1, 1956, 21 F. R. 1349).

The following learner certificates were issued authorizing the employment of not more than 10 percent of the total number of factory production workers as learners for normal labor turnover purposes:

Amory Garment Co., Inc., South Main and Third Streets, Amory, Miss.; effective 4-11-56 to 4-10-57 (men's pants).

Bay Manufacturing Co., Bay Minette, Ala.; effective 4-6-56 to 4-5-57 (men's slacks).

Belair Manufacturing Co., Williams and Nichols Street, Belair, Md.; effective 4-2-56 to 4-1-57 (rainwear).

Burnley Shirt Corp., 502 22d Avenue, South Meridian, Miss.; effective 4-9-56 to 4-8-57 (men's shirts).

Cluett, Peabody & Co., Inc., Lewistown, Pa.; effective 4-15-56 to 4-14-57 (shirts).

Dunn Manufacturing Co., 211-21 North 13th Street, Philadelphia, Pa.; effective 4-5-56 to 4-4-57 (dresses).

Elder Manufacturing Co., Bloomfield, Mo.; effective 4-13-56 to 4-12-57 (boys' outerwear).

Elder Manufacturing Co., McLeansboro, Ill.; effective 4-16-56 to 4-15-57 (men's shirts).

Elder Manufacturing Co., 13th and Lucas Avenue, St. Louis, Mo.; effective 4-4-56 to 4-3-57 (boys' apparel).

Elder Manufacturing Co., 7025 Pennsylvania Avenue, St. Louis, Mo.; effective 4-4-56 to 4-3-57 (men's shirts).

Elcesser-Haynemann Co., 1161 Mission Street, San Francisco, Calif.; effective 4-4-56 to 4-3-57 (work pants, overalls).

Forest City Manufacturing Co., 1641 Washington Avenue, St. Louis 3, Mo.; effective 4-5-56 to 4-4-57 (dresses).

Glenridge Trouser Corp., Tipton, Mo.; effective 4-17-56 to 4-16-57 (men's trousers).

The H. W. Gossard Co., 220 North Court Street, Sullivan, Ind.; effective 4-4-56 to 4-3-57 (ladies' foundation garments).

Granby Manufacturing Co., Inc., Granby, Mo.; effective 4-18-56 to 4-17-57 (single pants).

Kennebec Manufacturing Co., Inc., Northern Avenue, Gardiner, Maine; effective 4-4-56 to 5-25-56 (boys' pants) (replacement).

Lancaster Garment Co., Inc., 239-241 North Ann Street, Lancaster, Pa.; effective 4-6-56 to 4-5-57 (children's dresses).

Toby Lane, Inc., 1111 Washington Avenue, St. Louis, Mo.; effective 4-4-56 to 4-3-57 (misses' dresses).

Logan Manufacturing Co., North Main Street, Russellville, Ky.; effective 4-4-56 to 4-3-57 (men's work pants).

Loungeray, Inc., Canal Street, Hollidaysburg, Pa.; effective 4-2-56 to 4-1-57 (ladies' robes, negligees).

R. Lowenbaum Manufacturing Co., 2223 Locust Street, St. Louis 3, Mo.; effective 4-4-56 to 4-3-57 (junior dresses).

Mandel Manufacturing Co., 1110 Washington, St. Louis, Mo.; effective 4-4-56 to 4-3-57 (ladies' apparel).

Mode O'Day Corp., Plant No. 3, 59 South First Street, West, Logan, Utah; effective 4-7-56 to 4-6-57 (dresses).

Newberry Garment Co., 319 Caldwell Street, Newberry, S. C.; effective 4-4-56 to 4-3-57 (men's shirts).

M. H. Raab-Meyerhoff Co., Inc., northwest corner Eighth and Dauphin Streets, Philadelphia 33, Pa.; effective 4-2-56 to 4-1-57 (men's shirts).

Regal Shirt Corp., 208 South Third Street, Catawissa, Pa.; effective 4-4-56 to 3-22-57 (men's shirts) (replacement).

Royal Pants Manufacturing Co., Inc., 410 Walnut Street, Perkaskie, Pa.; effective 4-9-56 to 4-8-57 (single pants).

S & S Clothing Co., 44-48 Lehigh Street, Wilkes-Barre, Pa.; effective 4-16-56 to 4-15-57 (men's pants).

William Schwartz & Co., Inc., 22d and Lehigh Avenue, Philadelphia, Pa.; effective 4-9-56 to 4-8-57 (children's sportswear and underwear).

Shawnee Manufacturing Co., Inc., 1324 Lindsay Street, Newberry, S. C.; effective 4-4-56 to 4-3-57 (men's shirts).

Southern Athletic Co., Inc., 111 17th Street, Knoxville, Tenn.; effective 4-2-56 to 4-1-57 (athletic wear).

Southern Manufacturing Co., Plant No. 2, 1202 Broadway, Nashville, Tenn.; effective 4-11-56 to 4-10-57 (men's sport shirts).

Standard Romper Co., Inc., 558 Roosevelt Avenue, Central Falls, R. I.; effective 4-5-56 to 8-1-56 (boys' shirts and pants) (replacement).

Style Rite Robes, Inc., 1531 Washington Avenue, St. Louis 3, Mo.; effective 4-5-56 to 4-4-57 (men's robes).

Tailorcraft Blouses, Inc., 206 Union Street, Taylor, Pa.; effective 4-9-56 to 4-8-57 (ladies' blouses).

Thurmond Manufacturing Co., Inc., Duluth, Ga.; effective 4-9-56 to 4-8-57 (boys' shirts and pajamas).

Thurmond Manufacturing Co., Inc., Monticello, Ga.; effective 4-4-56 to 4-3-57 (boys' shirts and pants).

A. Tumminelli & Sons, Inc., 345 Monroe Street, Passaic, N. J.; effective 4-9-56 to 4-8-57 (men's pants).

Vidalia Garment Co., Ltd., Vidalia, Ga.; effective 4-11-56 to 4-10-57 (men's sport shirts).

Wildman Manufacturing Co., 920 Washington Avenue, St. Louis 1, Mo.; effective 4-5-56 to 4-4-57 (cotton dresses).

The following learner certificates were issued for normal labor turnover purposes and, except as otherwise indicated below, a maximum of 10 learners were authorized:

Apparel Contractors, 808 Washington, St. Louis, Mo.; effective 4-4-56 to 4-3-57; 5 learners (women's apparel).

Fances Free Manufacturing Co., 6609 Oliva Boulevard, St. Louis 5, Mo.; effective 4-5-56 to 4-4-57; 5 learners (maternity wear, undergarments, etc.).

Frager Bros. Manufacturing Co., 615 North Eighth Street, St. Louis 1, Mo.; effective 4-5-56 to 4-4-57; 5 learners (dresses).

Prayne Sportswear Manufacturers, 1911 12th Avenue, Tampa, Fla.; effective 4-4-56 to 4-3-57; 5 learners (women's apparel and beachwear).

Gale-Sobel Co., 1015 Washington Avenue, St. Louis 1, Mo.; effective 4-4-56 to 4-3-57 (work clothes).

The H. W. Gossard Co., Bicknell, Ind.; effective 4-4-56 to 4-3-57; 5 learners (girdles and brassieres).

The H. W. Gossard Co., corner Pine and Jasper, Gwinn, Mich.; effective 4-4-56 to 4-3-57 (brassieres).

Horton Garment Co., Atchison, Kans.; effective 4-4-56 to 4-3-57 (junior dresses).

Malouf Co., No. 1, 517 Jackson Street, Dallas 2, Tex.; effective 4-3-56 to 4-2-57 (women's apparel).

May Belle Co., 923 Washington Avenue, St. Louis, Mo.; effective 4-5-56 to 4-4-57; 5 learners (dresses, ladies' outerwear).

Monroe Garment Co., Southerland Avenue, Monroe, N. C.; effective 4-5-56 to 4-4-57 (work shirts).

National Garment Co., 239 South Boyle Avenue, St. Louis, Mo.; effective 4-6-56 to 4-5-57; 5 learners (men's and children's outerwear).

New Era Shirt Co., 901 Lucas, St. Louis 1, Mo.; effective 4-4-56 to 4-3-57 (ladies' blouses).

The Geo. W. Prior Co., 1531 Wazee Street, Denver, Colo.; effective 4-3-56 to 4-2-57; 5 learners (ladies' shirts).

Sandra Kay, 923 Washington Avenue, St. Louis 1, Mo.; effective 4-5-56 to 4-4-57; 5 learners (ladies' apparel).

Strouse Baer Co., 110 South Paca Street, Baltimore 1, Md.; effective 4-2-56 to 4-1-57 (boys' wash clothes).

Tompkinsville Garment Co., K. W. Pollocks d/b/a, Tompkinsville, Ky.; effective 4-13-56 to 4-12-57 (dungarees).

Turner Sportswear Co., 107 12th Avenue, Nashville, Tenn.; effective 4-17-56 to 4-16-57 (men's sport shirts).

The following learner certificates were issued for plant expansion purposes. The number of learners authorized is indicated:

Ackerman Manufacturing Co., Ackerman, Miss.; effective 4-5-56 to 8-31-56; 40 learners (work shirts) (supplemental certificate).

Chester Manufacturing Co., Inc., Chester, S. C.; effective 4-6-56 to 8-31-56; 35 learners (men's dress shirts) (supplemental certificate).

Danville Properties, Inc., North Main Street, corner Parkland Drive, Danville, Va.; effective 4-4-56 to 10-3-56; 15 learners (children's outerwear).

Devil Dog Manufacturing Co., Inc., Zebulon, N. C.; effective 4-4-56 to 10-3-56; 25 learners (children's outerwear).

Etowah Garment Co., Inc., Etowah, Tenn.; effective 4-5-56 to 8-31-56; 100 learners (utility shirts, jackets, etc.) (supplemental certificate).

Mid-American Manufacturing Co., Inc., 304 South First Street, Ponca City, Okla.; effective 4-5-56 to 10-4-56; 20 learners (jeans).

Oklahoma Clothing Manufacturing, Inc., Wewoka, Okla.; effective 4-6-56 to 10-5-56; 15 learners (boys' jeans) (supplemental certificate).

Pendleton Woolen Mills, 8816 Southeast 17th Avenue, Portland 2, Ore.; effective 4-4-56 to 10-3-56; 50 learners (men's, ladies' slacks, shorts).

Roberta Manufacturing Co., Inc., Roberta, Ga.; effective 4-9-56 to 10-8-56; 25 learners (girl's shirts).

Twin Rivers Manufacturing Co., Inc., River Street, Franklin, N. H.; effective 4-4-56 to 10-3-56; 20 learners (dresses).

Cigar Industry Learner Regulations (29 CFR 522.80 to 522.85, as amended March 1, 1956, 21 F. R. 629).

DWG Cigar Corp., 214-16 Broadway, Findlay, Ohio; effective 4-5-56 to 8-31-56; 25 additional learners for plant expansion purposes (supplemental certificate).

Glove Industry Learner Regulations (29 CFR 522.60 to 522.65, as amended March 1, 1956, 21 F. R. 581).

Boss Manufacturing Co., Oneida, Tenn.; effective 4-9-56 to 10-8-56; 50 learners for plant expansion purposes (work gloves).

Dinberg Glove Corp., 215 Gilbert Street, Ogdensburg, N. Y.; effective 4-4-56 to 4-3-57; 5 learners for normal labor turnover purposes (lined leather gloves).

Hosiery Industry Learner Regulations (29 CFR 522.40 to 522.43, as amended March 1, 1956, 21 F. R. 629).

H. W. Anthony Co., Straoustown, Pa.; effective 4-2-56 to 4-1-57; 4 learners for normal labor turnover purposes.

Frances Seaming & Mending Co., Route 6, Burlington, N. C.; effective 4-5-56 to 4-4-57; 3 learners for normal labor turnover purposes.

Glen Raven Knitting Mills, Inc., Altamaha, N. C.; effective 4-6-56 to 4-5-57; 5 percent of factory production workers for normal labor turnover purposes.

Independent Telephone Industry Learner Regulations (29 CFR 522.70 to 522.74, as amended March 1, 1956, 21 F. R. 581).

Hot Springs Telephone Co., Truth or Consequences, N. Mex.; effective 4-5-56 to 4-4-57.

Knitted Wear Industry Learner Regulations (29 CFR 522.30 to 522.35, as amended March 1, 1956, 21 F. R. 581).

The following learner certificates were issued for normal labor turnover purposes:

Blakely Manufacturing Co., Inc., 310 South Blakely Street, Dunmore, Pa.; effective 4-4-56 to 4-3-57; 5 learners (knit and woven slips and petticoats).

Eagle Beef Cloth Co., Inc., 276 Newport Street, Brooklyn, N. Y.; effective 4-2-56 to 2-28-57; 5 percent of the total number of factory production workers (stockinette and tubing) (replacement certificate).

Devon Knitting Mills, Bechtelville R. F. D. No. 1, Eshbach, Pa.; effective 4-2-56 to 4-1-57; 4 learners (knit athletic shirts).

Iredell Knitting Mills, Inc., Statesville, N. C.; effective 4-6-56 to 4-5-57; 5 learners (children's knit and woven garments).

Modern Lingerie, Inc., 333 Hamilton Street, Allentown, Pa.; effective 4-9-56 to 4-8-57; 5 learners (ladies' slips).

Saluda Corp., Saluda, S. C.; effective 4-5-56 to 4-4-57; 5 percent of the total number of factory production workers (men's underwear).

A. H. Schreiber Co., Inc., Mount Holly Division, Washington Street, Mount Holly, N. J.; effective 4-1-56 to 2-28-57; 5 percent of the total number of factory production workers (ladies' underwear) (replacement certificate).

Shoe Industry Learner Regulations (29 CFR 522.50 to 522.55, as amended March 1, 1956, 21 F. R. 1195).

Muskin Shoe Co., Pine Street, Millersburg, Pa.; effective 4-4-56 to 4-4-57; 10 percent of factory production workers for normal labor turnover purposes.

Oxford Slipper Co., Inc., 448 East Eighteenth Street, Paterson, N. J.; effective 4-5-56 to 4-4-57; 10 learners for normal labor turnover purposes.

Riverside Shoe Corp., Millersburg, Pa.; effective 4-6-56 to 4-5-57; 10 percent of factory production workers for normal labor turnover purposes.

Regulations applicable to the Employment of Learners (29 CFR 522.1 to 522.12,

as amended February 28, 1955, 20 F. R. 645).

The following learner certificates were issued for normal labor turnover purposes to the companies listed below manufacturing miscellaneous products. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as follows:

Acme Pad Co., 31-37 East Lee Street, Baltimore, Md.; effective 4-6-56 to 10-4-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupation of sewing machine operator; authorizing the employment of 2 learners (shoulder pads).

Chic Bag Co., Bethlehem, Pa.; effective 4-3-56 to 10-2-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of stitching machine operator, hand cutter, parer, and framer; not less than 85 cents per hour for a maximum of 160 hours, for the occupations of die and clicker machine operator, automatic paring machine operator, and pocketbook makers' helper; authorizing the employment of 10 percent of factory production workers as learners (ladies' handbags).

Consolidated Airplane Luggage Manufacturing Corp., 1058 Brown Street, Peekskill, N. Y.; effective 4-3-56 to 10-2-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of stitching machine operator, hand cutter, liner, coverer, assembler, and finisher, and woodworking machine operator; not less than 85 cents per hour for a maximum of 160 hours, for the occupation of die and clicker machine operator; authorizing the employment of 5 learners (luggage).

Daniels Manufacturing Co., Inc., 5403 18th Avenue, Brooklyn, N. Y.; effective 4-3-56 to 10-2-56; not less than 87 cents per hour for the first 240 hours and 93 cents per hour for the remaining 80 hours of the 320-hour learning period, for the occupations of embroidery machine operator and stitching machine operator; authorizing the employment of 5 learners (decorated shoe findings, etc.).

Frank L. Deane & Son, Inc., Route 1, Sodus, Mich.; effective 4-5-56 to 10-4-56; not less than 85 cents per hour, for the occupations of basket and box machine operator, and hand laying staves into web; a maximum of 240 hours; authorizing the employment of 8 learners (wooden berry boxes).

Dust Proof Mattress Cover Co., Ellwood City, Pa.; effective 4-2-56 to 10-1-56; not less than 85 cents per hour, for the occupation of sewing machine operator; a maximum of 320 hours; authorizing the employment of 5 learners (mattress covers, bedspreads, etc.).

Jeannette Box Co., Thomas Avenue, and Lafferty Street, Jeannette, Pa.; effective 4-2-56 to 10-1-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 80 hours of the 240-hour learning period, for the occupations of basic hand and machine operations, with the exception of cutting, scoring, and slitting; authorizing the employment of 10 percent of factory production workers as learners (set-up paper boxes).

Paristyle Bags, Inc., Phillipsburg, N. J.; effective 4-3-56 to 10-2-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of stitching machine operator,

hand cutter, parer, and framer; not less than 85 cents per hour for a maximum of 160 hours, for the occupations of die and clicker machine operator, automatic paring machine operator, and pocketbook makers' helper; authorizing the employment of 10 percent of factory production workers as learners (ladies' handbags).

Quality Shoulder Strap Co., 47 Tiffany Place, Brooklyn, N. Y.; effective 4-6-56 to 10-5-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupation of sewing machine operator; authorizing the employment of 5 learners (brassiere and slip shoulder straps).

Sparta Furniture Manufacturing Co., West Broadway, Sparta, Tenn.; effective 4-4-56 to 10-3-56; not less than 80 cents per hour for the first 320 hours and 85 cents per hour for the remaining 160 hours of the 480-hour learning period, for the occupations of sewing machine operator and upholsterer; authorizing the employment of 10 learners (sofa beds and chairs).

Trenton Crockery Co., 205 Arch Street, Philadelphia, Pa.; effective 4-9-56 to 10-8-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupation of china decorator; authorizing the employment of 1 learner (decorated earthenware).

Unitog Co., 138 West Pine Street, Warrensburg, Mo.; effective 4-3-56 to 10-2-56; not less than 85 cents per hour for the first 160 hours and 90 cents per hour for the remaining 160 hours of the 320-hour learning period, for the occupations of embroidery machine operator and power sewing machine operator; authorizing the employment of 4 learners (industrial uniforms).

Utah Pickle Co., 741 South Third West Street, Salt Lake City, Utah; effective 4-9-56 to 10-8-56; not less than 80 cents per hour for the first 160 hours and 85 cents per hour for the remaining 80 hours of the 240-hour learning period, for the occupation of hand pickle packer; authorizing the employment of 10 learners (pickle products).

The following special learner certificate was issued in Hawaii pursuant to the Apparel Industry Learner Regulations (29 CFR 522.20 to 522.24, as amended March 1, 1956, 21 F. R. 1349):

Sun Fashions of Hawaii, 1016 Kapahulu Avenue, Honolulu, Hawaii; effective 4-5-56 to 4-4-57; 5 learners for normal labor turnover purposes (men's and women's apparel).

Each certificate has been issued upon the employer's representation that employment of learners at subminimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be canceled in the manner provided in the regulations and as indicated in the certificates. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of Part 522.

Signed at Washington, D. C., this 17th day of April 1956.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 56-3226; Filed, Apr. 25, 1956; 8:46 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 6515]

REEVE ALASKA AIRMOTIVE AND REEVE
ALEUTIAN AIRWAYS, INC.

NOTICE OF PREHEARING CONFERENCE

In the matter of interlocking and control relationships involving Reeve Alaska Airmotive and Reeve Aleutian Airways, Inc.

Notice is hereby given that a prehearing conference in the above-entitled matter is assigned to be held on May 3, 1956, at 10:00 a. m., e. d. s. t., in Room E-210, Temporary Building No. 5, Sixteenth Street and Constitution Avenue NW., Washington, D. C., before Examiner Paul N. Pfeiffer.

Dated at Washington, D. C., April 23, 1956.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 56-3255; Filed, Apr. 25, 1956; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11364, 11663; FCC 56M-381]

RCA COMMUNICATIONS, INC. AND WESTERN
UNION TELEGRAPH CO.

ORDER SCHEDULING PREHEARING CONFERENCE

In the matter of RCA Communications, Inc., v. The Western Union Telegraph Company, Docket No. 11364; complaint with respect to Area "C" Pacific Traffic under the International Formula.

In the matter of RCA Communications, Inc., Docket No. 11663; request for appropriate Commission action with respect to alleged illegal practices of The Western Union Telegraph Company in handling traffic destined to various Far Eastern points.

The Hearing Examiner having under consideration the above-entitled proceeding:

It is ordered, This 20th day of April 1956, that all parties, or their attorneys, are directed to appear for a prehearing conference, pursuant to the provisions of § 1.813 of the Commission's rules, at the Commission's offices in Washington, D. C., at 10:00 a. m., May 10, 1956, and the hearing now scheduled to commence on May 15, 1956, will be continued to a date to be hereinafter determined.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-3248; Filed, Apr. 25, 1956; 8:50 a. m.]

[Docket No. 11539, etc., FCC 56M-380]

MUSSER BROADCASTING CO. ET AL.

FIRST STATEMENT CONCERNING PRE-HEARING
CONFERENCES AND ORDER CONTINUING
HEARING

In re applications of Sam Ferguson Musser and Gloria G. Musser, d/b as Musser Broadcasting Company, Eliza-

bethtown, Pennsylvania, Docket No. 11539, File No. BP-9698; Will Groff, tr/as Colonial Broadcasting Company, Elizabethtown, Pennsylvania, Docket No. 11540, File No. BP-9759; H. Raymond Stadlem, Lester P. Etter and M. Leonard Savage, d/b as Radio Columbia, Columbia, Pennsylvania, Docket No. 11541, File No. BP-9940; for construction permits.

Pre-hearing conferences were held herein on December 13, 1955,¹ March 5, 1956,² and April 13, 1956. Agreements were reached among the parties and stated on the record at the third conference, as reflected in the transcript which is incorporated herein by reference. Such agreements are found to be acceptable and approved by the Hearing Examiner. They include the following:

1. The direct cases, in written form, shall be prepared as follows: (a) The testimony of each witness shall be prepared in narrative form and shall be submitted under the affidavit of the particular witness (tr. 16-17).

(b) All narrative statements (except engineering exhibits) shall be prepared in double-spaced form; each page and each line shall be numbered, and carbon copies shall not be acceptable (tr. 17).

(c) Parties shall be designated by abbreviated names, as follows: Musser, Colonial, Columbia, WFGC and Commission Counsel (tr. 17-18).

(d) Each party shall mark each of its exhibits with its name and a number. Narrative statements shall be numbered in series, beginning with one. An exhibit connected with a narrative statement shall be given the same number as the narrative statement, plus an identifying letter in series, such as "Musser No. 1-A." (Engineering exhibits may vary from this style.) (tr. 17)

2. Where the direct case in written form contains testimony of witnesses whose direct testimony appropriately could have been taken by deposition, parties will not object to taking cross-examination of such witnesses through deposition procedures rather than requiring those witnesses to be brought to Washington (tr. 18-19).

3. With reference to program proposals in direct cases: unless a stipulation to the contrary is reached, applicants will submit, as a minimum, (a) complete program schedule of programs, including the classification of each program by type and source; (b) non-network program descriptions; (c) analyses of proposed typical week by type and source, together with information on spot announcements as required by FCC Form 301 (tr. 19).

4. The direct written cases shall be exchanged on or before April 23, 1956 (tr. 27).

5. On or before April 30, 1956, counsel for each party shall serve upon all other counsel and the Examiner (in triplicate for the Examiner) a written statement containing (a) a list of all objections it desires to make to the receipt in evidence of any exhibits or specific portions thereof contained in the direct cases already exchanged, together with a brief

statement of the reason for each objection; and (b) list of items of additional information it requests from any other party or parties (tr. 24-28).

6. On or before May 3, 1956, counsel for all parties shall meet in informal conference, without the Hearing Examiner, for the purpose of discussing such objections and requests for information and reaching agreements thereon insofar as possible. All agreements reached shall be reduced to writing, signed by the parties and given to the Examiner (in triplicate), on or before May 7, 1956, together with a list of the objections on which agreement was not reached and items of information refused to be furnished (tr. 27).

7. On or before May 7, 1956, each party shall serve upon all other parties and the Examiner (in triplicate for the Examiner), a notice stating which witnesses it desires to be produced for cross-examination (a) in Washington, or (b) through deposition procedures (tr. 27).

8. All parties shall attempt to reach a stipulation with reference to engineering facts (tr. 27).

9. On May 11, 1956, at 10:00 a. m., a further pre-hearing conference shall be held for the purposes stated in § 1.841 (c) (tr. 27).

10. Hearing is continued from April 30, 1956 to 10:00 a. m. May 22, 1956 (tr. 27).

11. Any information required to be submitted at the May 11 conference shall be supplied so as to be in the hands of all parties by May 17, 1956 (tr. 28-30).

12. The order of procedure will be as follows unless changed by agreement of the parties and the Examiner:

(a) Submission of direct written cases, in order of ascending docket numbers, and cross-examination thereon (tr. 48, 51);

(b) Submission of rebuttal cases in same order, including affirmative testimony attacking other applicants' proposals, if any (tr. 49-51); and

(c) Submission of surrebuttal, in same order, if surrebuttal is necessary (tr. 50-1).

It is ordered, This 19th day of April 1956, that the foregoing agreements and requirements shall govern the course of the proceeding to the extent indicated, unless modified by the Hearing Examiner for cause or by the Commission upon review of the Hearing Examiner's ruling; and the hearing herein, now scheduled for April 30, 1956, is continued until May 22, 1956, at 10:00 a. m.; and the fourth pre-hearing conference is scheduled for May 11, 1956, at 10:00 a. m.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-3248; Filed, Apr. 25, 1956;
8:50 a. m.]

[Docket No. 11662; FCC 56 M-376]

FIRM C. PETTY

ORDER CONTINUING HEARING

In the matter of Firm C. Petty, Randallstown, Maryland, Docket No. 11662;

suspension of restricted radiotelephone operator permit.

It appearing that conditions exist which require the presence of both the respondent and one of the subpoenaed witnesses to be present in Baltimore on the date now set for hearing; and

It further appearing that a continuance will afford time for the respondent and counsel for the Commission's Field Engineering and Monitoring Bureau to reach stipulations with respect to various facts, the proof of which would otherwise be time consuming at hearing; and

It further appearing that counsel for the Commission's Field Engineering and Monitoring Bureau has no objection to grant of the continuance here ordered;

It is ordered, This 18th day of April 1956, on the Hearing Examiner's own motion that hearing in the above-entitled matter is continued from 10:00 a. m. April 19, 1956, to 10:00 a. m. May 28, 1956.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-3250; Filed, Apr. 25, 1956;
8:51 a. m.]

[Docket Nos. 11673, 11674; FCC 56M-379]

MISSISSIPPI BROADCASTING CO. (WCOCTV) AND LAUREL TELEVISION CO. INC.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of Mississippi Broadcasting Company (WCOCTV), Pachuta, Mississippi, Docket No. 11673, File No. BMPCT-3213; for modification of construction permit; Laurel Television Company, Inc., Laurel, Mississippi, Docket No. 11674, File No. BPCT-2031; for construction permit for a new television broadcast station (Channel 7).

It is ordered, This 19th day of April 1956, that a prehearing conference under §§ 1.813 and 1.841 is scheduled for Monday, April 30, 1956, at 10:00 a. m., in the offices of the Commission, Washington, D. C.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-3251; Filed, Apr. 25, 1956;
8:51 a. m.]

[Docket No. 11681]

JOSEPH THOMAS COLLINS

ORDER DESIGNATING MATTER FOR HEARING ON STATED ISSUES

In the matter of Joseph Thomas Collins, Thiensville, Wisconsin, Docket No. 11681; suspension of amateur radio operator license.

The Commission having under consideration the application of Joseph Thomas Collins, Lake Shore Drive, Thiensville, Wisconsin, for a hearing in the above-entitled matter;

It appearing that the said Joseph Thomas Collins, by his Attorney Clarence C. Oilrogge, 1937-49 W. Fond Du Lac Avenue, Milwaukee, Wisconsin, act-

¹ The first two conferences were continued because of the pendency of related applications on which the Commission had not completed administrative procedures.

ing in accordance with the provisions of Section 303 (m) (2) of the Communications Act of 1934, as amended, filed with the Commission within the time provided therefor, an application requesting a hearing on the Commission's Order of March 26, 1956, suspending his amateur radio operator license for a period of one year; and

It further appearing that under the provisions of section 303 (m) (2) of the Communications Act of 1934, as amended, said licensee is entitled to a hearing in the matter, and that upon the filing of timely written application therefor, the Commission's Order of Suspension is held in abeyance until the conclusion of proceedings in the said hearing:

It is ordered, This 20th day of April 1956, under authority contained in section 303 (m) (2) of the Communications Act of 1934, as amended, and section 0.292 (f) of the Commission's Rules, that the matter of the suspension of the amateur radio operator license of Joseph Thomas Collins, be designated for hearing before a Commissioner Examiner at a time and at a place later to be specified, upon the following issues:

1. To determine whether the licensee committed the violations of the Commission's rules as set forth in the Commission's Order of Suspension.

2. If the licensee committed such violations, to determine whether the facts or circumstances in connection therewith would warrant any change in the Commission's Order of Suspension.

It is further ordered, That a copy of this order be transmitted by Registered Mail—Return Receipt Requested to Mr. Clarence C. Ollrogge, Attorney at Law, 1937-49 W. Fond Du Lac Avenue, Milwaukee, Wisconsin, and to the licensee Joseph Thomas Collins, Lake Shore Drive, Thiensville, Wisconsin.

Released: April 23, 1956.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 56-3252; Filed, Apr. 25, 1956;
8:51 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-9983]

OHIO FUEL GAS CO.

NOTICE OF APPLICATION AND DATE OF
HEARING

APRIL 20, 1956.

Take notice that The Ohio Fuel Gas Company, Applicant, an Ohio corporation and a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 99 North Front Street, Columbus, Ohio, filed on February 21, 1956, an application for a disclaimer of jurisdiction or, in the alternative, for a certificate of public convenience and necessity under section 7 of the Natural Gas Act, authorizing it to construct and operate certain proposed facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application

which is on file with the Commission and open for public inspection.

The proposed facilities are requested for the purpose of providing natural gas purchased under an industrial curtailable contract for industrial service to the Berea Tile Company to be used in its plant near Berea, Cuyahoga County, Ohio for processing brick and tile in kilns and are described as follows:

Approximately 150 feet of 2 $\frac{3}{8}$ -inch O. D. pipe as a direct connection from 10 $\frac{3}{4}$ inch O. D. transmission Line L-2305 to a regulating and measuring station to be installed by Applicant in a building provided by the customer.

The estimated normal delivery to the tile company is 480 Mcf per day and 172,800 Mcf on an annual basis.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on Wednesday, May 23, 1956, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street, N. W., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 10, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3227; Filed, Apr. 25, 1956;
8:47 a. m.]

[Docket No. G-10000]

TRANSCONTINENTAL GAS PIPE LINE CORP.

NOTICE OF APPLICATION FOR CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY

APRIL 20, 1956.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco), a Delaware corporation having its principal place of business in Houston, Texas, filed an application on February 27, 1956, pursuant to Section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the construction and operation of certain

facilities, as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in its application, which is on file with the Commission and open for public inspection.

Transco states that it proposes to construct and operate facilities in two stages:

(1) Under "1956 construction," which is to commence on or about July 1, 1956, and is expected to be completed on or about December 1, 1956, if authorization is granted:

(a) 160.02 miles of 36-inch main line loops extending from Louisiana through Mississippi, Alabama, Georgia, South Carolina, North Carolina, Virginia, Maryland, and Pennsylvania;

(b) 23.63 miles of 24-inch lateral loop in Louisiana;

(c) 67.23 miles of 30-inch main line loop extending from Virginia through Maryland and Pennsylvania;

(d) 0.19 and 0.87 miles of 30-inch line at the river crossings of the James and Susquehanna Rivers, respectively;

(e) A total of 12,750 H. P. units at various compressor stations, additional facilities at its existing compressor stations and a 30-inch discharge line at Station 20, and various distribution meter stations.

(2) Under "1957 construction," which would be done during the calendar year 1957:

(a) 25.26 miles of 36-inch main line loop extending from Louisiana through Mississippi, Alabama, Georgia, and South Carolina.

Transco estimates the cost of the proposed 1956 facilities is \$38,500,000 and the 1957 estimated cost of said proposed facilities is \$3,808,000, making an estimated cost for the entire project of \$42,308,000, which will be met out of a financing program by Transco, involving the issuance of bonds and debentures.

Transco states that its existing delivery capacity is presently being utilized or will be utilized under presently existing allocations by its presently existing customers and that the construction and operation of the facilities herein sought to be authorized are necessary in order to:

(1) Sell and deliver on a firm basis approximately an additional 104,481 Mcf per day of natural gas to certain of its existing customers and to certain new customers, as follows:

(a) Supply 40,000 Mcf per day to presently unserved areas in North and South Carolina;

(b) The balance is to be sold to certain existing customers and to certain new customers.

The particular customers are more fully set out in Exhibit I of the application, which is on file with the Commission and open for public inspection.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 10, 1956.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3228; Filed, Apr. 25, 1956;
8:47 a. m.]

[Docket No. G-3275, etc.]

HOWARD W. FLEET ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

APRIL 19, 1956.

In the matters of Howard W. Fleet, et al., Docket No. G-3275; M. F. Powers, Docket Nos. G-4814 through G-4819, incl.; John A. Barnett, Docket No. G-5191; Big Chief Drilling Company, Docket Nos. G-5218, G-5220 and G-5221; Havenstrite Oil Company of Texas, Docket Nos. G-5291 and G-5292; Shell Oil Company, Docket No. G-5659; Baker and Taylor Drilling Company, Docket No. G-5993; The Superior Oil Company, Docket No. G-6180; Amerada Petroleum Corporation, Docket Nos. G-6319, G-6321 through G-6324, incl.; Continental Oil Company, Docket Nos. G-6342, G-6346, G-6353 and G-6355; Kerr-McGee Oil Industries, Inc., Docket No. G-6378; Joseph I. O'Neil, Jr., Docket No. G-6393; Southwestern Exploration Company (a Co-partnership), Docket Nos. G-6406 and G-6407; Bass & Vessels, et al., Docket No. G-6429; Phillips Drilling Corporation, Docket No. G-6608; Sun Oil Company, Docket Nos. G-6619, G-6620, G-6626 through G-6656, incl., G-6658 through G-6664, incl., and G-6670; Cabot Carbon Company, Docket No. G-6825; Hanco Oil and Gas Company, Ltd., Docket No. G-6950; Sue Reeder Turner, Docket No. G-6994; Gulf Oil Corporation, Docket Nos. G-7136 through G-7141, incl., G-7143 through G-7145, incl., G-7147 through G-7158, incl.; Fraley Gas Company, Docket No. G-7706; N. B. Hunt, Docket No. G-7734; Wiley Page, Docket No. G-7738; W. W. Lechner and R. E. Hubbard, Docket No. G-7755; G. B. Cree and H. E. Schwartz, Docket No. G-7761; H. E. Schwartz, G. B. Cree and Southern Production Company, Inc., Docket No. G-7762; Harold Davidor and R. H. Davidor, d. b. a. Davidor & Davidor, Docket No. G-7768; Late Oil Company, Docket Nos. G-7769 and G-7770; Orville H. Parker, et al., Docket No. G-7811; Phil D. Phillips, et al., Docket No. G-7812; Clayton A. Woofter, et al., Lease, Roy G. Hildreth, et al., and Roy G. Hildreth, Agent, Docket No. G-7813; H. C. Grady, Jr. and J. W. Graham, Jr., Docket No. 7815; J. D. Caruthers, Docket Nos. G-7816 and G-7821; Lisbon Exploration Company, Inc., Docket No. G-7823; Malco Refineries, Inc., Docket No. G-7823; Cree Oil, H. E. Schwartz and D. E. Williams, Docket No. G-7824; H. W. Klein, Docket No. G-7825; Charles N. Compton Oil and Gas Co., Docket No. G-7839; Seward Butch Martin Oil and Gas Co., Docket No. G-7840; Blanton Oil and Gas Co., Docket No. G-7841; H. C. Hall Oil and Gas Co., Docket No. G-7842; Little Rough Oil and Gas Co., Docket No. G-7843; Ben Compton Oil and Gas Co., Docket No. G-7844; Louis C. Quin, H. R. Wofford, Jr., and Arthur F. Graf, Jr., Docket No. G-7851; Goliad Corporation, Docket No. G-7852; Fearless Oil and Gas Company, Docket No. G-8083.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity pursuant to Section 7 of the

Natural Gas Act, authorizing Applicants to render services as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in their respective applications which are on file with the Commission and open for public inspection.

Applicants produce and sell natural gas for transportation in interstate commerce for resale, as indicated below:

Docket No. G-; Location of Field; and Buyer

3275; Denton Gasoline Plant; El Paso Natural Gas Company.
 4814 through 4817, incl., and 4819; Hugoton Field, Kearney County, Kans.; Colorado Interstate Gas Company; Cities Service Gas Company; Kansas-Nebraska Natural Gas Company.
 4818; Carthage Field, Panola County, Tex.; Texas Gas Transmission Corporation.
 5191; Spraberry Trend Area, Midland and Glasscock Counties, Tex.; Texas Gas Products Corporation.
 5218, 5220, and 5221; Chris Hunt, Hitch Gray, and Stanolind-Wiggins Leases in Keyes Field, Cimarron County, Okla.; Colorado Interstate Gas Company.
 5291 and 5293; Anna Wells and Pembroke, Leases in Upton County, Tex.; Texas Gas Products Corporation.
 5659; Tubb-Blinberry Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 5993; Acreage in Lea County, N. Mex.; El Paso Natural Gas Company.
 6180; Canyon Largo Unit, Rio Arriba County, N. Mex.; El Paso Natural Gas Company.
 6319; Ignacio Field, La Plata County, Colo.; El Paso Natural Gas Company.
 6321, 6323 and 6324; Langlie-Mattix Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 6322; Fields in Lea County, N. Mex.; El Paso Natural Gas Company.
 6342, 6346, 6353, and 6355; Eumont-Jalmat, Arrow, Tubb, Blinberry, Monument, McKee, and Langmat Fields, Lea County, N. Mex.; El Paso Natural Gas Company.
 6378; Keyes Field, Cimarron County, Okla.; Colorado Interstate Gas.
 6393; Jack Herbert Field, Upton County, Tex.; El Paso Natural Gas Company.
 6406; Hugoton Field, Haskell, Stanton, and Seward Counties, Kans.; Colorado Interstate Gas Company; Northern Natural Gas Company.
 6407; Greenwood Field, Baca County, Colo., and Morton County, Kans.; Colorado Interstate Gas Company.
 6429; North Sun Field, Starr County, Tex.; Tennessee Gas Transmission Company.
 6808; Allison Unit Area, San Juan County, N. Mex., and La Plata and Archuleta Counties, Colo.; El Paso Natural Gas Company.
 6619; Levelland Field, Hockley County, Tex.; El Paso Natural Gas Company.
 6620, 6640, 6643, 6645, 6648, 6653, 6655 and 6662; Carthage Field, Panola County, Tex.; Texas Gas Transmission Corporation; United Gas Pipe Line Company; Texas Eastern Transmission Corporation; Tennessee Gas Transmission Company; Southern Natural Gas Company.
 6626; Mission Valley Field, Victoria County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6627; Shield Field, Nueces County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6628; La Gloria Field, Jim Wells County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6629; Various Fields in Starr County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6630; Quinto Creek Field, Jim Wells County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6631; N. Government Wells Field, Duval County, Tex.; Tennessee Gas Transmission Company.

6632; Brayton Field, Nueces County, Tex.; Tennessee Gas Transmission Company.
 6633; Gyp Hill Field, Brooks County, Tex.; Tennessee Gas Transmission Company.
 6634; Placedo Field, Victoria County, Tex.; Tennessee Gas Transmission Company.
 6635; Chesterville Field, Colorado County, Tex.; Tennessee Gas Transmission Company.
 6636; Seeligson Field, Jim Wells County, Tex.; Tennessee Gas Transmission Company.
 6637; Edinburg Field, Hidalgo County, Tex.; Tennessee Gas Transmission Company.
 6638; Red Fish Bay Field, Nueces County, Tex.; United Gas Pipe Line Company.
 6639 and 6642; Cabeza Creek Field, Goliad County, Tex.; United Gas Pipe Line Company.
 6641; Blanconia Field, Bee County, Tex.; United Gas Pipe Line Company.
 6644; Hordes Creek Field, Goliad County, Tex.; United Gas Pipe Line Company.
 6646; N. Minoak Field, Bee County, Tex.; Texas Eastern Transmission Corporation.
 6647; Corpus Christi Channel Field, Nueces County, Tex.; Tennessee Gas Transmission.
 6649; Payton-Devonian Field, Pecos County, Tex.; El Paso Natural Gas Company.
 6650; Richard King Field, Nueces County, Tex.; Tennessee Gas Transmission.
 6651; Helen Gohlke Field, Victoria County, Tex.; Texas Eastern Transmission Corporation.
 6652; Heyser Field, Victoria County, Tex.; Tennessee Gas Transmission Company.
 6654 and 6664; Delhi Field, Richland Parish, La.; Texas Eastern Transmission Corporation.
 6656 and 6660; Jalco Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 6858; Gwinville Field, Jefferson Davis County, Miss.; Southern Natural Gas Company.
 6659; Langmat Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 6661; Burnell-North Pettus Field, Karnes County, Tex.; United Gas Pipe Line Company.
 6663; Eumont Field, Lea County, N. Mex.; Permian Basin Pipe Line Company.
 6670; North Bay City and North Markham Fields, Matagorda County, Tex.; Transcontinental Gas Pipe Line Corporation.
 6825; Keyes Field, Texas County, Okla.; Colorado Interstate Gas Company.
 6950; San Juan Basin, Rio Arriba County, N. Mex.; El Paso Natural Gas Company.
 6994; Acreage in San Juan County, N. Mex.; El Paso Natural Gas Company.
 7135; Winnboro Field, Wood County, Tex.; Lone Star Gas Company.
 7137; Woodlawn Field, Harrison County, Tex.; Mississippi River Fuel Corporation.
 7138; Waskom Field, Harrison and Panola Counties, Tex.; Arkansas-Louisiana Gas Company.
 7139; Lemonville and West Gist Fields, Newton and Jasper Counties, Tex.; Texas Eastern Transmission Corporation.
 7140; New Ulm Field, Austin County, Tex.; Tennessee Gas Transmission Company.
 7141; North Lansing Field, Harrison County, Tex.; Arkansas-Louisiana Gas Company.
 7143; Heyser Field, Calhoun County, Tex.; Tennessee Gas Transmission Company.
 7144; Mustang Island Field, Nueces County, Tex.; United Gas Pipe Line Company.
 7145; Placedo Field, Victoria County, Tex.; Tennessee Gas Transmission Company.
 7147; N. McPaddin Field, Victoria County, Tex.; United Gas Pipe Line Company.
 7148; Harleton (Whelan) Field, Harrison County, Tex.; H. L. Hunt.
 7149; Stowell Field, Chambers County, Texas; Texas Gas Corporation.
 7150; Keystone, Waddell and McKee Fields, Winkler County, Tex.; El Paso Natural Gas Company.
 7151; Jalmat and Blinberry Fields, Lea County, N. Mex.; El Paso Natural Gas Company.

7152; Carson Field, Gray County, Tex.; Phillips Petroleum Company.
 7153; Sweetie Peck Field, Midland County, Tex.; El Paso Natural Gas Company.
 7154; S. Fullerton Field, Andrews County, Tex.; El Paso Natural Gas Company.
 7155; Denton Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 7156; Waddell, Edwards, Sand Hills, University-Waddell, and Dune Fields, Crane County, Tex.; El Paso Natural Gas Company.
 7157; Jack Herbert (Penn.) Field, Upton County, Tex.; El Paso Natural Gas Company.
 7158; Arrowhead, Blinberry, Brunson, Drinkard, Hair, S. Hair, McCormick, Paddock and Penrose-Skelly Fields, Lea County, N. Mex.; El Paso Natural Gas Company.
 7706; Fields in Wayne County, West Va.; United Fuel Gas Company.
 7734; Fields in Lea County, N. Mex.; El Paso Natural Gas Company.
 7738; North Lansing Field, Harrison County, Tex.; Louisiana-Nevada Transit Company.
 7755; North Lansing Field, Harrison County, Tex.; H. L. Hunt.
 7761; East Panhandle Field, Gray County, Tex.; Phillips Petroleum Company.
 7762; West Panhandle Field, Gray County, Tex.; Cabot Carbon Company.
 7768; North Whiterock Field, Noble County, Okla.; Cities Service Gas Company.
 7769; Langmat Field, Lea County, N. Mex.; El Paso Natural Gas Company.
 7770; Eumont Field, Lea County, N. Mex.; El Paso Natural Gas Company; Phillips Petroleum Company.
 7811; Hugoton Field, Stevens County, Kans.; Northern Natural Gas Company.
 7812; Washington District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.
 7813; Glenville District, Glimmer County, W. Va.; Equitable Gas Company.
 7815; East Panhandle Field, Gray County, Tex.; Warren Petroleum Company.
 7816, 7821, and 7822; Lisbon Field, Lincoln and Claiborne Parishes, La.; Mississippi River Fuel Corporation; Arkansas-Louisiana Gas Company; H. W. Klein.
 7823; Ignacio Field, La Plata County, Colo.; Wason Field, Yoakum County, Tex.; El Paso Natural Gas Company; Shell Oil Company; Coltex Corporation.
 7824; West Panhandle Field, Gray County, Tex.; Cities Service Gas Company.
 7825; Lisbon Field, Claiborne and Lincoln Parishes, La.; Arkansas-Louisiana Gas Company.
 7839 and 7844; Sucker Creek Field, Pike County, Ky.; Kentucky West Virginia Gas Company.
 7840; Virgie Field, Pike County, Ky.; United Fuel Gas Company.
 7841; Wolfe Creek Field, Martin County, Ky.; United Fuel Gas Company.
 7842; Right Beaver Creek Field, Knott County, Ky.; Kentucky West Virginia Gas Company.
 7843; Johns Creek Field, Floyd County, Ky.; Kentucky West Virginia Gas Company.
 7851; South Porter Field, Karnes County, Tex.; United Gas Pipe Line Company.
 7852; Live Oak County, Tex.; Transcontinental Gas Pipe Line Corporation.
 8083; Langmat Pool, Lea County, N. Mex.; El Paso Natural Gas Company.

hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 7, 1956. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3229; Filed, Apr. 25, 1956;
8:47 a. m.]

[Docket No. G-6366 etc.]

KERR-McGEE OIL INDUSTRIES, INC., ET AL.

NOTICE OF APPLICATIONS AND DATE OF
HEARING

APRIL 19, 1956.

In the matters of Kerr-McGee Oil Industries, Inc., Docket Nos. G-6366, G-6367, G-6368, and G-6877; D. R. Lauck Oil Company, Inc., et al., Docket No. G-6409; Alden E. Branine, F. G. Holl and B. Kim Carter, Docket No. G-6860; J. C. Trahan (J. C. Trahan, Drilling Corporation, Inc.), et al., Docket No. G-6278; G. Scott Hammonds et al., Docket No. G-6298; G. Scott Hammonds et al., Docket No. G-6299; Tekoil Corporation (G. S. Hammonds, Predecessor), Docket No. G-6300; Champlin Refining Company, Docket No. G-6613; Amerada Petroleum Corporation, Docket Nos. G-6311-6318, incl., G-6320, G-6325 and G-6326; Waterford Oil Company (Christie, Mitchell and Mitchell Agent), Docket No. G-6812; The Carter Oil Company, Docket No. G-6827; Burge and Beren Oil and Gas Company, Docket No. G-7100; Jesse M. Brooks and M. James Brooks, Jr., Docket No. G-7116; St. Paul Church Lease, Docket No. G-7117; Wirt County Oil & Gas Company, Docket No. G-7118; Hunter M. Bennett Lease (K. M. Hunt), Docket No. G-7120; Carroll Gas Company, Docket No. G-7121; Collins Gas Company, Docket No. G-7122; Bryan E. Miller et al., Docket No. G-7123; Kuntz Farm Gas Company, Docket No. G-7124; Parsonage Lot Lease, Docket No. G-7127; Park Norman Lease, Docket No. G-7128; Glen Wilson Lease, Docket No. 7129; Simmons Gas Company, Docket No. G-7130; Stump Gas Company, Docket No. G-7131; Mill Lot Gas Company, Docket No. G-7132; Gay Wilson Lease, Docket No. G-7133; Bonnie Weaver Lease, Docket No. G-7134; Mary L. Taylor Gas Company, Docket No. G-7135; Kirby Oil

& Gas Company, Docket No. G-7182; Gus Siers Oil and Gas Company, Docket No. G-7357; H. C. Arnold, Docket No. G-7390; Calvert Drilling, Inc., Docket No. G-7391; McRae Oil and Gas Corporation (J. A. McRae, Ltd.), J. F. Balderston, James C. Brady, Malcom G. Chace, Jr., Docket No. G-7447; Crow Drilling Company, Inc., Docket No. G-7448; Sinclair Oil & Gas Company, Docket No. G-7674; Graham-Messman-Rinehart Oil Company, Docket No. G-8122; Anderson-Prichard Oil Corporation, Docket No. G-8327; Ralph Tudesco, Docket No. G-8312; Big Injun Development Company, Docket No. G-8881; Citizens Bank of Hattiesburg, Mississippi, Docket No. G-8912; Miami Operating Company, Inc., Docket No. G-9464; Neumont Oil Company, Docket No. G-8293.

Take notice that each of the above Applicants have filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing Applicants to render services as hereinafter described, consisting of the sale of or proposing to sell natural gas in interstate commerce for resale subject to the jurisdiction of the Commission, all as more fully represented in their respective applications, and/or supplements thereto, on file with the Commission and open for public inspection. The data relating to each Applicant and purchaser are tabulated hereinafter as follows:

Docket No. G- ; Location of Field or Source of Production; and Purchaser

6366; Texas-Hugoton Field, Sherman County, Tex.; Phillips Petroleum Co.
 6367; Guymon-Hugoton Field, Texas County, Okla.; Phillips Petroleum Co.
 6368; Tatum Field, Carter County, Okla.; Lone Star Gas Company.
 6877; Texas-Hugoton Field, Sherman County, Tex.; Phillips Petroleum Co.
 6409; Hugoton Gas Field, Kans.; Kansas-Nebraska Natural Gas Company, Inc.
 6860; Embury Pool, Edwards County, Kans.; Northern Natural Gas Co.
 6278; Bethany, Panola County, Tex.; George Bird Unit, Arkansas Louisiana Gas Co.; P. D. Roquemore Unit, Tennessee Gas Transmission Co.; Blanche Robinson Unit, Tennessee Gas Transmission Co.; W. L. Liston Unit, Tennessee Gas Transmission Co.; J. H. Mitchell Unit, Tennessee Gas Transmission Co.; Carrie Adams Unit, Tennessee Gas Transmission Co. Carthage, Panola County, Tex.; Hancock-Stillwell Unit, United Gas Pipeline Co. Joaquin, Shelby County, Tex.; E. O. Rushing Unit, United Gas Pipeline Co. Sentell, Caddo and Bossier, La.; Leonard Unit, Arkansas-Louisiana Gas Co.
 6298; Charles Grayson Survey, Marion County, Tex.; Rodessa Field, Arkansas-Louisiana Gas Co.
 6299; Florence and Price Lease, Charles Ames Survey, Cass County, Tex.; Rodessa Field, Arkansas-Louisiana Gas Co.
 6300; Armit Unit, Section 15 GH&H Survey, Lissie Field, Wharton County, Tex.; Tennessee Gas Transmission Co.
 6613; Yellowstone Field, Woods County, Okla. (6-11-54); Cities Service Gas Company. Hugoton Field, Kearney-Finney Counties, Kans. (12-31-49); Colorado Interstate Gas Co. Hugoton Field, Kearney County, Kans. (6-22-49); Colorado Interstate Gas Co. Hugoton Field, Finney County, Kans. (5-26-49); Colorado Interstate Gas Co. Hugoton Field, Kearney County, Kans. (4-8-52); Kansas-Nebraska Natural Gas

These matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on May 21, 1956, at 9:30 a. m., e. d. s. t., in a

Company, Inc. Hugoton Field, Kearney County, Kans. (12-1-46); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Kearney County, Kans. (6-10-49); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Finney County, Kans. (8-25-49); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Kearney-Finney Counties, Kans. (5-26-9); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Finney County, Kans. (10-8-49); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Finney County, Kans. (6-23-53); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Finney County, Kans. (10-6-49); Kansas-Nebraska Natural Gas Company, Inc. Hugoton Field, Finney-Haskell-Kearney Counties, Kans. (5-31-50); Northern Natural Gas Co. Hugoton Field, Seward County, Kans. (3-7-49); Northern Natural Gas Co. Hugoton Field, Texas County, Okla. (1-30-52); Northern Natural Gas Co. Hugoton Field, Finney County, Kans. (10-3-51); Northern Natural Gas Co. Hugoton Field, Finney County, Kans. (4-28-52); Cities Service Gas Company. Hugoton Field, Stanton County, Kans. (11-12-51); Cities Service Gas Company. Hugoton Field, Stanton County, Kans. (9-18-51); Cities Service Gas Company. Hugoton Field, Finney County, Kans. (3-23-53); Cities Service Gas Company. Ryan Field, Rush County, Kans. (8-26-46); Kansas-Nebraska Natural Gas Company, Inc. South Fullerton Field, Andrews County, Tex. (1-1-49); El Paso Natural Gas Company. West Edmond Field, Logan County, Okla. (9-29-47); Cities Service Gas Company. West Edmond Field, Canadian-Kingfisher, Okla. (9-12-49); Cities Service Gas Company. Witcher Field, Okla. (3-21-49); Cities Service Gas Company.

6311; Leases in Eumont, Jalmat, Byers, Tubb and Blinbery Fields, Lea County, N. Mex. (2-29-1952); Permian Basin Pipeline Co.

6312; Leases in Greenwood Field, Morton County, Kans. (2-26-53, 7-14-53, 7-24-53); Colorado Interstate Gas Co.

6313; Tailgates of Trindle, Hunton and Edmond Plants; Leases in West Edmond Field, Oklahoma County, Okla. (1-1-53); Cities Service Gas Company.

6314; State of New Mexico "JA" Lease, Rhodes Field, Lea County, N. Mex. (7-15-53); El Paso Natural Gas Co.

6315; Stevens B-18 Unit Lease Jalmat Field, Lea County, N. Mex. (7-17-48); El Paso Natural Gas Co.

6316; Falby Lease and State of New Mexico LMT Lease in Langlie-Mattix Field, Lea County, N. Mex. (3-26-51); El Paso Natural Gas Co.

6317; Saltmount and Travis Leases, Teague Field, Lea County, N. Mex. (3-1-51); El Paso Natural Gas Co.

6318; Hodge Lease, Langlie-Mattix Field, Lea County, N. Mex. (7-15-53); El Paso Natural Gas Co.

6320; Leases in Ignacio Field, La Plata County, Colo. (1-2-54); El Paso Natural Gas Co.

6325; Leases in Southeast Aylesworth Field, Bryan County, Okla. (1-1-53); Lone Star Gas Company.

6326; Reviere Lease, West Oklahoma Field, Stevens County, Okla. (5-5-53); Lone Star Gas Company.

6812; Bass Lease, Colorado County, Tex. (7-10-54); Shell Oil Company.

6827; Tretbar Unit, Beaver County, Okla. (12-23-54); Michigan Wisconsin Pipe Line Company.

7100; Sherman District, Calhoun County, W. Va.; Hope Natural Gas Company.

7116; Rodessa Field, Caddo Parish, La.; Arkansas-Louisiana Gas Co.

7117; Center District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7118; Burning Springs District, Wirt County, W. Va.; Godfrey L. Cabot, Inc.

7120; Center District, Gilmer County, W. Va.; Godfrey L. Cabot, Inc.

7121; Sheridan District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7122; Center District, Gilmer County, W. Va.; Godfrey L. Cabot, Inc.

7123; Center District, Gilmer County, W. Va.; Carnegie Natural Gas Co.

7124; Jefferson District, Nicholas County, W. Va.; Godfrey L. Cabot, Inc.

7127; Lee District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7128; Center District, Gilmer County, W. Va.; Godfrey L. Cabot, Inc.

7129; Sherman District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7130; Lee District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7131; Center District, Gilmer County, W. Va.; Godfrey L. Cabot, Inc.

7132; Geary District, Roane County, W. Va.; Godfrey L. Cabot, Inc.

7133; Sheridan District, Calhoun County, W. Va.; Godfrey L. Cabot, Inc.

7134; DeKalb District, Gilmer County, W. Va.; Godfrey L. Cabot, Inc.

7135; Geary District, Roane County, W. Va.; Godfrey L. Cabot, Inc.

7182; East Gohlke Field, Victoria County, Tex.; Tennessee Gas Transmission Co.

7357; Washington District, Calhoun County, W. Va.; Hope Natural Gas Co.

7390; State "A" Lease, Logan County, Colo.; Kansas-Nebraska Natural Gas Company, Inc.

7391; State "A" Lease, Logan County, Colo.; Kansas-Nebraska Natural Gas Company, Inc.

7447; Little Hoot Field, Logan County, Colo.; Kansas-Nebraska Natural Gas Company, Inc.

7448; Cotton Valley D Sand, Caddo Parish, La.; Arkansas-Louisiana Gas Co.

7674; Grayson County, Tex.; Lone Star Gas Company.

8122; Southwest Sweeney Pool, Pawnee County, Kans.; Kansas-Nebraska Natural Gas Company, Inc.

8293; Southwest Sweeney Pool, Pawnee County, Kans.; Kansas-Nebraska Natural Gas Company, Inc.

8327; Northwest Lindsay Field, McClain County, Okla.; Warren Petroleum Corporation, Cities Services Oil Company, Kerr-McGee Oil Industries, Inc., Oklahoma Natural Gas Company, The Texas Company, owners of gasoline plants operated by Warren Petroleum produce residue gas sold in interstate commerce to Cities Service Gas Company, and Lone Star Gas Company.

8312; Sherman District, Calhoun County, W. Va.; Hope Natural Gas Company.

8881; Grant District, Calhoun County, W. Va.; Hope Natural Gas Company.

8912; Maxie and Pistol Ridge Gas Fields, Forrest County, Miss.; United Gas Pipe Line Co.

9464; Producing horizons down to and including Pennsylvania Formation in Garvin County, Okla.; Lone Star Gas Company.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations, and to that end:

Take further notice that, 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 will be held on June 14, 1956 at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the

Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before June 1, 1956. Failure of any party to appear at and participate in the hearing shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for the Applicants to be represented at the hearing.

[SEAL]

LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3230; Filed, Apr. 25, 1956;
8:47 a. m.]

[Docket No. G-6123 etc.]

FRANK E. O'BRIEN ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

Take notice that each of the Applicants listed below has filed an application for a certificate of public convenience and necessity pursuant to section 7 (c) of the Natural Gas Act, authorizing such Applicant to continue to sell natural gas subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open for public inspection. These matters should be consolidated and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on the date and at the place hereinafter stated, concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) of the Commission's rules of practice and procedure.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) not less than ten days before the date of hearing. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request for waiver is made. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

The dockets, Applicants and material averments in applications to which reference is made above are as follows:

Docket No.: Name and Address; Filing Date; Gas Field; and Purchaser

G-6123: Frank E. O'Brien & Phillip P. Weintraub, Trustees, Rochester, N. Y.; 11-26-54; Wharton Township, Potter County, Pa.; North Penn Gas Company.

G-6125: West Virginia Gas Corporation, Charleston, W. Va.; 11-26-54; Roane County, W. Va.; Hope Natural Gas Corporation, Poca District, Ripley District, Elk District, and Ravenwood District, Kanawha, Jackson, Logan Counties, W. Va.; United Fuel Gas Company.

G-6138: Wm. McKinley Trent, Trustee (Stepp Well No. 1), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6139: Wm. McKinley Trent, Trustee (Stepp Well No. 2), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6140: Wm. McKinley Trent, Trustee (Stepp Wells Nos. 3, 4, 5, 6), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6141: Wm. McKinley Trent, Trustee (Stepp Well No. 7), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6142: Wm. McKinley Trent, Trustee (Mamona Well No. 1), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6143: Wm. McKinley Trent, Trustee (Mamona Well No. 2), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6144: Wm. McKinley Trent, Trustee (Trent Well No. 1), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6145: Wm. McKinley Trent, Trustee (Trent Well No. 3), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6146: Wm. McKinley Trent, Trustee (Trent Wells Nos. 5, 7), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6147: Wm. McKinley Trent, Trustee (Trent Well No. 6), Huntington, W. Va.; 11-26-54; Kermit District, Mingo County, W. Va.; United Fuel Gas Company.

G-6148: Wm. McKinley Trent, Trustee (Trent Wells Nos. 8, 9, 10), Huntington, W. Va.; 11-26-54; Williamson, Mingo County, W. Va.; United Fuel Gas Company.

G-6193 and G-6194: Sunray Mid-Continent Oil Company, Tulsa, Okla.; 11-29-54; Highland Township, Elk County, Pa.; Pennsylvania Gas Company.

A public hearing will be held on the 16th day of May, 1956, beginning at 9:30 a. m., e. d. 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 above applications.

[SEAL] LEON M. FUQUAY,
Secretary.

APRIL 20, 1956.

[F. R. Doc. 56-3231; Filed, Apr. 25, 1956; 8:48 a. m.]

[Docket No. G-9689 etc.]

CENTRAL KENTUCKY NATURAL GAS CO.
ET AL.

NOTICE OF APPLICATIONS, CONSOLIDATION
OF PROCEEDINGS, AND DATE OF HEARING

APRIL 20, 1956.

In the matters of Central Kentucky
Natural Gas Company, Kentucky Gas

Transmission Corporation, and United Fuel Gas Company, Docket No. G-9689; The Manufacturers Light and Heat Company and Natural Gas Company of West Virginia, Docket No. G-9694; The Ohio Fuel Gas Company and Natural Gas Company of West Virginia, Docket No. G-9695.

Take notice that Central Kentucky Natural Gas Company (Central), a Kentucky corporation and a subsidiary of The Columbia Gas System, Inc., and Kentucky Gas Transmission Corporation (Transmission), a recently organized Delaware corporation, filed on November 22, 1955, a joint application for authority for the abandonment and sale by Central of certain natural gas transmission and storage facilities in Kentucky and for a certificate of public convenience and necessity, authorizing the acquisition and operation by Transmission of said facilities, described in the application as follows:

1. Approximately 111.5 miles of 10'' gas transmission pipeline (Line KA-10'') extending in a westerly direction from a point of interconnection with the transmission facilities of United Fuel Gas Company near Inez, Martin County, Kentucky to the City of Lexington, Fayette County, Kentucky.

2. Approximately 41.6 miles of 12'' gas transmission pipeline (Line G-12'') extending in a westerly direction from Central's Menifee Compressor Station situate in Menifee County, Kentucky to the City of Lexington, Fayette County, Kentucky.

3. Approximately 2.3 miles of 8'' gas transmission pipeline (Line F-8'') extending in a northwesterly direction from Central's Menifee Compressor Station, Menifee County, Kentucky to a point of interconnection with Central's Line E-14'' at South Means, Montgomery County, Kentucky.

4. Approximately 66.5 miles of 14'' gas transmission pipeline (Line E-14'') extending in a northwesterly direction from a point of interconnection with the transmission facilities of Gulf Interstate Gas Company and Tennessee Gas Transmission Company at South Means, Montgomery County, Kentucky to Central's Foster Regulating Station near Foster, Bracken County, Kentucky.

5. Approximately 62.6 miles of 20'' gas transmission pipeline (Line E-20'') extending in a northwesterly direction from a point of interconnection with the transmission facilities of Tennessee Gas Transmission Company at North Means, Montgomery County, Kentucky to Central's Foster Regulating Station near Foster, Bracken County, Kentucky.

6. Approximately 3.9 miles of 20'' gas transmission pipeline (Line EM-2'') extending in a northerly direction from a point of interconnection with the transmission facilities of Gulf Interstate Gas Company at South Means, Montgomery County, Kentucky to a point of interconnection with Central's Line E-20'' at North Means, Montgomery County, Kentucky.

7. Approximately 12.1 miles of 8'' gas transmission pipeline (Line KH-8'') extending in a northerly direction from a point of interconnection with Lines KA-

10'' and G-12'' to the City of Paris, Kentucky.

8. Approximately 118.2 miles of 20'' gas transmission pipeline (Line A-20'') extending in a northwesterly direction from a point of interconnection with the transmission facilities of United Fuel Gas Company near Leach, Boyd County, Kentucky to Central's Cold Springs Measuring Station situate in Campbell County, Kentucky.

9. Approximately 24.2 miles of 24'' gas transmission pipeline (Line AM-4) extending in a northwesterly direction from Central's Foster Regulating Station near Foster, Bracken County, Kentucky to a point of interconnection with the facilities of Cincinnati Gas & Electric Company at Cincinnati's California Measuring Station in the City of Cincinnati, Hamilton County, Ohio.

10. Approximately 15.1 miles of 24'' gas transmission pipeline (Line AM-7) extending in a northwesterly direction from Central's Cold Springs Measuring Station situate in Campbell County, Kentucky to a point of interconnection with the facilities of Cincinnati Gas & Electric Company at Cincinnati's Anderson Ferry Measuring Station in the City of Cincinnati, Hamilton County, Ohio.

11. Lexington Compressor Station situate near the City of Lexington, Fayette County, Kentucky consisting of three 110 horsepower gas engine driven compressor units, together with all piping, auxiliary equipment, structures and properties appurtenant thereto and utilized in connection with the operation of Lexington Compressor Station.

12. Tollesboro Compressor Station situate in Lewis County, Kentucky, consisting of four 600 horsepower gas engine driven compressor units, together with all piping, auxiliary equipment, structures and properties appurtenant thereto and utilized in the operation of Tollesboro Compressor Station.

13. Means Compressor Station situate in Montgomery County, Kentucky, consisting of four 880 horsepower gas engine driven compressor units, together with all piping, auxiliary equipment, structures and properties appurtenant thereto and utilized in connection with the operation of Means Compressor Station.

14. Menifee Compressor Station situate in Menifee County, Kentucky, consisting of five 880 and two 170 horsepower gas engine driven compressor units, together with all piping, auxiliary equipment, structures and properties appurtenant thereto and utilized in connection with the operation of Menifee Compressor Station.

15. Manifee Storage Pool consisting of a storage reservoir in the corniferous lime formation underlying approximately 41,698 acres of land located in the counties of Menifee, Powell and Montgomery, Kentucky, together with all land rights, storage wells, field facilities, auxiliary equipment, structures and properties appurtenant thereto and utilized in the operation of Manifee Storage Pool.

Transmission also makes application for a certificate of public convenience and necessity authorizing it to acquire, relocate and operate two existing measuring stations at Cynthiana and Win-

chester, Kentucky, now owned by Central and to construct and operate three new measuring and regulating stations, more particularly described as follows:

(i) Winchester Station, located on 10" Line KA in Clark County, Kentucky, measuring and regulating volumes of gas sold to Central for resale in the City of Winchester, Kentucky.

(ii) Mt. Sterling Station, located on 10" Line KA in Montgomery County, Kentucky, measuring and regulating volumes of gas sold to Central for resale in the City of Mt. Sterling, Kentucky.

(iii) Foster Station, located on 20" Line A in Bracken County, Kentucky, measuring and regulating volumes of gas sold to Central for resale in the City of Foster, Kentucky.

United Fuel Gas Company (United), a West Virginia corporation and also a subsidiary of The Columbia Gas System, Inc. joins in the application to request the issuance to it of a certificate of public convenience and necessity authorizing it to sell and deliver natural gas at wholesale to Transmission in lieu of its existing service to Central.

Following final consummation of the proposed sale and acquisition, Transmission will become a wholly owned subsidiary of The Columbia Gas System, Inc. The principal place of business of all the applicants is at 1033 Quarrier Street, Charleston, West Virginia.

The cost of construction of Transmission's three proposed regulating stations, and the relocation costs of the two stations to be acquired is estimated at \$22,950. Transmission will finance the construction and relocation out of funds to be obtained from the acquisition of the assets and properties of Central as set forth under the acquisition agreement.

These three applications constitute the first step in the proposed plan for realignment of Columbia Gas System properties by which it is proposed to create one interstate transmission company selling gas at wholesale and operating all properties subject to regulation by the Federal Power Commission; and to create one retail distribution company to serve in each state and subject to the jurisdiction of only one state regulatory commission.

By the application in Docket No. G-9689 it is proposed that United sell gas to Transmission, in lieu of Central, under United's FPC filed tariff. Transmission will in turn sell such gas to Central and several non-affiliates for resale under Central's presently filed FPC tariff. Central will distribute gas under rates subject to the jurisdiction of the Public Service Commission of the Commonwealth of Kentucky.

Applicants allege that the proposed realignment will not change in any way the service presently rendered to Central's existing customers.

It is proposed that four pipelines now classified by Central as "transmission" lines be retained by Central but be reclassified as "distribution" lines. They include the following:

(1) 5 miles of 4-inch line extending to Camargo, Kentucky.

(2) 13.8 miles of 6-inch line extending to Cynthiana, Kentucky.

(3) 9.1 miles of 6-inch line extending to Georgetown, Kentucky.

(4) 44.3 miles of 2- to 10-inch lines extending to Frankfort, Lexington, Midway and Versailles, Kentucky.

This proposed realignment means that the retail customers served exclusively by these reclassified pipe lines will bear 100 percent of the costs on such lines, rather than only about 10 to 12 percent of such costs as at present.

The Manufacturers Light and Heat Company (Manufacturers), a Pennsylvania corporation, and Natural Gas Company of West Virginia (Natural Gas Company), a West Virginia corporation, subsidiaries of The Columbia Gas System, Inc., each having its principal place of business at 800 Union Trust Building, Pittsburgh, Pennsylvania, Applicants in Docket No. G-9694 filed on November 24, 1955, a joint application and on February 9, 1956 a Supplement thereto, whereby Manufacturers requests the Commission to issue a certificate of public convenience and necessity authorizing it to acquire and operate the following described facilities of Natural Gas Company:

Group 1. The McFarland Gas Production Field located in Madison and St. Clair Township, Columbiana County, Ohio, comprising 25 operating wells and the associated well lines, field gathering lines, measuring and regulating equipment and one principal transmission line, No. 6012, which is connected at the Mick Meter to Manufacturers' 6" transmission line from this field south to the Wellsville, Ohio area. The portion of Line No. 6012 included in the proposed acquisition is that from Station 717±03 to the Mick Meter, consisting of 7,103 feet of 6" and 1,208 feet of 8" line. With minor exceptions, the other lines in the Group 1 properties are production lines.

Group 2. Approximately 3.2 miles of 8" transmission pipe, Line No. 6159, from the Riverview Meter on the Ohio River in Pultney Township, Belmont County, Ohio, to the Rock Hill Measuring Station in the same Township, County and State, and approximately 2.2 miles of 8" pipe, Line No. 6157, from the said Rock Hill Measuring Station back to a point on the Ohio River in Pease Township, Belmont County, Ohio, together with the measuring station, meters and services associated therewith. At present gas is sold by Manufacturers to Natural Gas Company at the Riverview Meter, and is transported thence westward through Line No. 6159 to the Rock Hill Measuring Station, at which point most of the gas is sent southwestwardly in Natural Gas Company's system. Part of the gas, however, moves northeastwardly through Line No. 6157 to a point on the Ohio River in Pease Township, Belmont County, where the line ends. Natural Gas Company supplies retail customers directly from these transmission lines, including 56 customers of Manufacturers at Overlook Court, Pultney Township.

Natural Gas Company seeks authority to abandon the following described facilities and the service rendered thereby as

soon as the connections with retail customers served directly therefrom can be connected to Manufacturers' 16-inch Brinker-Beaver Falls line presently under construction.

Group 3. Approximately 2.45 miles of 8" transmission line, Line No. 6023, from Brinker Compressor Station, Salem Township, Columbiana County, Ohio, to the commencement of Manufacturers' present 8" line on the Haag Farm, Fairfield Township, in the same County and State.

Natural Gas Company also seeks authority to abandon by removal or sale for salvage:

Group 4. That part of Line No. 6012 included in this group extending from the Cooper Farm in Wayne Township, Columbiana County, Ohio, to a point in the McFarland Field, known as Station 717±03 and consisting of 7.9 miles of 8" pipeline. Line No. 6013 extends from its junction with Line No. 6012 in Madison Township, Columbiana County, northeastwardly to a connection with Manufacturers at the Ohio-Pennsylvania border and consists of 13.22 miles of 8" pipeline. The field gathering lines known as Units A and B connect with Line No. 6012 from the south.

As consideration for the properties it will acquire from Natural Gas Company, Manufacturers will pay to Natural Gas Company the depreciated original cost of the properties it proposes to acquire as of the date of transfer. This amount (\$122,812 as of December 31, 1954) can be paid by Manufacturers out of its cash on hand.

The depreciated original cost of the properties of Natural Gas Company which will be removed from service (sold for salvage value) is \$12,000, which represents anticipated salvage, according to the application.

In Docket No. G-9695 The Ohio Fuel Gas Company, an Ohio Corporation (Ohio Fuel), and also a subsidiary of The Columbia Gas System, Inc., having its principal place of business at 99 North Front Street, Columbus, Ohio, and Natural Gas Company of West Virginia, filed on November 23, 1955, a joint application whereby Ohio Fuel requests a certificate of public convenience and necessity to acquire and operate all the property and facilities of Natural Gas Company, after the completion of the proposed abandonment of facilities by Natural Gas Company and after the proposed sale of facilities to Manufacturers; and Natural Gas Company seeks to abandon all its facilities and the service rendered thereby upon merger with and into Ohio Fuel.

Natural Gas Company's production, transmission, distribution, and storage system, including approximately 327.5 miles of pipelines of various sizes more particularly described in the application, which is to be transferred by merger into Ohio Fuel consists of interconnected facilities extending from Ellsworth and Canfield Townships, Mahoning County, Ohio, on the north; to Adams, Center, and Salem Townships, Monroe County, Ohio, on the south; and from Sugar Creek Township in Stark County, Ohio, in the west; to Springfield Township,

Columbiana County, Ohio, and Pultney Township, Belmont County, Ohio, in the east.

Service presently being rendered by Natural Gas Company will be continued by Ohio Fuel and Manufacturers.

The application recites that the depreciated original cost of the properties to be acquired by Ohio Fuel from Natural Gas Company is \$7,614,889 as of December 31, 1954, and the depreciated original cost of the properties to be acquired by Manufacturers from Natural Gas Company is \$122,812 as of December 31, 1954.

The application further states that Columbia will make a cash capital contribution to Natural Gas Company in the amount of its deficit in surplus, plus \$30. Ohio Fuel will then issue to Columbia 125,494 shares of its \$45 par value stock, which will aggregate \$30 more in par value than the 56,472 outstanding \$100 par value shares of Natural Gas Co. held by Columbia and Columbia will surrender its Natural Gas Company capital stock to Ohio Fuel for cancellation. Ohio Fuel will assume the indebtedness and other obligations as well as acquire the assets of Natural Gas Company.

The application in each of the above numbered dockets is on file with the Commission and open for public inspection.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, 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 will be held on May 21, 1956 at 10:00 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington D. C., concerning the matters involved and the issues presented by such applications.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 8, 1956.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3232; Filed, Apr. 25, 1956;
8:48 a. m.]

[Docket No. G-8132 etc.]

WAYNE MOORE ET AL.

NOTICE OF FINDINGS AND ORDER

APRIL 19, 1956.

In the matters of Wayne Moore, W. H. Gilmore, Dixilyn Oil Company, James C. Hayes, Paul H. Umbach, Lee A. Swedlund d/b/a Sterling Oil Company, Docket No. G-8132; Jay M. Shields, Lawrence R. Howell, Theodore A. Lynn, J. Henry Schweitzer, John E. Freeman, Jr., Garth A. Duell, Richard T. Byrne, Albert L. Goepfinger, Margaret C. Proc-

tor, Richard C. Bergen, Emmett C. Gallup, Miriam B. Gallup, Maurice Thorner, Arrowhead Associated, Inc., Jane D. Shields, Docket No. G-8134; E. C. Miller and Earl Knotts, Docket No. G-8136; L. L. Booher Gas Company, Docket No. G-8137; P. L. and Josie Hall Lease, Docket No. G-8146; C. W. Beecher and L. W. Beecher, Docket No. G-8287; Guyan Gas Producers, Inc., Docket No. G-8317; S & S Gas Company, Docket No. G-8371; G. A. Kane, The Cooperative Refinery Association, Docket No. G-8379; Hester M. Ayers Gas Company, Docket No. G-8413; David J. Flesh, Dr. Harold W. Goldberg, Leon S. Brach, Maurice C. Hill, William F. Joseph, Irving Geist, I. S. Greenfield, Howard Greenfield, Robert & Carol Rosenthal, Ethel Bieber, Joan Carroll, Joseph R. Ferry, Docket No. G-8417; Briscoe Valley Development Association, Docket No. G-8437; Westates Petroleum Corporation, Docket No. G-8485; Ernest A. Strakosh, Docket No. G-8580; Mrs. Ruthe Greenewald, Docket No. G-8587; Pratt and Grace Barr Lease, Docket No. G-8594; Morris Oil and Gas Company, Inc., Docket No. G-8595; Fordee Rhoades Oil Company, Docket No. G-8641; Sinclair Oil & Gas Company, Docket No. G-8836; Durbin Bond & Co., Inc., Harry D. Owen, J. K. Wright, Jr., M. Q. Peterson d/b/a Petersen Drilling Company, Mrs. George F. Baker, Charles G. Cushing, Docket No. G-9061; Nelson Bunker Hunt, Docket No. G-9088; Continental Oil Company, Docket No. G-9260; Nabob Production Company, Docket No. G-9301; J. W. Braden Oil Company, Docket No. G-9478; J. W. Braden Oil Company, Docket No. G-9479; The Atlantic Refining Company, Docket No. G-9644; Fred Morgan, Docket No. G-9673; W. Y. Quisenberry, Docket No. G-9699; Western Pocahontas Corporation, Docket No. G-9704; W. E. Bakke, Docket No. G-9712; Musgrove Petroleum Corporation, Kenneth A. Spencer, G. M. Simpson, Chester W. Kettner, Docket No. G-9734; The Stevens County Oil & Gas Company, Docket No. G-9744; B. M. Britain and C. E. Weymouth, Docket No. G-9818; H & N Gas Company, Docket No. 9824; Victor Hale, Docket No. G-9826; Lamp Oil & Gas Co., Docket No. G-9849; L. M. Ayers, et al., Docket No. G-9851.

Notice is hereby given that on April 16, 1956, the Federal Power Commission issued its finding and order, issuing certificates of public convenience and necessity in the above-entitled matters.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3233; Filed, Apr. 25, 1956;
8:48 a. m.]

[Docket Nos. G-9702, G-9789]

HUMBLE OIL & REFINING CO. AND ARKANSAS FUEL OIL CO.

NOTICE OF SEVERANCE AND POSTPONEMENT OF HEARING

APRIL 19, 1956.

Take notice that the hearing upon the two separate applications for certificates of public convenience and necessity as

hereinafter described, which were scheduled to be heard at 9:30 a. m., e. d. s. t., on Tuesday, May 8, 1956 (published April 7, 1956, 21 F. R. 2294-2296), in the consolidated proceeding in the Matters of Houston Natural Gas Production Company et al., Docket Nos. G-8512, et al., is postponed as hereinafter indicated and the two applications are hereby severed from said consolidated proceeding.

The hearing upon the application in the matter of Humble Oil & Refining Company, Docket No. G-9702, filed November 25, 1955, is hereby postponed to a date to be hereafter fixed by further notice.

The hearing upon the application in the matter of Arkansas Fuel Oil Company, Docket No. G-9789, filed December 19, 1955, is hereby postponed, at the request of Applicant, to a date to be hereafter fixed by further notice.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 56-3234; Filed, Apr. 25, 1956;
8:48 a. m.]

[Docket No. G-10277]

J. R. MCGILL ET AL.

ORDER SUSPENDING PROPOSED CHANGES IN RATES

J. R. McGill, et al. (Applicant), on March 23, 1956, tendered for filing proposed changes in presently effective rate schedules for sales subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filing which is proposed to become effective on the date shown:

Description; Purchaser; Rate Schedule Designation; and Effective Date¹

Notice of change, undated; Phillips Petroleum Company; Supplement No. 2 to Applicant's FPC Gas Rate Schedule No. 1; May 1, 1956.

The increased rates and charges proposed in the aforesaid filing have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority contained in Sections 4 and 15 of the Natural Gas Act and the Commission's general rules and regulations (18 CFR, Chapter I), a public hearing be held upon a date to be fixed by notice from the Secretary, concerning the lawfulness of said proposed changes in rates and charges; and,

¹The stated effective date is the first day after expiration of the required thirty days notice, or the effective date proposed by Applicant, if later.

pending such hearing and decision thereon, the above-designated supplement be and the same hereby is suspended and the use thereof deferred until October 1, 1956, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(B) Neither the supplement hereby suspended, nor the rate schedule sought to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

Issued: April 19, 1956.

By the Commission.¹

[SEAL] J. H. GUTRIDE,
Acting Secretary.

[F. R. Doc. 56-3235; Filed, Apr. 25, 1956;
8:49 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 70-3469]

PENNSYLVANIA ELECTRIC CO.

NOTICE OF FILING REGARDING PROPOSED ISSUANCE AND SALE OF PRINCIPAL AMOUNT OF FIRST MORTGAGE BONDS AND OF PREFERRED STOCK

APRIL 20, 1956.

Notice is hereby given that Pennsylvania Electric Company ("Penelec"), an indirect public utility subsidiary of General Public Utilities Corporation, a registered holding company, has filed an application and an amendment thereto pursuant to the Public Utility Holding Company Act of 1935 ("act") designating section 6 (b) thereof and Rule U-50 promulgated thereunder as applicable to the transactions proposed therein which are summarized as follows:

Penelec proposes to issue and sell, for cash, pursuant to the competitive bidding provisions of Rule U-50, \$12,500,000 principal amount of first mortgage bonds and 90,000 shares of preferred stock, with a par value of \$100 per share. The interest rate on the bonds, which is to be a multiple of $\frac{1}{8}$ of 1 percent, and the price thereof to Penelec, which is to be not less than 100 percent nor more than 102.75 percent of principal amount, and the dividend rate on the preferred stock, which is to be a multiple of $\frac{1}{20}$ of 1 percent, and the price thereof to Penelec, which is to be not less than \$100 per share nor more than \$102.75 per share, are to be fixed by the competitive bidding.

The First Mortgage Bonds, which are designated in the application as the 1986 Series Bonds, will be issued under the mortgage and deed of trust between Penelec and Bankers Trust Company, as Trustee, dated as of January 1, 1942, as heretofore amended and supplemented and as to be amended and supplemented by a further supplemental indenture to be dated as of May 1, 1956. The new

Preferred Stock will constitute a further series of Penelec's preferred stock and will not vary in its terms from the outstanding shares of Penelec's preferred stock except as to dividend rate and redemption price.

Penelec proposes to apply the proceeds derived from the sale of these new securities as follows: (a) \$10,000,000 will be applied to the prepayment of Penelec's $\frac{3}{4}$ percent notes due December 31, 1957, issued under its credit agreement dated February 27, 1953; (b) \$2,000,000 will be applied to the prepayment of the $\frac{3}{4}$ percent bank loans of Northern Pennsylvania Power Company ("North Penn") due June 29, 1956, which are expected to be assumed by Penelec on or about April 30, 1956, as a result of the proposed merger of North Penn into Penelec; and (c) the balance will be applied to the cost of construction of property additions, to the repayment of bank loans effected by Penelec since December 31, 1955, in connection with the construction of property additions, or to the reimbursement of Penelec's treasury for expenditures therefrom in connection with the construction of property additions.

Prior to the issuance of the 1986 Series Bonds and the 90,000 shares of Preferred Stock, Penelec proposes to declare and pay a special cash dividend on its common stock in the amount of \$4,000,000 out of earned surplus accumulated prior to January 1, 1956.

The filing states that Penelec's financing program for 1956 is designed to make approximately \$25,500,000 available to Penelec during the year 1956 for construction purposes and in addition to reimburse Penelec's treasury to the extent of \$4,000,000 for expenditures made therefrom for construction purposes prior to January 1, 1956 (which reimbursement will be used for general corporate purposes, including the payment of the special dividend on common stock referred to above). It is further stated that of this amount approximately \$9,500,000 will be provided from the sale of the 1986 Series Bonds and the 90,000 shares of Preferred Stock, \$6,000,000 is to be provided from the sale of additional common stock (the application for which is now pending before the Commission (File No. 70-3464)), \$1,500,000 will be provided from bank loans, and the balance, it is anticipated, will be provided from operations.

The filing indicates that no State or Federal commission other than the Pennsylvania Public Utility Commission and the Securities and Exchange Commission has jurisdiction with respect to the proposed issuance and sale of the new securities.

Notice is further given that any interested person may not later than May 7, 1956, at 5:30 p. m., e. d. s. t., request the Commission in writing that a hearing be held on the amended application stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by said amended application which he desires to controvert 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, Washington 25, D. C. At any time after said date said amended application, as filed or as it may be further amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 56-3242; Filed, Apr. 25, 1956;
8:49 a. m.]

[File No. 812-997]

WESTERN UTILITIES CORP.

NOTICE OF APPLICATION FOR ORDER DECLARING THAT COMPANY IS NOT AN INVESTMENT COMPANY

APRIL 20, 1956.

Notice is hereby given that Western Utilities Corporation ("Western Utilities") has filed an application under section 3 (b) (2) of the Investment Company Act of 1940 ("act") for an order declaring it to be primarily engaged, through controlled companies, in a business or businesses other than that of investing, reinvesting, owning, holding or trading in securities.

The application contains the following facts and representations:

(1) Applicant, a Delaware corporation, has as its sole investment the common stocks of the following operating public utilities:

	Shares	Percent of voting power
California Water & Telephone Co.	180,919	10.17
West Coast Telephone Co.	160,000	19.28
The Southwestern States Telephone Co.	30,173	5.45

(2) Each of the operating public utility companies are engaged in the telephone business and in addition, California Water & Telephone Company distributes and sells water.

(3) In June 1955, West Coast Utilities Corporation and Loveland and Company merged into Western Utilities. Prior to the merger Loveland owned 86 percent of the common stock of Western Utilities, 71 percent and 65 percent, respectively, of the preferred and common stocks of West Coast Utilities Corporation and 30,173 shares of common stock of the Southwestern States Telephone Company; Western Utilities owned 180,919 shares of common stock of California Water & Telephone Company, and West Coast Utilities owned 160,000 shares of West Coast Telephone Company.

(4) All of the securities of the three operating public utility companies now held by the applicant have been held by the applicant and/or the companies merged into it for more than 10 years, and during that time these securities have been their sole investment.

¹ Commissioner Digby dissenting.

(5) For more than the past 20 years the active direction and management of the system companies has come from a single key group comprised of Chester H. Loveland, John L. Lillenthal and Charles de Y. Elks, who have been President, Vice President and Secretary, respectively, of each of the system companies during such period.

(6) In addition, other members of the board of directors and officers of the applicant are also directors and officers of the three operating public utility companies.

(7) During the same period the salaries and expenses of a single group of key employees have been paid from a common fund, the cost of which was shared by all of the companies.

(8) Applicant has not for the past 10 years, and does not now intend to invest in any securities other than those of corporations which are managed by and under the direction of the same management group as that of the applicant.

Section 3 (a) (3) of the act, in pertinent part, defines an investment company as any issuer which is engaged or proposes to engage in the business of investing, reinvesting, owning, holding or trading in securities, and owns or proposes to acquire investment securities having a value exceeding 40 percent of the value of such issuer's total assets (exclusive of Government securities and cash items) on an unconsolidated basis. Section 3 (b) (2) of the act, however, provides an exception from such definition for any issuer which the Commission upon application finds and by order declares to be primarily engaged in a business or businesses other than that of investing, reinvesting, owning, holding, or trading in securities either directly or (A) through majority-owned subsidiaries or (B) through controlled companies conducting similar types of businesses.

As defined in section 2 (a) (9) of the act, "Control" means the power to exercise a controlling influence over the management or policies of a company, unless such power is solely the result of an official position with such company. Section 2 (a) (9) further provides, in pertinent part, that any person who does not own beneficially more than 25 percent of the voting securities of a company shall be presumed not to control such company but such presumption may be rebutted by evidence. However, such presumption continues until a determination to the contrary is made by the Commission by order.

Within the past year each of the public utility operating companies has filed a registration statement with the Commission under the Securities Act of 1933 in connection with a public offering of its securities. In one instance the company represented that the directors of Western Utilities are also directors of such company, and in the other two cases it is stated that the directors of Western Utilities and those of the companies are identical.

Notice is further given that any interested person may, not later than May 4, 1956, at 5:30 p. m., submit to the Commission in writing any facts bearing

upon the desirability of a hearing on the matter and may request that a hearing be held, such request stating the nature of his interest, the reason 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 communication or request should be addressed: Secretary, Securities and Exchange Commission, Washington 25, D. C. At any time after said date, the application may be granted as provided in Rule N-5 of the rules and regulations promulgated under the act.

It appearing to the Commission that it would be appropriate to extend the period of exemption from the Act accorded to Western Utilities Corporation as a result of the filing of the instant application pursuant to section 3 (b) (2) of the act until the disposition of such application.

It is ordered, That the period of exemption provided Western Utilities Corporation under section 3 (b) (2) of the act be extended until the disposition by the Commission of the application herein of Western Utilities Corporation.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 56-3243; Filed, Apr. 25, 1956;
8:50 a. m.]

[File No. 70-3470]

UNION ELECTRIC CO. OF MISSOURI

NOTICE OF FILING OF APPLICATION REGARDING ISSUANCE OF SHORT TERM NOTES

APRIL 20, 1956.

Notice is hereby given that Union Electric Company of Missouri ("Union"), a registered holding company, has filed with the Commission an application pursuant to the Public Utility Holding Company Act of 1935 ("act") and has designated the first and second sentences of section 6 (b) of said act as applicable to the proposed transactions, which are summarized as follows:

As of March 31, 1956 Union had outstanding \$10,300,000 of promissory notes, of a maturity of nine months or less from date of issue, all maturing on September 14, 1956, and bearing interest at the rate of 3½ percent per annum, the prime rate at the date of issue thereof. Said notes were issued pursuant to the exemptive provisions contained in the first and second sentences of section 6 (b) of the act. It is stated that the maximum amount which Union may presently issue under such exemptive provisions is \$16,944,942, or 5 per centum of the aggregate of the principal amount of Union's long term debt, the par value of its common stock and the fair market value at the dates of issue of its preferred stock without par value.

It is further stated that Union contemplates permanent financing prior to September 14, 1956, through the issue and sale of from \$35,000,000 to \$40,000,000 principal amount of additional First Mortgage Bonds to obtain funds for the repayment of its promissory notes and for continuation of its construction pro-

gram, but that economic conditions may make it advisable to consummate such financing in July or August or the early part of September, 1956, rather than during the months of May and June.

The application further states that the estimated cash requirement of Union from external sources during the months April to September, 1956, both inclusive, is \$18,500,000 and that Union has made informal arrangements with the present holders of its short term notes and with another financial institution for additional borrowings, without any commitment fees, as required by Union from time to time, to be evidenced by promissory notes to be dated as of the date of each particular borrowing, to mature on September 14, 1956, to bear interest at the prime rate effective at the particular time of borrowing, and to be repayable prior to maturity without premium.

Accordingly, Union requests the Commission to enlarge the percentage which Union may borrow, pursuant to the first and second sentences of section 6 (b) of the act from 5 percent to 8 percent, such increase to remain in effect until September 14, 1956, or such earlier date upon which Union shall have consummated its permanent financing referred to above.

It is stated that no State or other Federal commission has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than May 7, 1956, at 5:30 p. m., request the Commission in writing that a hearing be held on this matter stating the nature of his interest, the reasons for such request, and the issues of fact or law, if any, raised by such filing which he proposes to controvert, 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, Washington 25, D. C. At any time after said date the application as filed or as it may hereafter be amended, may be granted as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may grant exemption from its rules as provided in Rules U-20 (a) and U-100 or take such other action as it may deem appropriate.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 56-3244; Filed, Apr. 25, 1956;
8:50 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 23, 1956.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 31995: Liquefied petroleum gas—Southwest to Nebraska. Filed by

[No. 31981]

NEW HAVEN RAILROAD

INCREASED COMMUTATION FARES, 1956

F. C. Kratzmeir, Agent, for interested rail carriers. Rates on liquefied petroleum gas, tank-car loads, from specified points in Arkansas, Kansas, Louisiana, Missouri, New Mexico, Oklahoma, and Texas, to specified points in Nebraska.

Grounds for relief: Modified short-line distance formula, application of rates through higher-rated intermediate points in western Iowa, truck competition in part, and circuitry.

Tariff: Supplement 279 to Agent Kratzmeir's ICC 3825.

FSA No. 31996: *Brick—Nebraska to Michigan and Wisconsin.* Filed by W. J. Pruetter, Agent, for interested rail carriers. Rates on brick and related articles, carloads, from Endicott, Hastings, Lincoln, and Nebraska City, Nebr., to base points in upper peninsula of Michigan and in Wisconsin, and points taking same rates in National Rate Basis Tariff.

Grounds for relief: Short-line distance formula, and circuitry.

Tariff: Supplement 101 to Agent Pruetter's ICC A-3686.

FSA No. 31997: *Sugar—western points to central territory.* Filed by W. J. Pruetter, Agent, for interested rail carriers. Rates on sugar, beet or cane, carloads, from specified points in Colorado, Idaho, and other western States named in item 1844-B of exhibit 1 to the application, to specified points in Indiana, Kentucky, Michigan, Ohio, and Pennsylvania, named in item 1843-D of the same exhibit.

Grounds for relief: Circuitous routes. Tariff: Supplement 101 to Agent Pruetter's ICC A-3973.

FSA No. 31998: *Substituted service; motor-rail-motor—St. Louis-San Francisco.* Filed by J. D. Hughett, Agent, for interested rail and motor carriers. Rates on various commodities, in truck-load and less-than-truck-load quantities, in highway trucks, trailers, or semi-trailers, loaded on railroad flat cars, between Dallas, Tex., on traffic from or to points beyond served by motor carriers, on one hand, and Oklahoma City, Okla., on traffic from or to points beyond served by motor carriers.

Grounds for relief: All motor-truck competition.

Tariff: Supplement 5 to Agent Hughett's ICC 66.

FSA No. 31999: *Substituted service; motor-rail-motor—Missouri-Kansas-Texas.* Filed by J. D. Hughett, Agent, for interested rail and motor carriers. Rates on various commodities, in highway trailers loaded on railroad flat cars, between Muskogee, Okla., on one hand, and Dallas and Fort Worth, Tex., on the other, on traffic originating at and moving from or to points beyond served by motor carriers.

Grounds for relief: Competition of motor trucks.

Tariff: Supplement 5 to Agent Hughett's ICC 66.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[P. R. Doc. 56-3239; Filed, Apr. 25, 1956; 8:40 a. m.]

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 20th day of April A. D. 1956:

It appearing that on April 16, 1956, The New York, New Haven and Hartford Railroad Company filed schedules to become effective June 15, 1956, proposing to increase its interstate commutation fares between points in the States of Massachusetts, Rhode Island, Connecticut, and New York, by 25 percent;

It further appearing that such schedules were accompanied by a statement in justification thereof, with six supporting verified statements, and that such statements were served on the regulatory bodies and persons listed below, and that respondent will furnish like copies to any other interested party upon request in writing, addressed to Mr. J. W. Grady, The New York, New Haven and Hartford Railroad Company, 54 Meadow Street, New Haven, Conn.;

It further appearing that on April 18, 1956, the said railroad company filed schedules with the State regulatory bodies of Massachusetts, Rhode Island, and Connecticut, proposing like increased intrastate commutation fares within those States; and that it asks that the outstanding order in No. 30010, New York State Commutation Fares, New Haven Railroad, 279 I. C. C. 151, be modified to the extent necessary to permit the filing of a petition and/or schedules with the Public Service Commission of New York, for similar increased commutation fares within that State;

It is ordered, That:

1. (a) An investigation under the docket number and title hereof be, and it is hereby, instituted into and concerning the reasonableness and lawfulness otherwise of the proposed increased interstate commutation fares above described;

(b) That The New York, New Haven and Hartford Railroad Company be, and it is hereby, made respondent to this proceeding.

2. Special rules of practice will apply as follows:

(a) Protests against the proposed increase in interstate commutation fares, including requests for suspension of the schedules, may be filed on or before May 14, 1956. Such protests should make reference to this proceeding by docket number and title, should state the grounds in support of the protests, and indicate in what respect the protested schedules are considered to be unlawful. The protests may be in letter form and an original only need be filed with this Commission, with copy to Mr. J. W. Grady, representing the respondent. Replies to protests may be made in accordance with paragraph 2 (d) hereof. Unless orally objected to on the record at the hearing provided for in paragraph 3, these protests will be received in evidence.

(b) The Commission will take official notice of, and consider as part of the

record in this proceeding, the annual, quarterly and monthly reports of the respondent to this Commission for the period from 1946 to the date of the hearing, and of the elements of value applicable to the respondent contained in the publication of this Commission's Bureau of Accounts, Cost Finding and Valuation, dated February 1, 1956, entitled "Elements of Value of Property of Class I Line Haul Carriers used in Common Carrier Service."

Parties desiring to enter objection to the consideration of such documents, or any particular matter contained therein upon the ground of relevance or materiality, must orally enter such objection on the record at a timely stage of the hearing provided for in paragraph 3 hereof. The objection should specify the matter objected to and the reasons therefor.

(c) Evidence in behalf of groups or associations either in support of or against the proposed fares, including evidence dealing with the cost of service or other technical matters, must be submitted in the form of verified statements (affidavits) with or without exhibits attached, on or before May 14, 1956, with fifteen copies to this Commission, two copies to Mr. Grady, and one copy to each of the regulatory bodies and persons listed in the appendix hereto, together with a copy to any other interested party requesting it.

(d) Verified statements (affidavits) in reply to the above, and verified statements in reply to protests submitted in accordance with paragraph 2 (a) hereof, must be filed on or before May 21, 1956. Fifteen copies must be furnished to this Commission. A copy should also be furnished to the party whose verified statement or protest is being replied to, with a copy to each of the regulatory bodies and persons listed in the appendix, together with a copy to any other interested party requesting it.

3. A hearing for the purpose of cross-examining witnesses who have filed verified statements or reply verified statements will be held at Room 35, U. S. Court House, Foley Square, New York, N. Y., beginning at 10:00 o'clock a. m., U. S. standard time, May 23, 1956, before Examiner Fuller. Opportunity will also be given at this session for the presentation of oral testimony in support of or in opposition to the proposed increased fares, by persons having an interest therein. A supplemental session will be held at Boston, Mass., at a time and place to be announced later, for the purpose of further presentation of such oral testimony, provided requests therefor are made to this Commission on or before May 14, 1956.

4. Memorandum briefs may be filed on or before June 6, 1956. An original and 14 copies must be furnished to the Commission, and one copy to each party filing an appearance at the hearing.

It is further ordered, That the outstanding order in No. 30010 be, and it is hereby, modified to the extent necessary to permit respondent to file a petition and/or schedules with the Public Service Commission of New York for similar increases in intrastate commutation fares

within that State, and further modified to permit the respondent to maintain such increased intrastate commutation fares as may be approved by that Commission as a result of such petition.

And it is further ordered, That a copy of this order be served upon respondent, and furnished to each of the regulatory bodies in the States traversed by respondent, and copies for public inspection be filed in the office of the Secretary of the Commission, and with the Director, Division of the Federal Register, for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

INCREASED COMMUTATION FARES, NEW HAVEN
RAILROAD

Public Service Commission of New York,
Albany, N. Y.

Connecticut Public Utilities Commission,
Hartford, Conn.

Rhode Island Public Utility Administrator,
State Office Building, Providence, R. I.

Massachusetts Commissioners of the Department of Public Utilities, 100 Nashua Street, Boston, Mass.

Paul Bauman, 10 William Street, New York 38, N. Y.

Hon. Stanley W. Church, Mayor, City of New Rochelle, N. Y.

Thomas G. Early, 127 Sound Beach Avenue, Old Greenwich, Conn.

Monroe L. Fuchs, Wilton, Conn.

John M. Hanrahan, Corporation Counsel, Stamford, Conn.

R. Harrington, Jr., R. F. D. No. 6, Westport, Conn.

Orrin G. Judd, Judd & Gurfeln, 655 Madison Avenue, New York 21, N. Y.

Alfred A. Lawton, New Canaan, Conn.

Peter R. Levin, Wilton, Conn.

Isadore M. Mackler, 41 Bank Street, Stamford, Conn.

Frank X. O'Donnell, Jr., 100 Palmer Avenue, Larchmont, N. Y.

B. Edwin Sackett, c/o Chamber of Commerce, 107 Greenwich Avenue, Greenwich, Conn.

Emanuel Schwartz, 110 East 42d Street, New York 17, N. Y.

Edward F. Huber, Esq., Dern, Magill & Huber, 55 Broadway, New York 6, N. Y.

Joseph J. Doran, Gov. Alfred E. Smith State Office Building, Albany, N. Y.

Samuel R. Madison, Gov. Alfred E. Smith State Office Building, Albany, N. Y.

V. M. Parshall, Public Service Commission, Albany, N. Y.

Herbert Askwith, 3 Concord Avenue, Larchmont, N. Y.

Harold Borgwald, Corporation Counsel, City Hall, Mount Vernon, N. Y.

John L. Delius, 100 Mamaroneck Avenue, Mamaroneck, N. Y.

Daniel E. Kelly, Corporation Counsel, Rye, N. Y.

William J. McWilliams, 70 Pine Street, New York 5, N. Y.

William L. Moran, Assistant Corporation Counsel, 22 Church Street, New Rochelle, N. Y.

Francis J. Morgan, County Office Building, White Plains, N. Y.

Anthony Sansone, 169 Pleasant Avenue, Mamaroneck, N. Y.

David Wolff, Assistant Town Attorney, Town Hall, Harrison, N. Y.

[F. R. Doc. 56-3240: Filed, Apr. 25, 1956; 8:49 a. m.]





