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TITLE 3—THE PRESIDENT EXECUTIVE ORDER 10748

APPOINTING THE HONORABLE EDWARD I. P. TATELMAN TO ACT AS SPECIAL JUDGE OF THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF THE CANAL ZONE IN A CERTAIN CASE

By virtue of the authority vested in me by section 29 of title 7 of the Canal Zone Code, I hereby appoint the Honorable Edward I. P. Tatelman, Magistrate, Canal Zone, as Special Judge to perform and discharge the duties of the office of Judge of the United States District Court, District of the Canal Zone, and to sign all necessary papers and records as Special Judge of the said District Court, in the case of *Government of the Canal Zone vs. Federico Zapata*, Balboa Criminal #4794.

DWIGHT D. EISENHOWER

THE WHITE HOUSE,
January 1, 1958.

[P. R. Doc. 58-126; Filed, Jan. 2, 1958; 5:13 p. m.]

TITLE 7—AGRICULTURE

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

[Navel Orange Reg. 129]

PART 914—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

LIMITATION OF HANDLING

§ 914.429 *Navel Orange Regulation 129*—(a) *Findings*. (1) Pursuant to the marketing agreement, as amended, and Order No. 14, as amended (7 CFR Part 914), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Navel Orange Administrative Committee, established under the

said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such navel oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 31, 1957.

(b) *Order*. (1) The respective quantities of navel oranges grown in Arizona and designated part of California which

(Continued on next page)

CONTENTS

THE PRESIDENT

Executive Order	Page
Appointing The Honorable Edward I. P. Tatelman to act as Special Judge of the United States District Court for the District of the Canal Zone in a certain case.....	83

EXECUTIVE AGENCIES

Agricultural Marketing Service	
Proposed rule making:	
Strawberries, fresh; U. S. standards.....	88
Rules and regulations:	
Cucumbers grown in Florida; safeguards and exemption procedures.....	85
Limitation of handling:	
Lemons grown in California and Arizona.....	84
Oranges, navel; grown in Arizona and designated part of California.....	83

Agriculture Department
See Agricultural Marketing Service.

Civil Aeronautics Board

Proposed rule making:	
Contracts or agreements between affiliated carriers; requirement of supporting statement.....	89
Rules and regulations:	
Airlines, certain certificated; tariffs; trade agreements....	86

Federal Communications Commission

Notices:	
Canadian broadcast stations; changes, proposed changes and corrections in assignments.....	96
Proposed rule making:	
Radio broadcast services; television reference test signal...	90

Federal Power Commission

Notices:	
Hearings, etc.:	
Hanley Co.....	92
Hanley Co. et al.....	92



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CFR SUPPLEMENTS

The following is now available:

Title 3, 1943-1948 Compilation (\$7.00)

All pocket supplements and revised books as of January 1, 1957, have been previously announced except Titles 1-3 and the supplement to the General Index.

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

CONTENTS—Continued

Federal Power Commission—	Page
Continued	
Notices—Continued	
Hearings, etc.—Continued	
Hibbert, R. E.-----	93
Olsen, R., Oil Co. (2 documents)-----	93, 95
Olsen, R., Oil Co. et al.-----	94
Slick Oil Corp.-----	91
Southern California Petroleum Corp.-----	94
Texas Gulf Producing Co. et al.-----	93
Tidewater Oil Co.-----	92
Indian Affairs Bureau	
Rules and regulations:	
Leasing and permitting of certain restricted lands; miscellaneous amendments-----	87

CONTENTS—Continued

Interior Department	Page
See Indian Affairs Bureau; Reclamation Bureau.	
Notices:	
Indian Affairs Bureau; lands and minerals; delegations of authority (2 documents)-----	90
Interstate Commerce Commission	
Notices:	
Fourth section applications for relief-----	95
Rules and regulations:	
Motor Carrier Annual Report Form A-----	87
Labor Department	
Notices:	
Certification of State unemployment compensation laws to Secretary of Treasury (2 documents)-----	91
Rules and regulations:	
Child labor; documents accepted as proof of age in Guam-----	86
Reclamation Bureau	
Notices:	
Gila Irrigation Project, Arizona, Yuma Mesa Division; annual water service charges-----	90
Securities and Exchange Commission	
Notices:	
Hearings, etc.:	
Bellanca Corp.-----	96
Mississippi Power & Light Co. and Middle South Utilities, Inc.-----	96
CODIFICATION GUIDE	
A numerical list of the parts of the Code of Federal Regulations affected by documents published in this issue. Proposed rules, as opposed to final actions, are identified as such.	
Title 3	Page
Chapter II (Executive orders):	
10748-----	83
Title 7	
Chapter I:	
Part 51 (proposed)-----	88
Chapter IX:	
Part 914-----	83
Part 953-----	84
Part 1015-----	85
Title 14	
Chapter I:	
Part 225-----	86
Part 261 (proposed)-----	89
Title 25	
Chapter I:	
Part 131-----	87
Title 29	
Subtitle A:	
Part 4-----	86
Title 47	
Chapter I:	
Part 3 (proposed)-----	90
Title 49	
Chapter I:	
Part 205-----	87

may be handled during the period beginning at 12:01 a. m., P. s. t., January 5, 1958, and ending at 12:01 a. m., P. s. t., January 12, 1958, are hereby fixed as follows:

(1) District 1: 554,400 cartons;
 (ii) District 2: Unlimited movement;
 (iii) District 3: Unlimited movement;
 (iv) District 4: Unlimited movement.
 (2) All navel oranges handled during the period specified in this section are subject also to all applicable size restrictions which are in effect pursuant to this part during such period.
 (3) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

(Sec. 5, 49 Stat. 853, as amended; 7 U. S. C. 608c)

Dated: January 3, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Marketing Division, Agricultural Marketing Service.

[F. R. Doc. 58-138; Filed, Jan. 3, 1958; 11:28 a. m.]

[Lemon Reg. 720]

PART 953—LEMONS GROWN IN CALIFORNIA AND ARIZONA

LIMITATION OF HANDLING

§ 953.827 *Lemon Regulation 720*—(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), regulating the handling of lemons grown in California and Arizona, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.; 68 Stat. 906, 1047), and upon the basis of the recommendation and information submitted by the Lemon Administrative Committee, established under the said amended marketing agreement and order, and upon other available information, it is hereby found that the limitation of handling of such lemons as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U. S. C. 1001 et seq.) because the time intervening between the date when information upon which this section is based becomes available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The Committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions

for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 31, 1957.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a. m., P. s. t., January 5, 1958, and ending at 12:01 a. m., P. s. t., January 12, 1958, are hereby fixed as follows:

- (i) District 1: 23,250 cartons;
- (ii) District 2: 153,450 cartons;
- (iii) District 3: 32,550 cartons.

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

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

Dated: January 2, 1958.

[SEAL] G. R. GRANGE,
Acting Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F. R. Doc. 58-119; Filed, Jan. 3, 1958; 9:06 a. m.]

PART 1015—CUCUMBERS GROWN IN FLORIDA

SAFEGUARDS AND EXEMPTION PROCEDURES

Notice of proposed rule making regarding rules and regulations for the establishment of safeguards and exemption procedures, to be made effective under Marketing Agreement No. 118 and Order No. 115 (7 CFR Part 1015; 22 F. R. 6083), regulating the handling of cucumbers grown in Florida, was published in the FEDERAL REGISTER (November 16, 1957; 22 F. R. 9194). This regulatory program is effective under 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). After consideration of all relevant matters presented, including the proposals set forth in the aforesaid notice which were adopted and submitted for approval by the Florida Cucumber Committee, established pursuant to the aforesaid marketing agreement and order, the following rules and regulations are hereby approved:

GENERAL	
Sec. 1015.110	Communications.
DEFINITIONS	
1015.120	Order.
1015.121	Marketing agreement.
1015.122	Terms.
SAFEGUARDS	
1015.130	Application for Certificate of Privilege.
1015.131	Issuance.
1015.132	Reports.
1015.133	Denial and appeal.
EXEMPTION PROCEDURES	
1015.140	Application.
1015.141	Investigations.
1015.142	Issuance.
1015.143	Disposition of certificates.
1015.144	Reports.
1015.145	Appeals.

AUTHORITY: §§ 1015.110 to 1015.145 issued under sec. 5, 49 Stat. 753, as amended; 7 U. S. C. 608c.

GENERAL

§ 1015.110 *Communications.* Unless otherwise provided in the marketing agreement and order, or by specific direction of the committee, all reports, applications, submittals, requests, and communications in connection with the marketing agreement and order shall be addressed to the Florida Cucumber Committee at its principal office.

DEFINITIONS

§ 1015.120 *Order.* "Order" means Order No. 115 (§§ 1015.1 to 1015.88; 22 F. R. 6083) regulating the handling of cucumbers grown in Florida.

§ 1015.121 *Marketing agreement.* "Marketing agreement" means Marketing Agreement No. 118.

§ 1015.122 *Terms.* Terms used in this subpart shall have the same meaning as when used in the marketing agreement and order.

SAFEGUARDS

§ 1015.130 *Application for Certificate of Privilege.* (a) Whenever handling is regulated pursuant to § 1015.52, and such regulation provides for modification, suspension, or termination for any of the purposes set forth below pursuant to § 1015.54, each handler desiring to make shipments of cucumbers for any of the following purposes shall, prior thereto, apply to the committee for and obtain a Certificate of Privilege permitting such shipment:

- (1) For relief or charity; or
- (2) For conversion into pickles or relishes.

(b) Applications for Certificates of Privilege shall be made on forms furnished by the committee. Each application shall contain the name and address of the handler, and such other information as the committee may require, such as, but not limited to, the quantity (by grade, size and quality) of cucumbers to be shipped, purpose of shipment, the mode of transportation, consignee, destination, and other appropriate information or documents necessary to safeguard against the entry of such cucumbers into trade channels other than those for which the Certificate of Privilege is granted.

§ 1015.131 *Issuance.* The committee, or its duly authorized agents, shall give prompt consideration to each application for a Certificate of Privilege and shall determine whether the application is approved. Approval of an application shall be evidenced by the issuance of a Certificate of Privilege authorizing the applicant named therein to ship cucumbers for a specified purpose for a specified period of time.

§ 1015.132 *Reports.* Each handler handling cucumbers under and pursuant to a Certificate of Privilege shall supply the committee with a report thereon within the time specified on the application for such certificate showing the name and address of the shipper, car or truck identification, loading point, destination, consignee, and, when inspection is required, the Federal-State Inspection Certificate number.

§ 1015.133 *Denial and appeal.* The committee may rescind a Certificate of Privilege issued to a handler, or deny a Certificate of Privilege to a handler, upon proof satisfactory to the committee, that such handler has shipped cucumbers contrary to the provisions of this part. A Certificate of Privilege shall be rescinded or denied for a specified period of time as determined by the committee. Any handler who has been denied a Certificate of Privilege, or who has had a Certificate of Privilege rescinded, may appeal to the committee for reconsideration. Such appeal shall be in writing.

EXEMPTION PROCEDURES

§ 1015.140 *Application.* Any person applying for exemption from regulations issued pursuant to § 1015.52 shall file such application with the committee, or its duly authorized agent for such purpose, on forms to be furnished by such committee. Each application shall state the name and address of the applicant, the grade, size, and quality regulations from which exemption is requested, and facts demonstrating that the cucumbers, for which exemption is requested, were adversely affected by acts beyond his control or by acts beyond the applicant's reasonable expectation. Applications shall set forth such additional information as the committee may find necessary in making determinations with respect thereto, including, without limitation thereto, the information required on producers' applications by paragraphs (a) and (b) of this section.

(a) The location and acreage of the farm on which cucumbers for which exemption is requested, the location where such cucumbers are to be prepared for market, and the loading point from which such cucumbers are to be shipped if exemption is granted;

(b) Quantity (by grade, size and quality) of cucumbers harvested from such acreage prior to the date of application, and to be harvested subsequent to such date, during the remainder of the season or specific portion thereof (as may be determined pursuant to this part); an estimate of the portion of such cucumbers which can be handled under regulation issued pursuant to § 1015.52, during the remainder of the season; and the rea-

sons why all of such cucumbers cannot be handled under such regulations.

§ 1015.141 *Investigations.* The committee may authorize investigations of applications by its employees, and such other persons as may be necessary to procure adequate information to pass upon the merits of such applications.

§ 1015.142 *Issuance.* (a) The committee, or its duly authorized agents, shall give prompt consideration to all statements and facts relating to each application for exemption, and, pursuant to applicable provisions of this part, a determination shall be made as to whether or not the application is approved. The determination, if approving the application, shall be evidenced by the issuance of a certificate of exemption pursuant to § 1015.66: *Provided*, That, a separate certificate may be issued, at the request of an applicant, for each affected field.

(b) The applicant shall be notified in writing if his request for exemption is denied.

(c) Each exemption certificate issued pursuant to this subpart shall be on a form duly approved by the committee and signed by an authorized representative of such committee. At least one copy of each exemption certificate issued shall be retained in the committee records. Each such certificate shall contain the name and address of the recipient, the location of all cucumbers authorized to be shipped thereunder, the quantity (by grade, size and quality) of cucumbers which will be permitted in the exempted shipments and such other information as may be deemed necessary by the committee to provide such committee, the recipient, or both, with adequate and specific information regarding such exempted cucumbers.

§ 1015.143 *Disposition of certificates.* (a) Each lot of cucumbers handled under an exemption certificate shall be accompanied by such certificate, or such appropriate identifying information with respect to such certificate, as the committee may require, to facilitate the administration of regulatory provisions applicable thereto.

(b) Each shipment of a lot, or portion thereof, of cucumbers covered by an exemption certificate shall be accompanied by a Federal-State Inspection Certificate which shall show the exemption certificate number covering the lot.

§ 1015.144 *Reports.* Persons handling cucumbers under exemption certificates shall at such time as may be specified in such certificates, report thereon to the committee the quantity shipped (by grade, size and quality), the inspection certificates issued with respect thereto, the dates of such shipments, and such other information as may be requested by such committee in order to administer the regulatory provisions applicable thereto.

§ 1015.145 *Appeals.* If any applicant is dissatisfied with the determination of the committee regarding an application for an exemption certificate, or any duly issued exemption certificate an appeal by such applicant may be taken to

such committee in accordance with § 1015.68.

Dated: December 30, 1957, to become effective 30 days after publication in the FEDERAL REGISTER.

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

[F. R. Doc. 58-90; Filed, Jan. 8, 1958;
8:49 a. m.]

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

Subchapter B—Economic Regulations

[Reg. ER-227]

PART 225—TARIFFS OF CERTAIN CERTIFICATED AIRLINES; TRADE AGREEMENTS

EXTENSION OF REGULATION FOR ONE YEAR

Adopted by the Civil Aeronautics Board at its office in Washington, D. C., on the 26th day of December 1957.

Part 225 of the Board's Economic Regulations, which expires on December 31, 1957, permits the local service carriers, the certificated carriers operating wholly within the Territory of Hawaii, and carriers holding certificates for the performance of all-expense tours or cruises, to exchange air transportation for advertising goods and services.

The Air Traffic Conference of America, on behalf of its local service carrier members, has filed a petition requesting that Part 225 be extended for an additional period of one year and that the regulation be broadened so that the transportation received by the advertiser can be utilized by contest winners.

The Board believes that it is desirable to extend this regulation for an additional one-year period in view of the apparent general success of the trade agreement program.

The Board does not believe that the regulation should be further amended to permit suppliers of advertising goods and services, such as television stations, to transfer the transportation privileges received pursuant to Part 225 to contest winners. The Board relies on the same reasons it previously expressed in denying a similar request as set forth in the preamble to Amendment No. 1 of Part 225 adopted December 20, 1956. In essence, the proposal would substantially change the barter concept inherent in the promulgation of Part 225. Although the Act contemplates that air transportation should be sold rather than bartered, the Board has deemed it appropriate to make limited exceptions regarding a direct exchange between an air carrier and a supplier of advertising goods or services. As long as the privilege of using air transportation provided pursuant to such an exchange is limited to the supplier, his officers, directors, employees and their immediate families (see § 225.5 (f) of Part 225, as amended) the safeguards embodied in Part 225 provide adequate protection against discriminatory practices. However, to permit the suppliers to engage in a further exchange of air transportation service due under a trade agreement would be

to jeopardize any reasonable safeguards and thus facilitate discriminatory abuse. There would be the decided risk that tickets for air transportation could be sold at a discount. Furthermore, if contest winners were permitted to use the transportation made available to the advertising supplier it would seem difficult, logically, to exclude all other persons regarding whom the supplier could be said to be under a monetary obligation.

The amendment herein effectuated will serve to continue the present provisions of Part 225. Inasmuch as other persons are not directly concerned with this regulation the Board finds that it may be made effective without prior notice or public rule making and without the usual 30-day waiting period.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Part 225 of the Economic Regulations (14 CFR Part 225), effective January 1, 1958, to read as follows:

1. By changing the date specified in § 225.2 from "December 17, 1957" to "December 17, 1958."

2. By changing the date specified in subparagraph (a) of § 225.5 from "January 1, 1958" to "January 1, 1959."

3. By changing the date specified in § 225.13 from "January 1, 1957" to "January 1, 1958."

(Sec. 205, 52 Stat. 984; 49 U. S. C. 425. Interpret or apply secs. 403, 404, 416, 52 Stat. 992, 993, 1004; 49 U. S. C. 483, 484, 496)

Effective: January 1, 1958.

Adopted: December 26, 1957.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

[F. R. Doc. 58-96; Filed, Jan. 3, 1958;
8:50 a. m.]

TITLE 29—LABOR

Subtitle A—Office of the Secretary of Labor

PART 4—CHILD LABOR REGULATIONS, ORDER, AND STATEMENTS OF INTERPRETATION

SUBPART B—ACCEPTANCE OF STATE CERTIFICATES

DOCUMENTS ACCEPTED AS PROOF OF AGE IN GUAM

Under § 4.2 of Title 29 of the Code of Federal Regulations, the employment of a minor is not deemed to constitute oppressive child labor under section 3 of the Fair Labor Standards Act if the employer has on file an unexpired State or Federal certificate of age issued and held in accordance with Subpart A (29 CFR Subpart A).

This amendment is issued for the purpose of relieving the restrictions placed on employers in the Territory of Guam concerning the use of "State" certificates as proof of age and extends to them the same permission to use "State" certificates of age as is now provided in 29 CFR 4.21, 4.22 for employers in various States and in the Territory of Alaska.

Pursuant to the authority of section 3

of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 203), and Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR, 1950 Supp., p. 165), effective upon publication Title 29, Code of Federal Regulations, Part 4 is hereby amended by the addition of § 4.23 to read as follows:

§ 4.23 *Designation of Territory of Guam.* The Territory of Guam is designated as a State in which any of the following documents shall have the same force and effect as Federal certificates of age issued under Subpart A of this part:

(a) A birth certificate or attested transcript thereof, or a signed statement of the recorded date and place of birth issued by a registrar of vital statistics or other officer charged with the duty of recording births, or

(b) A record of baptism or attested transcript thereof showing the age of the minor.

(Sec. 3, 52 Stat. 1060, as amended; 29 U. S. C. 203)

Signed at Washington, D. C., this 23d day of December 1957.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 58-64; Filed, Jan. 3, 1958;
8:45 a. m.]

TITLE 25—INDIANS

Chapter I—Bureau of Indian Affairs, Department of the Interior

PART 131—LEASING AND PERMITTING

MISCELLANEOUS AMENDMENTS

1. Section 131.3 is revised to read as follows:

§ 131.3 *Applicability of regulations and waiver or exception.* The regulations of this part are of general application. Leases or permits in situations not covered by the regulations of this part for which there is statutory authority may be approved by the Secretary for any terms or purposes not inconsistent with law.

2. Section 131.8 is revised to read as follows:

§ 131.8 *Negotiation of individual leases and permits.* (a) Adult Indians (other than those non compos mentis) may negotiate for themselves and for their minor children on forms approved by the Secretary or his duly authorized representative, leases or permits for the use of individual restricted lands, subject to the regulations of this part and the written approval of the superintendent. Unless such leases or permits provide otherwise, rentals shall be paid directly by the lessees or permittees to the adult Indian lessors or permittees for their lands. Rentals on minors' lands shall be paid to the superintendent except

where under applicable statutes it is mandatory that such rentals be paid to the parents. Subject to the classes of leases hereinafter specified, negotiated leases shall not be approved at less than the appraised fair rental value.

(b) An adult Indian owner of trust or restricted land may lease his land for religious, educational, recreational or other public purposes to religious organizations or to agencies of the Federal, State or local government at less than the fair annual rental value. Such Indian may also lease lands without regard to the fair rental value to members of his or her immediate family. For purposes of this section, "immediate family" is defined as the Indian's spouse, brothers and sisters, lineal ancestors or descendants.

3. Section 131.9 (a) is revised to read as follows:

§ 131.9 *Negotiation of tribal leases and permits.* (a) Tribes, acting through their tribal councils or their authorized representatives, may negotiate on forms approved by the Secretary or his duly authorized representative and subject to the approval of the Secretary or his authorized representative, leases or permits with respect to tribal lands. Subject to the exception herein, negotiated leases shall not be approved at less than the appraised fair rental value. Leases for religious, educational, recreational or other public purposes to religious organizations or to agencies of the Federal, State or local government may be approved at less than the appraised fair rental value. A lease or permit may provide for the payment of rentals direct to the lessor when a tribe is organized and has facilities for handling its own funds, including an acceptable bonded officer to receipt for funds. Otherwise, the lease or permit shall provide for the payment of rentals to the superintendent for deposit to the credit of the tribe in the United States Treasury.

(R. S. 161; 5 U. S. C. 22)

HATFIELD CHILSON,
Acting Secretary of the Interior.

DECEMBER 19, 1957.

[F. R. Doc. 58-70; Filed, Jan. 3, 1958;
8:45 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicles

PART 205—REPORTS OF MOTOR CARRIERS

MOTOR CARRIER ANNUAL REPORT FORM A (CLASS I CARRIERS OF PROPERTY)

At a session of the Interstate Commerce Commission, Division 2, held at its office in Washington, D. C., on the 19th day of December A. D. 1957.

The matter of annual reports from Class I motor carriers of property being under further consideration, and the changes to be effectuated by this order being minor changes resulting from the reclassification of motor carriers, rule-making procedures under section 4 (a) of the Administrative Procedure Act, 5 U. S. C. 1003 (a), being deemed unnecessary:

It is ordered, That § 205.1 of the order of December 10, 1956 in the matter of Motor Carrier Annual Report Form A, be, and it is hereby modified and amended, with respect to annual reports of motor carriers of property with \$1,000,000 or more of average annual gross operating revenues for the year 1957 and subsequent years, to read as shown below.

It is further ordered, That 49 CFR 205.1 be, and is hereby, modified and amended to read as follows:

§ 205.1 *Annual reports of Class I carriers of property.* Commencing with the year ended December 31, 1957, and for subsequent years thereafter, until further order, all Class I motor carriers of property, as described in the order of September 27, 1956, in the matter of Uniform System of Accounts for Class I Common and Contract Motor Carriers of Property, § 182.01-1 of this chapter, viz., carriers having average annual gross operating revenues (including interstate and intrastate) of \$1,000,000 or more from property motor carrier operations, are required to file annual reports in accordance with Motor Carrier Annual Report Form A (property) which is attached to and made a part of this section.¹ Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington 25, D. C., on or before March 31, of the year following the year to which it relates.

It is further ordered, That a copy of this order and of Motor Carrier Annual Report Form A (property) shall be served on all Class I motor carriers of property subject to its provisions, and upon every trustee, receiver, executor, administrator, or assignee of any such motor carrier, and that notice of this order shall be given to the general public by posting a copy thereof in the office of the Secretary of the Commission in Washington, D. C., and by filing it with the Director of the Division of the Federal Register.

(49 Stat. 546, as amended; 49 U. S. C. 304. Interprets or applies 49 Stat. 563, as amended; 49 U. S. C. 320)

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-87; Filed, Jan. 3, 1958;
8:48 a. m.]

¹ Filed as part of the original document

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

UNITED STATES STANDARDS FOR FRESH
STRAWBERRIES¹

NOTICE OF PROPOSED RULE MAKING

Notice is hereby given that the United States Department of Agriculture is considering the revision of United States Standards for Fresh Strawberries 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.).

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, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D. C., not later than February 1, 1958.

The proposed standards are as follows:

GRADES	
Sec.	
51.3115	U. S. Fancy.
51.3116	U. S. Extra No. 1.
51.3117	U. S. No. 1.
51.3118	U. S. Combination.
51.3119	U. S. No. 2.
UNCLASSIFIED	
51.3120	Unclassified.
APPLICATION OF TOLERANCES	
51.3121	Application of tolerances.
BASIS FOR CALCULATING PERCENTAGES	
51.3122	Basis for calculating percentages.
DEFINITIONS	
51.3123	Similar varietal characteristics.
51.3124	Well colored.
51.3125	Well formed.
51.3126	Overripe.
51.3127	Injury.
51.3128	Diameter.
51.3129	Fairly well colored.
51.3130	Damage.
51.3131	Undeveloped.
51.3132	Reasonably well colored.
51.3133	Serious damage.

Authority: §§ 51.3115 to 51.3133 Issued under sec. 205, 60 Stat. 1090, as amended; 7 U. S. C. 1624.

GRADES

§ 51.3115 *U. S. Fancy*. "U. S. Fancy" consists of fresh strawberries of one variety or similar varietal characteristics which are well colored and well formed; which are not overripe or soft and which are free from mold and decay and free from injury caused by dirt, moisture, foreign material, other disease, insects, mechanical or other means.

(a) Each berry shall have the cap (calyx) attached and of good green

¹ Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act.

color and the cap stem shall not exceed three-fourths inch in length.

(b) The minimum diameter shall not be less than 1¼ inches.

(c) Incident to proper grading and handling, the following tolerances shall be permitted:

(1) *For off-size*. 5 percent for berries in any lot which are smaller than the specified minimum diameter;

(2) *For off-length cap stem*. 5 percent for berries in any lot which have cap stems longer than the specified maximum length; and,

(3) *For defects*. 5 percent for berries in any lot which fail to meet the remaining requirements of the grade, but not more than three-fifths of this amount, or 3 percent, shall be allowed for defects causing serious damage, including therein not more than 1 percent for berries affected by decay.

§ 51.3116 *U. S. Extra No. 1*. "U. S. Extra No. 1" consists of fresh strawberries of one variety or similar varietal characteristics which are fairly well colored and well formed; which are not overripe or soft and which are free from mold and decay and free from damage caused by dirt, moisture, foreign material, other disease, insects, mechanical or other means.

(a) Each berry shall have the cap (calyx) attached and of good green color and the cap stem shall not exceed three-fourths inch in length.

(b) The minimum diameter shall be not less than one inch.

(c) Incident to proper grading and handling, the following tolerances shall be permitted:

(1) *For off-size*. 5 percent for berries in any lot which are smaller than the specified minimum diameter;

(2) *For off-length cap stems*. 5 percent for berries in any lot which have cap stems longer than the specified maximum length; and,

(3) *For defects*. 5 percent for berries in any lot which fail to meet the remaining requirements of the grade, but not more than three-fifths of this amount, or 3 percent, shall be allowed for defects causing serious damage, including therein not more than 1 percent for berries affected by decay.

§ 51.3117 *U. S. No. 1*. "U. S. No. 1" consists of fresh strawberries of one variety or similar varietal characteristics which are fairly well colored; which are not overripe or soft or undeveloped and which are free from mold and decay and free from damage caused by dirt, moisture, foreign material, other disease, insects, mechanical or other means.

(a) Each berry shall have the cap (calyx) attached, and the stem shall not exceed three-fourths inch in length.

(b) The minimum diameter shall be not less than three-fourths inch.

(c) Incident to proper grading and handling, the following tolerances shall be permitted:

(1) *For off-size*. 5 percent for berries in any lot which are smaller than the specified minimum diameter;

(2) *For off-length cap stems*. 5 percent for berries in any lot which have cap stems longer than the specified maximum length; and,

(3) *For defects*. 10 percent for berries in any lot which fail to meet the remaining requirements of the grade, but not more than one-half of this amount, or 5 percent, shall be allowed for defects causing serious damage, including therein not more than 2 percent for berries affected by decay.

§ 51.3118 *U. S. Combination*. "U. S. Combination" consists of a combination of U. S. No. 1 and U. S. No. 2 berries: *Provided*, That at least 80 percent of the berries in each container meet the requirements of U. S. No. 1 grade and the remainder U. S. No. 2 grade, except for size.

(a) The minimum diameter shall be not less than three-fourths inch.

(b) Incident to proper grading and handling, the following tolerances shall be permitted:

(1) *For off-size*. 5 percent for berries in any lot which are smaller than the specified minimum diameter; and,

(2) *For defects*. 10 percent for berries in any lot which fail to meet the requirements of U. S. No. 2 grade, but not more than one-fifth of this amount, or 2 percent, shall be allowed for berries affected by decay.

(c) No part of any tolerance shall be allowed to reduce for the lot as a whole the percentage of U. S. No. 1 required in the combination, but individual containers may have not more than a total of 15 percent less than the percentage of U. S. No. 1 required: *Provided*, That the entire lot averages within the percentage required.

§ 51.3119 *U. S. No. 2*. "U. S. No. 2" consists of fresh strawberries which are reasonably well colored and which are free from decay and free from serious damage caused by dirt, disease, insects, mechanical or other means.

(a) The minimum diameter shall be not less than five-eighths inch.

(b) Incident to proper grading and handling, the following tolerances shall be permitted:

(1) *For off-size*. 5 percent for berries in any lot which are smaller than the specified minimum diameter; and,

(2) *For defects*. 10 percent for berries in any lot which fail to meet the remaining requirements of the grade, but not more than three-tenths of this amount, or 3 percent, shall be allowed for berries affected by decay.

UNCLASSIFIED

§ 51.3120 *Unclassified*. "Unclassified" consists of strawberries which have not been classified in accordance with the foregoing grades. The term "unclassified" is not a grade within the meaning of these standards but is provided as a designation to show that no grade has been applied to the lot.

APPLICATION OF TOLERANCES

§ 51.3121 *Application of tolerances.* (a) The contents of individual packages in the lot, based on sample inspection, are subject to the following limitations: *Provided*, That the averages for the entire lot are within the tolerances specified for the grade:

(1) For a tolerance of 10 percent or more, individual packages in any lot shall have not more than one and one-half times the tolerance specified, except that when the package contains 15 specimens or less, individual packages shall have not more than double the tolerance specified; and,

(2) For a tolerance of less than 10 percent, individual packages in any lot shall have not more than double the tolerance specified: *Provided*, That at least one defective and one off-size specimen may be permitted in any package.

BASIS FOR CALCULATING PERCENTAGES

§ 51.3122 *Basis for calculating percentages.* (a) Percentages shall be calculated on the basis of volume or on an equivalent basis, except that length of cap stems shall be calculated on the basis of count.

DEFINITIONS

§ 51.3123 *Similar varietal characteristics.* "Similar varietal characteristics" means that the berries in any container are similar in shape and shade of color.

§ 51.3124 *Well colored.* "Well colored" means that at least three-fourths of the surface of the berry shows light red to red color characteristic of the variety.

§ 51.3125 *Well formed.* "Well formed" means having the shape characteristic of the variety. The berry may be slightly abnormal in shape but not to an extent which detracts more than slightly from the appearance of the fruit.

§ 51.3126 *Overripe.* "Overripe" means dead ripe, or becoming soft.

§ 51.3127 *Injury.* "Injury" means any defect which more than slightly affects the appearance, or the edible or shipping quality of the berry.

§ 51.3128 *Diameter.* "Diameter" means the greatest dimension, measured at right angles to a line from stem to the apex of the berry.

§ 51.3129 *Fairly well colored.* "Fairly well colored" means that at least three-fourths of the surface of the berry shows pink to red color characteristic of the variety.

§ 51.3130 *Damage.* "Damage" means any defect which materially affects the appearance, or the edible or shipping quality of the berry.

§ 51.3131 *Undeveloped.* "Undeveloped" means that the berry has not attained a normal shape and development due to frost injury, lack of pollination, insect injury or other causes. "Button" berries are the most common type of this condition.

§ 51.3132 *Reasonably well colored.* "Reasonably well colored" means that at least one-half of the surface of the berry

shows pink to red color characteristic of the variety.

§ 51.3133 *Serious damage.* "Serious damage" means any defect which seriously affects the appearance, or the edible or shipping quality of the berry. The following shall be considered as serious damage:

- (a) Soft berries;
- (b) Badly deformed berries;
- (c) Badly bruised berries;
- (d) Decayed or leaky berries;
- (e) Berries badly caked with dirt; and
- (f) Berries which are not reasonably well colored.

Dated: December 30, 1957.

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

[F. R. Doc. 58-89; Filed, Jan. 3, 1958;
8:49 a. m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 261]

[Draft Release 89]

FILING OF AGREEMENTS

REQUIREMENT OF STATEMENT IN SUPPORT OF CONTRACTS OR AGREEMENTS BETWEEN AFFILIATED CARRIERS

Notice is hereby given that the Civil Aeronautics Board has under consideration the amendment of Part 261 of the Economic Regulations (14 CFR Part 261, as amended) which would require that any agreement between affiliated carriers that is filed with the Board pursuant to section 412 of the act be accompanied by a detailed statement supporting the reasonableness of the financial provisions of the agreement.

The principal features of the proposed amendment are explained in the explanatory statement to Part 261 as set forth below in the proposed rule.

This regulation is proposed under the authority of sections 205 (a) and 412 of the Civil Aeronautics Act of 1938, as amended (52 Stat. 984, 1004; 49 U. S. C. 425, 492).

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in triplicate and addressed to the Secretary, Civil Aeronautics Board, Washington 25, D. C. All communications received on or before February 1, 1958 will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons at the Docket Section of the Board, Room 5412, Commerce Building, Washington, D. C.

Dated: December 27, 1957.

By the Civil Aeronautics Board.

[SEAL] M. C. MULLIGAN,
Secretary.

Explanatory statement. Part 261 of the Board's Economic Regulations contains the requirements governing the filing of contracts or agreements fileable under section 412 (a) of the Civil Aero-

navics Act. There is no present requirement in Part 261 that air carriers submit specific information (other than that contained in the agreements themselves) either in support of or to facilitate the Board's review of agreements. This requirement appears necessary with respect to agreements between affiliated carriers because of the unique nature of such agreements. In contrast to agreements between arm's-length bargainers where there is some assurance that the competitive forces of the market-place determine the price to be paid, agreements between affiliated companies raise questions such as whether the financial provisions of the agreement do not simply reflect the will of the controlling carrier and whether other sources of supply would not be more economical. Accordingly, while the Board has not heretofore had substantial problems with respect to the reasonableness of charges reached through arm's-length bargaining, there have from time to time been significant questions raised as to the propriety of charges and payments between parent and affiliate. Since the Board has not generally passed upon the reasonableness of such charges and payments upon receipt of the agreements, reserving such matters for consideration in rate-making proceedings, the questions as to these charges have often arisen after substantial payments have been made pursuant to the agreements and under circumstances in which review of the amount and propriety of the charges is burdensome to the Board and the carrier. We are, therefore, of the view that current information submitted at the time of the filing of the agreement will permit the Board to conduct more effectively and at an earlier date a definitive review of the financial terms of these particular agreements and to make a more timely final determination of the propriety of the agreements.

Accordingly, the Board proposes to require that where an agreement between affiliated carriers is submitted for approval under section 412 of the act there shall be submitted an accompanying statement setting forth information, *inter alia*, (a) as to why the service was not self-provided or obtained from non-affiliated sources; (b) as to the availability of the service from other sources; (c) as to the anticipated dollar volume of services during any fiscal year period; and (d) as to the basis for the particular charges involved in the agreement.

The proposed amendment would be applicable only to contracts or agreements of a certificated air carrier affiliated with the other party thereto, within the meaning of this part.

Proposed rule. It is proposed to amend Part 261 of the Economic Regulations (14 CFR Part 261, as amended), Filing of Agreements, as follows:

1. By adding a new § 261.8 to read as follows:

§ 261.8 *Contracts or agreements between affiliated carriers.* (a) Copies of contracts or agreements between a certificated air carrier and another air carrier, foreign air carrier or other carrier, affiliated therewith shall be accompanied by a detailed statement supporting the

reasonableness of the financial provisions of the agreement. This statement shall set forth information covering the following matters:

(1) Why the agreement was entered into between the affiliated carriers in lieu of the provision of the service by the receiving carrier for itself or the receipt of the service from a non-affiliated source.

(2) Whether the service could be obtained from a non-affiliated source, and, if so, at what price. (Provide appropriate data to support the answer, including any invitation or bid proposals.)

(3) The anticipated dollar volume during any fiscal year period.

(4) The basis for the particular charges contained in the agreement.

(5) Supporting data showing the reasonableness of such charges, including data showing charges by other carriers for like services or by this carrier to un-affiliated carriers for like services.

(6) A description of the negotiations leading up to the agreement and the determination of charges thereunder.

(7) The provision for renegotiation of the charges under the agreement, and, if present, the basis therefor.

(8) The persons primarily responsible for negotiating the agreement on behalf of each party and the individuals who ultimately authorized it on behalf of each party.

(b) As used in this part, the word "affiliated" shall mean a relationship:

(1) Within the meaning of section 5 (8) of the Interstate Commerce Act, as amended, referred to in sections 408 (b) and 407 (e) of the Civil Aeronautics Act of 1938, as amended, or

(2) Where the Board has found that one carrier, directly or indirectly, controls another carrier, or that one person, directly or indirectly, controls an air carrier and another carrier, or where proceedings have been instituted under section 408 to determine whether any such control relationship exists, no final determination having been reached in such proceedings, or

(3) Where one carrier, directly or indirectly, owns, controls, or holds with power to vote, 10 percent or more of the outstanding voting securities of the other carrier, or where a third person, directly or indirectly, owns, controls or holds with power to vote, 10 percent or more of the outstanding voting securities of an air carrier and another carrier.

[F. R. Doc. 58-95; Filed, Jan. 3, 1958; 8:50 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 11986]

TELEVISION REFERENCE TEST SIGNAL ORDER EXTENDING TIME FOR FILING COMMENTS

In the matter of amendment of Part 3 of the Commission's rules and regulations concerning television broadcast stations to authorize or require a television reference test signal.

1. The Commission has before it for consideration a petition filed on December 17, 1957, by the Electronic Industries

Association (EIA) (formerly RETMA) requesting the Commission to extend the time for filing comments in the above-entitled proceeding from January 15, 1958, to June 13, 1958.

2. The Broadcast Television Systems Committee of the EIA is conducting an intensive study of the problems posed by the adoption of a reference test signal for television. Petitioner is actively engaged in the testing of proposed reference signals and submits that the necessary work in connection with the preparation of comments cannot be completed within the time specified and that it will need an extension of time until June 13, 1958, to complete its work and prepare its comments.

3. In light of the highly complex and technical problems involved in this proceeding and the need for further testing before helpful comments can be submitted, the Commission believes an extension of time for filing comments is warranted and will serve the public interest.

4. Accordingly, it is ordered, This 27th day of December 1957, that the time for filing comments in the above-entitled proceeding is extended from January 15, 1958, to June 13, 1958, with time for filing replies to such comments 30 days thereafter.

Released: December 30, 1957.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-74; Filed, Jan. 3, 1958; 8:46 a. m.]

NOTICES

DEPARTMENT OF THE INTERIOR

Bureau of Reclamation

[No. 17]

GILA IRRIGATION PROJECT, ARIZONA, YUMA
MESA DIVISION

PUBLIC NOTICE OF ANNUAL WATER SERVICE
CHARGES

DECEMBER 12, 1957.

1. Water service: Irrigation water will be furnished during calendar year 1958 under approved water service applications to the irrigable lands in Irrigation Blocks 1 and 2 of the Yuma Mesa Irrigation and Drainage District as designated by the Secretary of the Interior in the contract of May 26, 1956 (No. 14-06-W-102), between the United States and said District.

2. Water charges: The charges for water service are provided for in "Water Regulations for the Year 1958," issued by said District on December 3, 1957.

3. Except as otherwise provided in the Reclamation Law (act of June 17, 1902, 32 Stat. 388, as amended or supplemented), no water will be delivered hereunder to any lands which constitute "excess lands" within the meaning of said laws.

4. Water service applications may be made by the landowner, by his duly authorized representative, or by a tenant of the land for which water is requested, to the Chief, Operations Division, Yuma Projects Office. No water service application will be accepted if the applicant or landowner is delinquent in any water service charges due the United States or said District.

5. Water service applications will be received at the office of the Chief, Operations Division, Yuma Projects Office, Yuma, Arizona.

W. H. TAYLOR,
Regional Director.

[F. R. Doc. 58-72; Filed, Jan. 3, 1958; 8:45 a. m.]

Office of the Secretary

[Order 2508, Amdt. 23]

BUREAU OF INDIAN AFFAIRS

DELEGATION OF AUTHORITY WITH RESPECT
TO LAND AND MINERALS

Order No. 2508, as amended, is further amended as hereinafter indicated. Paragraph (n) of section 13 *Land and minerals* (14 F. R. 258; 16 F. R. 11974;

17 F. R. 6418; 19 F. R. 34, 4585; 20 F. R. 167, 552, 7017; 21 F. R. 7655; 22 F. R. 2017, 3474) is further amended to read as follows:

(n) All those matters set forth in 25 CFR Part 131 except powers reserved by the Secretary in § 131.3.

HATFIELD CHILSON,
Acting Secretary of the Interior.

DECEMBER 19, 1957.

[F. R. Doc. 58-69; Filed, Jan. 3, 1958; 8:45 a. m.]

[Order 2508, Amdt. 24]

BUREAU OF INDIAN AFFAIRS

DELEGATION OF AUTHORITY WITH RESPECT
TO LAND AND MINERALS

Section 13 *Lands and minerals* (14 F. R. 258; 16 F. R. 11974; 17 F. R. 6418; 19 F. R. 34, 4585; 20 F. R. 167, 552, 7017; 21 F. R. 7655; 22 F. R. 2017, 3474) of Order No. 2508, as amended, is further amended as indicated below:

1. Subparagraph (3) of paragraph (a) is amended to read as follows:

(3) The authority conferred by subparagraphs (1) and (2) extends to and

includes the approval of, or other appropriate administrative action required on, assignments of leases, whether heretofore or hereafter executed, bonds and other instruments required in connection with such leases or assignments thereof; unit and communitization agreements; well-spacing orders of the Oklahoma Corporation Commission submitted for approval under authority of section 11 of the act of August 4, 1947 (61 Stat. 731); the acceptance of voluntary surrender of leases by the lessee; the cancellation of leases for violation of the terms thereof; the renewal, pursuant to 25 CFR Part 192, of leases under such terms and conditions as the Commissioner may require; and the approval of agreements for settlement of claims for damage to Indian lands resulting from oil, gas, or other mineral operations.

2. Paragraph (e) is added to read as follows:

(e) The approval of exchanges of lands between individual Indians, between individual Indians and Indian tribes, between individual Indians and non-Indians and between Indian tribes and non-Indians.

FRED A. SEATON,
Secretary of the Interior.

DECEMBER 23, 1957.

[F. R. Doc. 58-71; Filed, Jan. 3, 1958;
8:45 a. m.]

DEPARTMENT OF LABOR

Office of the Secretary

CERTIFICATION OF STATE UNEMPLOYMENT COMPENSATION LAWS TO THE SECRETARY OF THE TREASURY

Pursuant to section 3304 (a) of the Internal Revenue Code as amended, the unemployment compensation laws of the following States have heretofore been approved:

Alabama.	Missouri.
Alaska.	Montana.
Arizona.	Nebraska.
Arkansas.	Nevada.
California.	New Hampshire.
Colorado.	New Jersey.
Connecticut.	New Mexico.
Delaware.	New York.
District of Columbia.	North Carolina.
Florida.	North Dakota.
Georgia.	Ohio.
Hawaii.	Oklahoma.
Idaho.	Oregon.
Illinois.	Pennsylvania.
Indiana.	Rhode Island.
Iowa.	South Carolina.
Kansas.	South Dakota.
Kentucky.	Tennessee.
Louisiana.	Texas.
Maine.	Utah.
Maryland.	Vermont.
Massachusetts.	Virginia.
Michigan.	Washington.
Minnesota.	West Virginia.
Mississippi.	Wisconsin.
	Wyoming.

In accordance with the provisions of section 3304 (c) of the Internal Revenue Code, and the President's Reorganization Plan No. 2, effective August 20, 1949, I, as Secretary of Labor, hereby certify the

No. 3—2

foregoing States to the Secretary of the Treasury for the taxable year 1957.

JAMES T. O'CONNELL,
Acting Secretary of Labor.

DECEMBER 31, 1957.

[F. R. Doc. 58-93; Filed, Jan. 3, 1958;
8:50 a. m.]

CERTIFICATION OF STATE LAWS TO THE SECRETARY OF THE TREASURY PURSUANT TO SECTION 3303 (b) (1) OF THE INTERNAL REVENUE CODE

Whereas, as Secretary of Labor, I have heretofore certified to the Secretary of the Treasury the unemployment compensation laws of the States hereinafter enumerated with respect to the taxable year 1957, as provided in section 3304 of the Internal Revenue Code, as amended; and

Whereas, reduced rates of contributions were allowable under the law of each of said States with respect to the taxable year 1957 only in accordance with the provisions of subsection (a) of section 3303 of said Code:

Now, therefore, pursuant to section 3303 (b) (1) of said Code, and the President's Reorganization Plan No. 2, effective August 20, 1949, I, as Secretary of Labor, do hereby certify to the Secretary of the Treasury the unemployment compensation law of each of the following States for the taxable year 1957:

Alabama.	Montana.
Alaska.	Nebraska.
Arizona.	Nevada.
Arkansas.	New Hampshire.
California.	New Jersey.
Colorado.	New Mexico.
Connecticut.	New York.
Delaware.	North Carolina.
District of Columbia.	North Dakota.
Florida.	Ohio.
Georgia.	Oklahoma.
Hawaii.	Oregon.
Idaho.	Pennsylvania.
Illinois.	Rhode Island.
Indiana.	South Carolina.
Iowa.	South Dakota.
Kansas.	Tennessee.
Kentucky.	Texas.
Louisiana.	Utah.
Maine.	Vermont.
Maryland.	Virginia.
Massachusetts.	Washington.
Michigan.	West Virginia.
Minnesota.	Wisconsin.
Mississippi.	Wyoming.
Missouri.	

JAMES T. O'CONNELL,
Acting Secretary of Labor.

DECEMBER 31, 1957.

[F. R. Doc. 58-94; Filed, Jan. 3, 1958;
8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-14055]

SLICK OIL CORP.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

DECEMBER 30, 1957.

Slick Oil Corporation (Respondent), on December 3, 1957, tendered for filing a proposed change in its rate schedule

presently in effect for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: Trunkline Gas Company.
Rate schedule designation: Supplement No. 1 to Respondent's FPC Gas Rate Schedule No. 5.

Effective date: January 3, 1958. (Effective date is the first day after expiration of the required thirty days' notice.)

In support of the proposed periodic rate increase, Respondent states that the provisions of the contract for increased rates resulted from arm's-length bargaining in good faith to allow for varying economic conditions. Respondent also states that the proposed rate will not exceed the rate in contracts of other sellers in the area.

The increased rate and charge so proposed has 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) 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.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-76; Filed, Jan. 3, 1958;
8:46 a. m.]

[Docket No. G-14058]

HANLEY Co.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

DECEMBER 30, 1957.

Hanley Company (Respondent), on December 9, 1957, tendered for filing a proposed change in its rate schedule presently in effect for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Respondent's FPC Gas Rate Schedule No. 20.

Effective date: January 9, 1958. (Effective date is the effective date proposed by Respondent or the date the increase becomes operative under the terms of the contract, whichever date is later.)

In support of the proposed periodic rate increase, Respondent cites the contract provision and states that another supplier is receiving a higher rate for natural gas sold to the same purchaser.

Respondent, which took over the properties relating to the subject schedule by assignment, has not furnished sufficient information to establish the date upon which the terms of the basic contract providing for the proposed increase become operative. It is appropriate, therefore, that an alternative suspension date be set.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Respondent make an early submission of a statement as to the date service commenced under its contract.

(2) 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Respondent submit, within 15 days from the date of issuance hereof, a statement as to the date service commenced under its contract.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(C) Pending such hearing and decision thereon, said supplement be and it hereby is suspended and the use thereof deferred until June 9, 1958, or, if later,

until such date that is five months after the date that the escalation provision of the schedule becomes operative to permit the proposed increased rate, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) 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.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL] JOSEPH H. GUTHRIE,
Secretary.

[F. R. Doc. 56-77; Filed, Jan. 3, 1958;
8:46 a. m.]

[Docket No. G-14061]

TIDEWATER OIL Co.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATES

DECEMBER 30, 1957.

Tidewater Oil Company (Respondent), on December 9, 1957, tendered for filing a proposed change in its rate schedule presently in effect for sales of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, dated December 6, 1957.

Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 9 to Respondent's FPC Gas Rate Schedule No. 17.

Effective date: January 9, 1958. (Effective date is the first day after expiration of the required thirty days' notice.)

The proposed change in rate is a favored-nations increase based upon a spiral escalation increase of another seller. In support of the increase, Respondent states that the increase provision is an integral part of its contract and that such provision was included to assure that it would receive full value for the gas over the term of the contract.

The increased rate and charge so proposed has 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4

and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) 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.

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

By the Commission.

[SEAL] JOSEPH H. GUTHRIE,
Secretary.

[F. R. Doc. 58-78; Filed, Jan. 3, 1958;
8:46 a. m.]

[Docket No. G-14065]

HANLEY Co. ET AL.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

Hanley Company (Operator), et al. (Respondent), on December 9, 1957, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Hanley's FPC Gas Rate Schedule No. 12.

Effective date: January 9, 1958. (Effective date is the first day after expiration of the required thirty days' notice.)

In support of the proposed periodic rate increase, Respondent states that the contract was entered into in good faith as a result of arm's-length negotiations; that the pricing provisions were necessary as a protection against increasing costs although it filed no cost data in support of this assertion; and the proposed prices are necessary to allow an adequate return on the investment.

The increased rate and charge so proposed has 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) 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.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-79; Filed, Jan. 3, 1958; 8:47 a. m.]

[Docket No. G-14066]

TEXAS GULF PRODUCING CO. ET AL.
ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

Texas Gulf Producing Company (Operator) et al. (Respondent) on December 9, 1957, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 5 to Texas Gulf's FPC Gas Rate Schedule No. 12.

Effective date: January 9, 1958. (Effective date is the first day after the expiration of the required thirty days' notice.)

In support of the periodic rate increase, Respondent states that the increase is an integral part of the consideration for the contract.

The increased rate and charge so pro-

posed has 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) 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.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-80; Filed, Jan. 3, 1958; 8:47 a. m.]

[Docket No. G-14067]

R. E. HIBBERT

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

R. E. Hibbert (Operator), (Respondent) on December 9, 1957, tendered for filing a proposed change in his presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: Cities Service Gas Company.
Rate schedule designation: Supplement No. 2 to Hibbert's FPC Gas Rate Schedule No. 4.

Effective date: January 9, 1958. (Effective date is the first day after expiration of the required thirty days' notice.)

In support of the proposed periodic rate increase, Respondent states that the pricing arrangement is common in long-term contract and was negotiated to provide protection against inflation. Respondent, additionally, requests that the proposed increase become effective on December 23, 1957.

The increased rate and charge so proposed has 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 change, and that said supplement to Respondent's rate schedule, described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred for a period of five months from and after the "effective date" set forth in the first paragraph hereof, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) 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.

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

By the Commission (Commissioners Digby and Kline dissenting).

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-81; Filed, Jan. 3, 1958; 8:47 a. m.]

[Docket No. G-14075]

R. OLSEN OIL CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGES IN RATES

DECEMBER 30, 1957.

R. Olsen Oil Company (Olsen), on December 9, 1957, tendered for filing proposed changes in its presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges,

are contained in the following designated filings:

Description: Notices of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: (1) Supplement No. 2 to Olsen's FPC Gas Rate Schedule No. 11. (2) Supplement No. 1 to Olsen's FPC Gas Rate Schedule No. 13.

Effective date: January 9, 1958. (Effective date is the first day after the expiration of the required thirty days' notice.)

In support of the proposed increased rates, Olsen states that the increases are integral parts of the whole consideration of the contracts bargained for at arm's length, that the new rates are less than prices being paid for natural gas in the area and that the increases would provide incentive to further exploration and development.

It appears that the proposed increases result from the operation of favored-nations escalation provisions in the contracts, but no proof has been submitted as to the date on which such escalations would be effective.

The increased rates and charges so proposed have not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Olsen submit within a reasonable time proof of the date upon which the proposed increased rates would become effective under the appropriate rate schedules.

(2) 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 said supplements to Olsen's rate schedule described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Olsen shall submit proof, through agreement with the Buyer or otherwise, of the date that the proposed increased rates would have been effective under the rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rates and charges contained in said supplements to Olsen's rate schedules.

(C) Pending such hearing and decision thereon, said supplements are hereby suspended and the use thereof deferred until June 9, 1958, or until such date that is five months after the date that the proposed rate set forth in said supplements would have become effective under the terms of the rate schedule, whichever is later, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplements hereby suspended, nor the rate schedules 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.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-82; Filed, Jan. 3, 1958;
8:47 a. m.]

[Docket No. G-14076]

R. OLSEN OIL CO. ET AL.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

R. Olsen Oil Company (Operator), et al. (Olsen), on December 9, 1957, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 17 to Olsen's FPC Gas Rate Schedule No. 14.

Effective date: January 9, 1958. (Effective date is the first day after the expiration of the required thirty days' notice.)

In support of the proposed increased rate, Olsen states that the increase is an integral part of the whole consideration of the contract bargained for at arm's length, that the new rate is less than prices being paid for natural gas in the area and that the increase would provide incentive to further exploration and development.

It appears that the proposed increase results from the operation of a "favored nation" escalation provision in the contract, but no proof has been submitted as to the date on which such escalation would be effective.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Olsen submit within a reasonable time proof of the date upon which the proposed increased rate would become effective under the appropriate rate schedule.

(2) 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 change, and that said supplement to Olsen's rate schedule described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Olsen shall submit proof, through agreement with the Buyer or otherwise, of the date that the proposed increased

rate would have been effective under the rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Olsen's rate schedule.

(C) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until June 9, 1958, or until such date that is five months after the date that the proposed rate set forth in said supplement would have become effective under the terms of the rate schedule, whichever is later, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) 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.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-83; Filed, Jan. 3, 1958;
8:47 a. m.]

[Docket No. G-14078]

SOUTHERN CALIFORNIA PETROLEUM CORP.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

Southern California Petroleum Corporation (Southern) on December 9, 1957, tendered for filing a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 2 to Southern's FPC Gas Rate Schedule No. 1.

Effective date: January 9, 1958. (Effective date is the first day after the expiration of the required thirty days' notice.)

In support of the proposed increased rate, Southern states that the increase is an integral part of the whole consideration of the contract bargained for at arm's length, that the new rate is less than prices being paid for natural gas in the area and that the increase would provide incentive to further exploration and development.

It appears that the proposed increase results from the operation of a "favored nation" escalation provision in the con-

tract, but no proof has been submitted as to the date on which such escalation would be effective.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Southern submit within a reasonable time proof of the date upon which the proposed increased rate would become effective under the appropriate rate schedule.

(2) 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 change, and that said supplement to Southern's rate schedule described and designated in the first paragraph hereof, be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Southern shall submit proof, through agreement with the buyer or otherwise, of the date that the proposed increased rate would have been effective under the rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Southern's rate schedule.

(C) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until June 9, 1958, or until such date that is five months after the date that the proposed rate set forth in said supplement would have become effective under the terms of the rate schedule, whichever is later, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedule sought until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-84; Filed, Jan. 3, 1958;
8:48 a. m.]

[Docket No. G-14088]

R. OLSEN OIL CO.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

DECEMBER 30, 1957.

R. Olsen Oil Company (Respondent),
on December 9, 1957, tendered for filing

a proposed change in its presently effective rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of change, undated.
Purchaser: El Paso Natural Gas Company.
Rate schedule designation: Supplement No. 3 to Respondent's FPC Gas Rate Schedule No. 15.

Effective date: January 9, 1958. (Effective date is the first day after expiration of the required thirty days' notice.)

In support of the proposed increased rate, Respondent states that the contract was negotiated as a result of arm's-length bargaining and the increase is provided in the contract. Respondent further states that the increased rate is just and reasonable and less than other prices being paid in the area and that the increase will stimulate exploration for additional gas reserves offsetting present and future increases in cost of exploration.

It appears that the proposed increase results from the operation of a favored-escalation provision in the contract but no proof has been submitted as to the date on which such escalation would be effective.

The increased rate and charge so proposed has not been shown to be justified, and may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds:

(1) Good cause exists that Respondent submit within a reasonable time proof of the date upon which the proposed increased rate would become effective under the above-designated rate schedule.

(2) 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 change, and that the above-designated supplement be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Respondent shall submit proof, through agreement with the Buyer or otherwise, of the date that the proposed increased rate would have been effective under the above-designated rate schedule.

(B) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR Ch. I), a public hearing be held upon a date to be fixed by notice from the Secretary concerning the lawfulness of the proposed increased rate and charge contained in said supplement to Respondent's rate schedule.

(C) Pending such hearing and decision thereon, said supplement is hereby suspended and the use thereof deferred until June 9, 1958, or until such date that is five months after the date the proposed rate set forth in said supplement would have become effective under the terms of the above-designated rate schedule,

whichever is later, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(D) Neither the supplement hereby suspended, nor the rate schedules 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.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-85; Filed, Jan. 3, 1958;
8:48 a. m.]

INTERSTATE COMMERCE COMMISSION

FOURTH SECTION APPLICATIONS FOR RELIEF

DECEMBER 31, 1957.

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. 34389: *Caustic soda from trunk line territory to Tennessee.* Filed by O. W. South, Jr., Agent (SFA No. A3581), for interested rail carriers. Rates on liquid caustic soda, tank-car loads, from points in Michigan, New York, Ohio, and West Virginia to Chattanooga, North Chattanooga, Boyce, and Calhoun, Tenn.

Grounds for relief: Barge and market competition.

Tariffs: Supplement 67 to Agent C. W. Boin's tariff I. C. C. A-1079. Supplement 73 to Agent H. R. Hirsch's tariff I. C. C. 4664.

FSA No. 34390: *Zinc and zinc anodes from the southwest to Thomaston, Conn.* Filed by F. C. Kratzmeir, Agent. (SWFB No. B-7176), for interested rail carriers. Rates on zinc, pig, slab or spelter, and zinc anodes, from points in Arkansas, Oklahoma, and Texas to Thomaston, Conn.

Grounds for relief: Maintenance of through one-factor rates based on the lowest combination of rates.

Tariff: Supplement 169 to Agent Kratzmeir's tariff I. C. C. 4045.

FSA No. 34391: *Pulpboard and paper boxes from Little Rock, Ark., to Memphis, Tenn.* Filed by F. C. Kratzmeir, Agent (SWFB No. B-7177), for interested rail carriers. Rates on pulpboard or fibreboard, and paper boxes, carloads, from Little Rock, Ark., to Memphis, Tenn.

Grounds for relief: Rates constructed on bases of short-line distance formulas.

Tariff: Supplement 4 to Agent Kratzmeir's tariff I. C. C. 4271.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-86; Filed, Jan. 3, 1958;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Change List 117]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES AND CORRECTIONS IN ASSIGNMENTS

DECEMBER 10, 1957.

Notification under the provisions of Part III, section 2 of the North American Regional Broadcasting Agreement.

List of changes, proposed changes, and corrections in assignments of Canadian broadcast stations modifying appendix containing assignments of Canadian broadcast stations (Mimeograph 47214-3) attached to the recommendations of the North American Regional Broadcasting Agreement Engineering Meeting, January 30, 1941.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation.
		870 kilocycles				
CKEK....	Cranbrook, British Columbia.....	1 kw.....	DA-1	U	III	Now in operation.
CKCQ....	Quesnel, British Columbia.....	1 kw.....	DA-2	U	III	Do.
		790 kilocycles				
CKLG....	North Vancouver, British Columbia (P.O: 1 kw 1070 kc DA-1 II)	10 kw.....	DA-1	U	II	E. I. O. 12-15-58.
		980 kilocycles				
CJCH....	Halifax, Nova Scotia.....	5 kw.....	DA-N	U	III	Correction of error in class shown on List #114.
		1150 kilocycles				
CBR....	Vancouver, British Columbia.....	10 kw.....	DA-1	U	I-B	Delete assignment
		1880 kilocycles				
CKCV....	Quebec, Province of Quebec.....	5 kw.....	DA-1	U	III	Now in operation.
		1990 kilocycles				
CFAM....	Altona, Manitoba.....	1 kw.....	DA-1	U	III	Do.
		1670 kilocycles				
CFOR....	Orillia, Ontario.....	10 kw D/1 kw N.....	ND	U	II	Do.

[SEAL]

FEDERAL COMMUNICATIONS COMMISSION,
MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-75; Filed, Jan. 3, 1958; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-2115]

BELLANCA CORP.

ORDER SUMMARILY SUSPENDING TRADING,

DECEMBER 30, 1957.

In the matter of trading on the American Stock Exchange in the \$1.00 par value Capital Stock of Bellanca Corporation; File No. 1-2115.

I. The \$1.00 par value Capital Stock of Bellanca Corporation is listed and registered on the American Stock Exchange, a national securities exchange; and

II. The Commission on April 24, 1957, issued its order and notice of hearing under section 19 (a) (2) of the Securities Exchange Act of 1934 (hereinafter called "the act") to determine at a hearing beginning July 10, 1957, whether it is necessary or appropriate for the protection of investors to suspend for a period not exceeding twelve months, or to withdraw, the registration of the capital stock of Bellanca Corporation (hereinafter called "registrant") on the American Stock Exchange for failure to comply with section 13 of the act and

the rules and regulations adopted thereunder, and for failure to comply with the disclosure requirements of Regulation X-14 adopted pursuant to section 14 (a) of the act.

On December 20, 1957, the Commission issued its order summarily suspending trading of said securities on the exchange pursuant to section 19 (a) (4) of the act for the reasons set forth in said order to prevent fraudulent, deceptive or manipulative acts or practices for a period of ten days ending December 30, 1957.

III. The Commission being of the opinion that the public interest requires the summary suspension of trading in such security on the American Stock Exchange and that such action is necessary and appropriate for the protection of investors; and

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

purchase or sale of, such security otherwise than on a national securities exchange,

It is ordered, Pursuant to section 19 (a) (4) of the Securities Exchange Act of 1934, that trading in said securities on the American Stock Exchange be summarily suspended in order to prevent fraudulent, deceptive, or manipulative acts or practices for a period of ten (10) days, December 31, 1957, to January 9, 1958, inclusive.

By the Commission.

[SEAL]

ORVAL L. DUBOIS,
Secretary.

[F. R. Doc. 58-91; Filed, Jan. 3, 1958; 8:49 a. m.]

[File No. 70-3655]

MISSISSIPPI POWER & LIGHT CO. AND
MIDDLE SOUTH UTILITIES, INC.

PROPOSED ISSUE AND SALE OF SHARES OF COMMON STOCK BY PUBLIC-UTILITY SUBSIDIARY AND ACQUISITION THEREOF BY PARENT COMPANY

DECEMBER 30, 1957.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), a registered holding company, and its public-utility subsidiary, Mississippi Power & Light Company ("Mississippi"), have filed with this Commission a joint application-declaration pursuant to the Public Utility Holding Company Act of 1935 ("act") and have designated sections 6 (a), 7, 9 (a), 10 and 12 (f) thereof and Rules U-43 and U-50 (a) (3) of the rules and regulations promulgated thereunder as applicable to the proposed transactions.

All interested persons are referred to the joint application-declaration on file in the office of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

Mississippi has outstanding 2,600,000 shares of common stock, without nominal or par value and with a stated value of \$12 per share aggregating \$31,200,000, all of which shares are owned by Middle South. Mississippi proposes to issue and sell to Middle South 250,000 shares of its authorized but unissued common stock for cash in the aggregate amount of \$3,000,000. Middle South will pay said purchase price from its treasury funds and Mississippi will use the proceeds from said sale to reimburse its treasury for moneys expended for construction work, for the furtherance of such work and for general corporate purposes.

The joint application-declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions. Additional information with respect to fees and expenses in connection with the proposed transactions will be filed by amendment.

Notice is further given that any interested person may, not later than January 9, 1958, at 5:30 p. m., e. s. t., request in writing that a hearing be held in re-

spect of such matters, stating the nature of his interest, the reasons for such request, and the issues of fact or law which he desires to controvert, or he may request that he be notified if the Commission orders 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 Commission may grant and permit to become effective the joint application-declaration, as filed or as it may be hereafter amended, pursuant to Rule U-23 promulgated under the act, or the Commission may exempt the proposed transactions pursuant to 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. 58-92; Filed, Jan. 3, 1958;
8:49 a. m.]

