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CFR SUPPLEMENTS

(As of January 1, 1958)

The following Supplements are now available:

Title 7, Parts 1-209 (\$2.25)

Title 14, Parts 1-39 (\$0.50)

Title 32, Parts 1-399 (\$1.25),
Parts 400-699 (\$1.75)

Title 38 (\$0.40)

Title 49, Parts 1-70 (\$0.70)

Previously announced: Title 3, 1957 Supp. (\$0.40); Titles 4-5 (\$1.00); Title 7, Parts 900-959 (\$1.00); Title 8, Rev. Jan. 1, 1958 (\$3.25); Title 9 (\$0.75); Titles 10-13 (\$1.00); Title 17 (\$0.65); Title 18 (\$0.50); Title 20 (\$1.00); Titles 22-23, Rev. Jan. 1, 1958 (\$4.25); Titles 28-29 (\$1.50); Titles 30-31 (\$1.50); Title 32, Parts 700-799 (\$0.60), Part 1100 to end (\$0.50); Titles 35-37 (\$1.00); Title 39 (\$0.60); Titles 40-42 (\$1.00); Title 43 (\$0.70); Title 46, Parts 1-145 (\$0.75), Parts 146-149, Rev. Jan. 1, 1958 (\$5.50); Title 49, Part 165 to end (\$0.75)

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

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section 205 (a) of the act, it is hereby ordered that paragraph (a) of § 814.19 be amended to read as follows:

§ 814.19 *Allotment of the direct-consumption portion of 1958 sugar quota for Puerto Rico—(a) Allotments.* The direct-consumption portion of the 1958 sugar quota for Puerto Rico, amounting to 130,016 short tons, raw value, is hereby allotted as follows:

	<i>Direct-consumption allotment (short tons, raw value)</i>
Allottee:	
Central Aguirre Sugar Co., a trust.....	6,897
Central Roig Refining Co.....	20,125
Central San Francisco.....	1,419
Porto Rican American Sugar Rfy., Inc.....	80,763
Western Sugar Refining Co.....	20,612
All other persons (raw sugar only).....	200
Total.....	130,016

(Sec. 403, 61 Stat. 932; 7 U. S. C. 1153. Interprets or applies secs. 205, 209; 61 Stat. 926, 928; 7 U. S. C. 1115, 1119)

Done at Washington, D. C., this 25th day of April 1958.

[SEAL] **LAWRENCE MYERS,**
Director,
Sugar Division,
Commodity Stabilization Service.

[F. R. Doc. 58-3214; Filed, Apr. 29, 1958; 8:52 a. m.]

(2) The parity prices of milk, as determined pursuant to section 2 of the act, are not reasonable in view of the price of feeds, available supplies of feeds, and other economic conditions which affect market supply and demand for milk in the said marketing area, and the minimum prices specified in the order as hereby amended are such prices as will reflect the aforesaid factors, insure a sufficient quantity of pure and wholesome milk, and be in the public interest; and

(3) The said order as hereby amended, regulates the handling of milk in the same manner as, and is applicable only to persons in the respective classes of industrial or commercial activity specified in, a marketing agreement upon which a hearing has been held.

(b) *Additional findings.* It is hereby found and determined that good cause exists for making this order amending the order effective May 1, 1958. Such action is necessary in the public interest in order to reflect current marketing conditions and to insure the production of an adequate supply of milk for the Neosho Valley marketing area. Any delay beyond May 1 in the effective date of this order will tend to affect adversely the production of an adequate supply of milk for the Neosho Valley marketing area.

The changes effected by this order amending the order do not require of persons affected substantial or extensive changes prior to the effective date. The provisions of the said order are well known to handlers, the public hearing having been held on November 13, 1957, the recommended decision having been issued on March 7, 1958 (23 F. R. 1700), and the final decision having been issued on April 14, 1958. Therefore, reasonable time, under the circumstances, has been afforded persons affected to prepare for its effective date and it would be contrary to the public interest to delay the effective date of this amendment for 30 days after its publication in the FEDERAL REGISTER.

In view of the foregoing, it is hereby found that good cause exists for making this order amending the order effective May 1, 1958 (section 4 (c), Administrative Procedure Act, 5 U. S. C. 1003 (c)).

(c) *Determinations.* It is hereby determined that handlers (excluding cooperative associations of producers who are not engaged in processing, distributing or shipping milk covered by this order amending the order) of more than 50 percent of the volume of milk covered by this order amending the order, which is marketed within the said marketing area, refused or failed to sign the proposed marketing agreement regulating the handling of milk in the said marketing area, and it is hereby further determined that:

1. The refusal or failure of such handlers to sign said marketing agreement tends to prevent the effectuation of the declared policy of the act;

2. This issuance of this order amending the order is the only practical means, pursuant to the declared policy of the act, of advancing the interests of pro-

allotment of South Porto Rico Sugar Company, which by official notice to the Department released its entire 1958 allotment.

Findings heretofore made by the Secretary in the course of this proceeding (23 F. R. 136) provide that this order shall be revised without further notice or hearing for the purposes indicated above.

Accordingly, allotments for all allottees, exclusive of South Porto Rico Sugar Company, are herein established on the basis of the final data shown below, and consistent with the findings heretofore made in the course of this proceeding:

[Short tons, raw value]

Allottee	Average annual marketings 1953-57	Highest annual marketings 1953-57
Central Aguirre Sugar Co., a trust.....	6,367	10,640
Central Roig Refining Co.....	20,191	28,665
Central San Francisco.....	1,438	2,590
Porto Rican American Sugar Rfy., Inc.....	79,900	116,611
Western Sugar Refining Co.....	20,354	29,988
Total.....	127,310	188,494

Effective date. Allotments established by this order are larger than the allotments established in S. R. 814.19. To afford each allottee adequate opportunity to acquire and process additional raw sugar and to market the additional quantities of sugar in an orderly manner, it is imperative that this order be effective as soon as possible. Accordingly, it is hereby found that compliance with the 30-day effective date requirement of the Administrative Procedure Act (60 Stat. 237), is impracticable and contrary to the public interest and, consequently, this order shall be effective when published in the FEDERAL REGISTER.

Order. Pursuant to the authority vested in the Secretary of Agriculture by

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

[Docket No. AO-227-A8]

PART 928—MILK IN NEOSHO VALLEY MARKETING AREA

ORDER AMENDING ORDER

§ 928.0 *Findings and determinations.* The findings and determinations herein-after set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) *Findings upon the basis of the hearing record.* Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U. S. C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR, Part 900), a public hearing was held upon certain proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Neosho Valley marketing area. Upon the basis of the evidence introduced at such hearing and the record thereof, it is found that:

(1) The said order as hereby amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

ducers of milk which is produced for sale in the said marketing area; and

3. The issuance of this order amending the order is approved or favored by at least two-thirds of the producers who, during the representative period (February 1958), were engaged in the production of milk for sale in the said marketing area.

Order relative to handling. It is therefore ordered, that on and after the effective date hereof, the handling of milk in the Neosho Valley marketing area shall be in conformity to and in compliance with the terms and conditions of the aforesaid order, as hereby amended, and the aforesaid order is hereby amended as follows:

1. Revise § 928.8 (d) to read as follows:

(d) Any cooperative association, with respect to milk of producers (1) which it causes to be diverted to an unapproved plant for the account of such association; (2) delivered for its account to the approved plant of another cooperative association; and (3) for which it elects to report as a handler and which is delivered to the pool plant(s) of another handler in a tank truck owned, operated, or controlled by, such association (such milk shall be considered as having been received by the cooperative association at the plant to which it is delivered).

2. In § 928.11 change the phrase "or another handler in his capacity as the operator of a pool plant" to read "or another handler either in his capacity as the operator of an approved plant or as a cooperative association acting pursuant to § 928.8 (d)."

3. In § 928.30 (a) (1), delete the word "and" from subdivision (ii), change the period at the end of subdivision (iii) to a comma, and add the word "and", and add a subdivision (iv), as follows:

(iv) Milk received from a cooperative association pursuant to subparagraphs (2) and (3) of § 928.8 (d).

4. Delete § 928.46 (a) (3) and substitute therefor the following:

(3) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk received in other source milk other than that to be subtracted pursuant to subparagraph (4) of this paragraph;

(4) Subtract from the pounds of skim milk remaining in each class, in series beginning with Class II, the pounds of skim milk in other source milk from a plant at which the handling of milk is fully subject to the pricing and payment provisions of another marketing order issued pursuant to the act;

5. Renumber subparagraphs (4) and (5) of § 928.46 (a) as "(5)" and "(6)", respectively.

6. In § 928.70 change the citation "pursuant to § 928.46 (a) (5) or (b)" to read "pursuant to § 928.46 (a) (6) or (b)".

7. In § 928.71 delete the phrases "For each delivery period of September 1957 through February 1958 and for each delivery period of August through January thereafter" and substitute therefor the

phrase "For each delivery period of August through January".

8. In §§ 928.72, 928.80, 928.81, 928.93, and 928.94 delete the phrases "the delivery periods of March 1958 through August 1958 and each of the delivery periods of February through July of each year thereafter," and substitute therefor the phrase "the delivery periods of February through July".

9. In § 928.80 delete the phrase "during the preceding delivery periods of September 1957 through December 1957 and preceding delivery periods of August through November of each year thereafter" and substitute therefor the phrase "during the preceding delivery periods of August through November".

10. In § 928.80 change the period to a colon and add the following: "Provided, That with respect to any producer on 'every-other-day' delivery the days of nondelivery shall be considered as days of delivery for purposes of this section and of § 928.81: And provided further, That in the case of producers delivering milk to an approved plant which first qualifies as such during any month other than August, a daily average base for each such producer shall be calculated pursuant to this section on the basis of his verifiable deliveries of milk to such plant during the period August through November immediately preceding."

11. In § 928.83 change "February 15" to "January 15".

12. Add a paragraph (c) to § 928.90, as follows:

(c) On or before the 17th day after the end of each delivery period, to each cooperative association, with respect to receipts of milk for which such cooperative association is defined as a handler pursuant to § 928.8 (d), not less than the value of such milk as is classified pursuant to § 928.44 (a) at the applicable class prices.

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

Issued at Washington, D. C., this 25th day of April 1958 to be effective on and after May 1, 1958.

[SEAL]

DON PAARLBERG,
Assistant Secretary.

[F. R. Doc. 58-3215; Filed, Apr. 29, 1958;
8:52 a. m.]

TITLE 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

PART 614—CORSETS, BRASSIERES, AND ALLIED GARMENTS INDUSTRY IN PUERTO RICO

PART 710—CORSETS, BRASSIERES, AND ALLIED GARMENTS INDUSTRY IN PUERTO RICO

REVOCATION AND WAGE ORDER GIVING EFFECT TO RECOMMENDATIONS

Pursuant to section 5 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the Secretary of Labor by Administrative Order No. 503 (23 F. R. 1676) as amended by Administrative Orders Nos. 504 (23 F. R. 1858) and 506 (23 F. R. 2256), appointed, convened, and gave notice of the hearings of Industry Committee No. 38-A, to recommend the minimum wage

rate or rates to be paid under section 6 (c) of the Act to employees in the corsets, brassieres, and allied garments industry in Puerto Rico who are engaged in commerce or in the production of goods for commerce.

Subsequent to investigation and hearing conducted pursuant to the notice, the committee filed with the Acting Administrator a report containing its findings with respect to the matters referred to it. The present wage order for this industry is published in 22 F. R. 4053. Industry Committee No. 38-A recommended an increase of five cents per hour in the applicable minimum wage.

Accordingly, as authorized and required by section 8 of the act, Reorganization Plan No. 6 of 1950 (64 Stat. 1263; 3 CFR, 1950 Supp., p. 165), General Orders Nos. 45-A (15 F. R. 3290) and 85-A (22 F. R. 7614) of the Secretary of Labor, the recommendations of the committee are hereby published in this order amending Title 29, Code of Federal Regulations, effective May 15, 1958, as follows:

1. Part 710 is hereby revoked.

2. Part 614 is hereby added to read as follows:

Sec.

614.1 Definition of the industry.

614.2 Wage rates.

614.3 Application and notice.

AUTHORITY: §§614.1 to 614.3 issued under sec. 8, 52 Stat. 1064, as amended; 29 U. S. C. 208. Interpret or apply sec. 5, 52 Stat. 1062, as amended; 29 U. S. C. 205.

§ 614.1 *Definition of the industry.* The corsets, brassieres, and allied garments industry in Puerto Rico, to which this part shall apply, is defined as follows: The manufacture of corsets, brassieres, brassiere pads, girdles, foundation garments, sanitary belts, surgical or abdominal supports, and all similar body-supporting garments.

§ 614.2 *Wage rates.* Wages at a rate of not less than 80 cents an hour shall be paid in the corsets, brassieres, and allied garments industry in Puerto Rico.

§ 614.3 *Application and notice.* (a) Wages of not less than the hourly wage rate specified in § 614.2 shall be paid under section 6 of the Fair Labor Standards Act of 1938 by every employer to each of his employees who is engaged in commerce or in the production of goods for commerce in the corsets, brassieres, and allied garments industry in Puerto Rico.

(b) Every employer employing any such employees shall post in a conspicuous place in each department of his establishment where any such employees are working such notices of this part as shall be prescribed from time to time by the Administrator of the Wage and Hour Division of the United States Department of Labor and shall give such other notice as the Administrator may prescribe.

Signed at Washington, D. C., this 24th day of April 1958.

CLARENCE T. LUNDQUIST,
Acting Administrator.

[F. R. Doc. 58-3195; Filed, Apr. 29, 1958;
8:48 a. m.]

TITLE 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

Subchapter C—Drugs

PART 141a—PENICILLIN AND PENICILLIN-CONTAINING DRUGS; TESTS AND METHODS OF ASSAY

PART 146a—CERTIFICATION OF PENICILLIN AND PENICILLIN-CONTAINING DRUGS

PART 146c—CERTIFICATION OF CHLORTETRACYCLINE (OR TETRACYCLINE) AND CHLORTETRACYCLINE- (OR TETRACYCLINE-) CONTAINING DRUGS

MISCELLANEOUS AMENDMENTS

By virtue of the authority vested in the Secretary of Health, Education, and Welfare by the Federal Food, Drug, and Cosmetic Act (sec. 507, 59 Stat. 463, 61 Stat. 11; 21 U. S. C. 357) and delegated to the Commissioner of Food and Drugs by the Secretary (22 F. R. 1045), the regulations for certification of antibiotic and antibiotic-containing drugs (21 CFR Parts 141a, 146a, 146c; 22 F. R. 2098, 4885, 6590; 23 F. R. 2214) are amended as set forth below:

1. The headnote and paragraph (a) of § 141a.96 are amended to read as follows:

§ 141a.96 *Penicillin-streptomycin-neomycin-polymyxin ointment; penicillin-dihydrostreptomycin - neomycin - polymyxin ointment*—(a) *Potency*—(1) *Penicillin content*. Proceed as directed in § 141a.35 (a) (1), (2), and (3), except if diethylaminoethyl ester penicillin G hydroiodide is used, after the extraction or blending procedure described in § 141a.8 (a) (1) and (2), proceed as directed in § 141a.51 (a), or if the iodometric assay is used, one drop of 1.2 N HCl is added to the blank immediately before the addition of the 0.01 N I₂. The penicillin content is satisfactory if it contains not less than 85 percent of the number of units that it is represented to contain.

2. Section 146a.22 is revised to read as follows:

§ 146a.22 *Penicillin-streptomycin-neomycin-polymyxin ointment; penicillin-dihydrostreptomycin - neomycin - polymyxin ointment*. Penicillin-streptomycin-neomycin-polymyxin ointment and penicillin-dihydrostreptomycin - neomycin-polymyxin ointment conform to all requirements and are subject to all procedures prescribed by § 146a.89 for penicillin-streptomycin-neomycin ointment and penicillin-dihydrostreptomycin-neomycin ointment, except that:

(a) They may contain diethylaminoethyl ester penicillin G hydroiodide. The diethylaminoethyl ester penicillin G hydroiodide used conforms to the requirements prescribed by § 146a.74 (a), except § 146a.74 (a) (2) and (3).

(b) They contain not less than 25,000 units of polymyxin B per single-dose container. The polymyxin B used conforms to the requirements prescribed for polymyxin B by § 146b.107 (a) of this chapter.

(c) In addition to complying with the requirements of § 146a.89 (b), each package shall bear on the outside wrapper or container and the immediate container the number of units of polymyxin B in each gram or prescribed dose.

(d) In addition to complying with the requirements of § 146a.89 (c), a person who requests certification of a batch shall submit with his request a statement showing the number of units of polymyxin in each gram of the batch, the batch mark, and (unless it was previously submitted) the results and the date of the latest tests and assays of the polymyxin B used in making the batch for potency and toxicity. He shall also submit in connection with his request (unless it was previously submitted) a sample consisting of 5 packages containing approximately equal portions of not less than 0.5 gram each of the polymyxin used in making the batch.

(e) The fee for the services rendered with respect to the sample submitted in accordance with paragraph (d) of this section shall be \$4.00 for each immediate container of the polymyxin used in making the batch.

3. In § 146a.66 *1-Ephenamine penicillin G for aqueous injection*, subparagraph (1) (iii) of paragraph (c) *Labeling*, is amended by changing the words "36 months" to read "36 months or 48 months or 60 months".

4. In § 146c.205 *Chlortetracycline powder* * * *, subparagraph (1) (iii) of paragraph (c) *Labeling*, is amended by changing the number "48" to "60".

5. In § 146c.206 *Chlortetracycline ophthalmic* * * *, subparagraph (1) (iii) of paragraph (c) *Labeling*, is amended to read as follows:

(iii) The statement "Expiration date -----" the blank being filled in with the date that is 36 months, if it is chlortetracycline ophthalmic; or if it is tetracycline hydrochloride ophthalmic, the blank is filled in with the date that is 12 months after the month during which the batch was certified, except that the blank may be filled in with the date that is 24 months after the month during which the batch was certified if the person who requests certification has submitted to the Commissioner results of tests and assays showing that after having been stored for such period of time such drug as prepared by him complies with the standards prescribed by paragraph (a) of this section: *Provided, however*, That such expiration date may be omitted from the immediate container if such immediate container is packaged in an individual wrapper or container.

Notice and public procedure are not necessary prerequisites to the promulgation of this order, and I so find, since it was drawn in collaboration with interested members of the affected industry and since it would be against public interest to delay providing for the amendments set forth above.

This order shall become effective upon publication in the FEDERAL REGISTER, since both the public and the affected

industry will benefit by the earliest effective date, and I so find.

(Sec. 701, 52 Stat. 1055; 21 U. S. C. 371. Interpret or apply sec. 507, 59 Stat. 463, 61 Stat. 11; 21 U. S. C. 357)

Dated: April 24, 1958.

[SEAL] GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F. R. Doc. 58-3201; Filed, Apr. 29, 1958; 8:50 a. m.]

TITLE 39—POSTAL SERVICE

Chapter I—Post Office Department

PART 203—HEARINGS ON MAILABILITY

REVISION OF PART

Correction.

In Federal Register Document 58-3161, published at page 2798 in the issue for Saturday, April 26, 1958, the authority citation should read as follows:

AUTHORITY: §§ 203.1 to 203.14 issued under R. S. 161, 395, as amended, sec. 1, 62 Stat. 740, as amended, 741, 762, as amended, 768, as amended, 769, 781, as amended, 782; 5 U. S. C. 22, 369, 18 U. S. C. 871, 876, 1302, 1461, 1463, 1715, 1717, 1718.

TITLE 14—CIVIL AVIATION

Chapter II—Civil Aeronautics Administration, Department of Commerce

[Amdt. 66]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

Correction.

In Federal Register Document 58-2862, published at page 2729 in the issue for Thursday, April 24, 1958, the following change should be made in the VOR procedure for Long Beach Airport, California: In the fifth column headed "Condition", the first entry should read "T-dn-----"

[Amdt. 67]

PART 609—STANDARD INSTRUMENT APPROACH PROCEDURES

PROCEDURE ALTERATIONS

The standard instrument approach procedures appearing hereinafter are adopted to become effective when indicated in order to promote safety. Compliance with the notice, procedures, and effective date provisions of section 4 of the Administrative Procedure Act would be impracticable and contrary to the public interest, and therefore is not required.

Part 609 is amended as follows:

NOTE: Where the general classification (L/MFR, ADF, VOR, TerVOR, VOR/DME, ILS, or RADAR), location, and procedure number (if any) of any procedure in the amendments which follow, are identical with an existing procedure, that procedure is to be substituted for the existing one, as of the effective date given, to the extent that it differs from the existing procedure; where a procedure is cancelled, the existing procedure is revoked; new procedures are to be placed in appropriate alphabetical sequence within the section amended.

RULES AND REGULATIONS

1. The low or medium frequency range procedures prescribed in § 609.100 (a) are amended to read in part:

LFZ STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
				65 knots or less		More than 65 knots	
Famoso FM (Final)	BFL-LFR	Direct	1000	T-dn	300-1	300-1	200-1/2
Bakersfield VOR	BFL-LFR	Direct	2000	C-dn	700-1	700-1	700-1/2
				A-dn	800-2	800-2	800-2

Procedure turn W side NW crs, 321 Outbd, 141 Inbd, 2000' within 10 mi.
 Crs and distance, facility to airport, 141-1.7.
 Minimum altitude over facility on final approach crs, 1600'.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 1.7 mi, turn right (W) and climb to 2500' on NW crs within 25 mi, or when directed by ATC, climb to 2000' on the SW crs within 15 mi.
 NOTE: Take-offs and landings runway 7-25 NA. Night take-offs runway 16 NA. Night landings runway 34 NA.
 CAUTION: Numerous unlighted TV receiving antennas in approach areas to runways 25-30-34.
 Standard clearance on procedure turn not provided over 1050' obstruction 4 mi NW of range.
 MAJOR CHANGES: Changes airport name from Kern County.

City, Bakersfield; State, Calif.; Airport Name, Meadows Field; Elev., 515'; Fac. Class, SBMRAZ; Ident., BFL; Procedure No. 1, Amdt. 6; Eff. Date, 24 May 58; Sup. Amdt. No. 8; Dated, 6 Aug. 55

From—	To—	Course and distance	Minimum altitude (feet)	Condition	65 knots or less	More than 65 knots	More than 2-engine, more than 65 knots
PIR VOR	PIR-LFR	Direct	3000	T-dn*	300-1	300-1	200-1/2
				C-d	400-1	500-1	500-1/2
				C-n	400-1 1/2	500-1 1/2	500-2
				S-d-25	400-1	500-1	500-1 1/2
				S-n-25	400-1 1/2	500-1 1/2	500-2
				A-dn	800-2	800-2	800-2

*Take-off to NW restricted to 400-1.
 Procedure turn N side E crs, 083 Outbd, 263 Inbd, 3000' within 10 miles.
 Minimum altitude over facility on final approach crs, 2500'.
 Crs and distance, facility to airport, 263-2.9.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 2.9 miles, turn left, climb to 3500' on W crs within 20 miles.

City, Pierre; State, S. Dak.; Airport Name, Pierre; Elev., 1742'; Fac. Class, SBRAZ; Ident., PIR; Procedure No. 1, Amdt. 9; Eff. Date, 3 Apr. 58; Sup. Amdt. No. 8; Dated, 16 June 56

PROCEDURE CANCELLED, EFFECTIVE 1 APRIL 1958.

City, Fresno; State, Calif.; Airport Name, Fresno-Chandler; Elev., 277'; Fac. Class, SBRAZ; Ident., FNO; Procedure No. 2, Amdt. 7; Eff. Date, 5 May 58; Sup. Amdt. No. 6; Dated, 16 June 56

2. The automatic direction finding procedures prescribed in § 609.100 (b) are amended to read in part:

ADF STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition		Course and distance	Minimum altitude (feet)	Condition	Ceiling and visibility minimums		
From—	To—				2-engine or less		More than 2-engine, more than 65 knots
				65 knots or less		More than 65 knots	
Columbus LFR	LOM	Direct	2000	T-dn	300-1	300-1	200-1/2
Columbus VOR	LOM	Direct	2000	C-in	500-1	500-1	500-1 1/2
Marvyn Int.	LOM	Direct	2000	A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 232 Outbd, 052 Inbd, 2000' within 10 miles of LOM.
 Minimum altitude over facility on final approach crs, 1500' over LOM. 900' over LMM.
 Crs and distance, facility to airport, LOM 5.9-0.32. LMM 0.7-0.52.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.7 miles of LMM climb to 2000 on crs of 052 within 20 miles.
 CAUTION: Tower 1040' immediately adjacent LOM.

City, Columbus; State, Ga.; Airport Name, Muscogee County; Elev. 397'; Fac. Class, LOM LMM; Ident., CS SG; Procedure No. 1, Amdt. 6; Eff. Date, 24 May 58; Sup. Amdt. No. 8; Dated, 9 Nov. 57

PROCEDURE CANCELLED, EFFECTIVE 28 MARCH 1958, DUE RELOCATION OF LFT H FACILITY.

City, Lafayette; State, La.; Airport Name, Lafayette; Elev., 41'; Fac. Class, MH; Ident., LFT; Procedure No. 1, Amdt. 6; Eff. Date, 1 Sept. 56; Sup. Amdt. No. 5; Dated, 5 Feb. 55

3. The very high frequency omnirange (VOR) procedures prescribed in § 609.100 (c) are amended to read in part:

VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Fazoo FM	BFL-VOR (Final)	Direct	1600	T-dn	300-1	300-1	200-1½
Bakersfield LFR	BFL-VOR	Direct	2000	C-dn	700-1	700-1	700-1½
				S-dn-12	500-1	500-1	500-1
				A-dn	800-2	800-2	800-2

Procedure turn W side of crs, 310 Outbd, 130 Inbd, 2000' within 10 ml.
 Minimum altitude over facility on final approach crs, 1600'.
 Crs and distance, facility to airport, 130-4.8.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 mi, turn right W and climb to 2000' on R-319 within 20 ml, or when directed by ATC, climb to 2000' on R-225 within 13 ml.
 Note: Standard clearance not provided over 1050' tower 3 mi NE of VOR on procedure turn or on missed approach.
 Note: Take-offs or landings runway 7-25 NA. Night take-offs Runway 16 NA. Night landings Runway 34 NA.
 CAUTION: Numerous unlighted TV receiving antennas in approach areas to Runways 25-30-34.
 MAJOR CHANGES: Changes airport name from Kern County.

City, Bakersfield; State, Calif.; Airport Name, Meadows Field; Elev., 515'; Fac. Class, BVOR; Ident., BFL; Procedure No. 1, Amdt. 4; Eff. Date, 24 May 58; Sup. Amdt. No. 3; Dated, 6 Aug. 55

Goshen LFR	SBN-VOR	Direct	2500	T-dn	300-1	300-1	200-1½
South Bend LFR	SBN-VOR	Direct	2000	C-dn	500-1	500-1	500-1½
Union Int.	SBN-VOR	Direct	2000	A-dn	800-2	800-2	800-2
N Liberty Int.	SBN-VOR	Direct	2000				
Int W crs SBN LFR and 253 R SBN VOR	SBN-VOR	Direct	2000				
Int N crs SBN LFR and 350 R, SBN VOR	SBN-VOR	Direct	1900				

Procedure turn W side of crs, 300 Outbd, 180 Inbd, 2100' within 10 miles.
 Minimum altitude over facility on final approach crs, 1400'.
 Crs and distance, facility to airport, 180-3.5.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.5 miles, make right turn, climbing to 2000' and return to SBN VOR or when directed by ATC: (1) climb to 2000' on R-180 within 20 miles.
 City, South Bend; State, Ind.; Airport Name, St. Joseph County; Elev. 778'; Fac. Class BVOR; Ident., SBN; Procedure No. 1, Amdt. 5; Eff. Date, 24 May 58; Sup. Amdt. No. 4; Dated, 24 Dec. 55

4. The terminal very high frequency omnirange (TerVOR) procedures prescribed in § 609.200 are amended to read in part:

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine more than 65 knots
					65 knots or less	More than 65 knots	
LEE-LFR	LSE-VOR	Direct	2400	T-d	*400-1	*400-1	*400-1
LEE-LFR	LSE-VOR (Final)	Direct	1100	T-n	*400-1½	*400-1½	*400-1½
Nordine-BVOR	LSE-VOR	Direct	2400	C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-dn-13	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*300-1 takeoff authorized on Rwy's 31, 36, and 18.
 *200-1½ takeoff authorized on Rwy's 31, 36, and 18.
 Procedure turn West side of crs, 318 Outbd, 138° Inbd, 2400' within 10 miles.
 Minimum altitude over facility on final approach crs, 1900'; 1100' after passing LSE-LFR or int Nordine-BVOR R-071.
 #1900' m. s. l. (1200' ceiling) required if unable to determine passing LSE-LFR or Nordine-VOR R-071.
 Facility on airport.
 Crs and distance, breakpoint point to Rwy 13, 130°-0.7 ml.
 If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over LSE-VOR make immediate right climbing turn, climb to 2800' on LSE R-318 within 10 ml.
 CAUTION: 950' m. s. l. tower 2 ml SE of airport, 1227' m. s. l. bluffs and 1440' tower 3 and 4 ml. SE, respectively, of airport. 1273' m. s. l. tower 4 ml. WSW of airport and 1460' tower 3.5 ml W of airport. 1240' bluffs 2 ml. NE of airport.

City, La Crosse; State, Wis.; Airport Name, Municipal; Elev., 653'; Fac. Class, VOR; Ident., LSE; Procedure No. TerVOR-13, Amdt. 1, Eff. Date, 24 May 58; Sup. Amdt. No. Orig.; Dated, 1 Mar. 58

TERMINAL VOR STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
LSE-LFR	LSE-VOR	Direct	2400	T-d	*400-1	*400-1	*400-1
Nodine-BVOR	LSE-VOR	Direct	2400	T-n	*400-1½	*400-1½	*400-1½
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-dn-18	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*300-1 takeoff authorized on Rwy 31, 36, and 18.

#200-1½ takeoff authorized on Rwy 31, 36, and 18.

Procedure turn West side of crs, 350 Outbd, 170° Inbd, 2400' within 10 miles.

Minimum altitude over facility on final approach crs, 2000' #; 1100' after passing 270° brg. to LSE-LFR or Nodine BVOR R-076 (3.5 mi from Rwy 18).

#2300' m. s. l. (1300' ceiling) required if unable to determine passing 270° brg. to LSE-LFR or Nodine R-076.

Facility on airport.

Crs and distance, breakoff point to Rwy 18, 175°-0.5 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over LSE-VOR make right climbing turn, climb to 2400' on LSE R-318 within 10 miles.

CAUTION: 950' m. s. l. tower 2 mi SE of airport. 1227' m. s. l. bluffs and 1440' tower 3 and 4 mi SE, respectively, of airport. 1273' m. s. l. tower 4 mi WSW of airport and 1440' tower 3.5 mi West of airport. 1240' bluffs 2 mi NE of airport.

City, La Crosse; State, Wis.; Airport Name, Municipal; Elev., 653'; Fac. Class, VOR; Ident., LSE; Procedure No. TerVOR-18, Amdt. 1; Eff. Date, 24 May 58; Sup. Amdt. No. Orig.; Dated, 1 Mar. 58

LSE-LFR	LSE-VOR	Direct	2400	T-d	*400-1	*400-1	*400-1
Nodine-BVOR	LSE-VOR	Direct	2400	T-n	*400-1½	*400-1½	*400-1½
				C-d	600-1	600-1	600-1½
				C-n	600-2	600-2	600-2
				S-dn-36	400-1	400-1	400-1
				A-dn	800-2	800-2	800-2

*300-1 takeoff authorized on Rwy 31, 36, and 18.

#200-1½ takeoff authorized on Rwy 31, 36, and 18.

Procedure turn East side of crs, 181° Outbd, 000° Inbd, 2700' within 10 mi.

Minimum altitude over facility on final approach crs, 2300' #; 1100' after passing Nodine BVOR R-128 (5.2 mi from Rwy 36).

#2300' m. s. l. (1600' ceiling) required if unable to determine passing LSE R-223 or Nodine R-128.

Facility on airport.

Crs and distance, breakoff point to Rwy 36, 353°-0.4 mi.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished over LSE-VOR make left climbing turn, climb to 2400' on LSE R-318 within 10 miles.

CAUTION: 950' m. s. l. tower 2 mi SE of airport. 1227' m. s. l. bluffs and 1440' tower 3 and 4 mi SE, respectively, of airport. 1273' m. s. l. tower 4 mi WSW of airport and 1440' tower 3.5 mi West of airport. 1240' bluffs 2 mi NE of airport.

City, La Crosse; State, Wis.; Airport Name, Municipal; Elev., 653'; Fac. Class, VOR; Ident., LSE; Procedure No. TerVOR-36, Amdt. 1; Eff. Date, 24 May 58; Sup. Amdt. No. Orig.; Dated, 1 Mar. 58

T-dn	300-1	300-1	200-1½
C-dn	500-1	500-1	500-1½
S-dn-12	500-1	500-1	500-1
A-dn	800-2	800-2	800-2

Procedure turn S side of crs, 305 Outbd, 128 Inbd, 2000' within 10 miles.

Minimum altitude over facility on final approach crs, 1400'.

Crs and distance, breakoff point to app end rwy 12, 122°-0.7.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 0.0 miles, make right climbing turn to 2500', intercept R-137 and proceed on R-137 within 20 miles.

City, Waterloo; State, Iowa; Airport Name, Municipal; Elev., 870'; Fac. Class, BVOR; Ident., ALO; Procedure No. TerVOR-12, Amdt. 4; Eff. Date, 31 Mar. 58; Sup. Amdt. No. 3; Dated, 14 Dec. 57

5. The instrument landing system procedures prescribed in § 609.400 are amended to read in part:

ILS STANDARD INSTRUMENT APPROACH PROCEDURE

Bearings, headings, courses and radials are magnetic. Elevations and altitudes are in feet MSL. Ceilings are in feet above airport elevation. Distances are in nautical miles unless otherwise indicated, except visibilities which are in statute miles.

If an instrument approach procedure of the above type is conducted at the below named airport, it shall be in accordance with the following instrument approach procedure, unless an approach is conducted in accordance with a different procedure for such airport authorized by the Administrator of Civil Aeronautics. Initial approaches shall be made over specified routes. Minimum altitudes shall correspond with those established for en route operation in the particular area or as set forth below.

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine more than 65 knots
					65 knots or less	More than 65 knots	
BFL LFR	LMM	Direct	2000	T-dn	300-1	300-1	200-1½
BFL VOR	LMM	Direct	2000	C-dn	700-1	700-1	700-1½
Whitman Int.	LMM	Direct	2000	S-dn-309	400-1½	400-1½	400-1½
Maricopa Int.	LMM	Direct	2000	A-dn	700-2	700-2	700-2
Wheeler Ridge Int.	LMM	Direct	6000				
Grapevine Int.	LMM	Direct	6000				

#400-1 required with glide slope inoperative.

Procedure turn *S side SE crs, 119 Outbd, 299 Inbd, 1900' within 10 mi of OM. Beyond 10 mi NA.

*Procedure turn S side for more favorable terrain.

Minimum altitude at G. S. Int Inbd, 1900.

Altitude of G. S. and distance to app end rwy at OM 1820-4.1, at MM 690-0.5.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished, climb to 2500' on NW crs BLF LFR within 20 miles or 10 2000' on R-322 BFL within 20 miles.

ALTERNATE MISSED APPROACH, when directed by ATC, climb to 2000' on SW crs of BFL LFR within 15 miles.

NOTE: Take-offs and landings runway 7-25 NA. Night take-offs runway 16 NA. Night landings rwy 34 NA.

AIR CARRIER NOVEL Sliding scale not applicable, except 2-engine take-off minimums of 400-1½ authorized.

CAUTION: Numerous unlighted TV receiving antennas in approach areas to runways 25-30-34.

MAJOR CHANGES: Airport name changed from Kern County.

City, Bakersfield; State, Calif.; Airport Name, Meadows Field; Elev., 518'; Fac. Class, ILS; Ident., BFL; Procedure No. ILS-30, Amdt. 7; Eff. Date, 24 May 58; Sup. Amdt. No. 6; Dated, 6 Aug. 55

ILS STANDARD INSTRUMENT APPROACH PROCEDURE—Continued

Transition				Ceiling and visibility minimums			
From—	To—	Course and distance	Minimum altitude (feet)	Condition	2-engine or less		More than 2-engine, more than 65 knots
					65 knots or less	More than 65 knots	
Lakeville Int**	LOM	Direct	2500	T-dn	300-1	300-1	200-1½
South Bend LFR	LOM	Direct	2000	C-dn	500-1	500-1	500-1½
South Bend VOR	LOM	Direct	2000	S-dn 27:			
New Carlisle FM	LOM	Direct	2000	ILS	200-1½	200-1½	200-1½
Goshen LFR via crs 311 (ILS only)	E crs ILS (ILS Final)	Direct	2200	ADF	500-1	500-1	500-1
Goshen LFR (ADF transition)	LOM	Direct	2500	A-dn:			
*Union LFR Int (ILS only)	LOM (ILS Final)	Direct	2000	ILS	600-2	600-2	600-2
*Union VOR Int (ILS only)	LOM (ILS Final)	Direct	2000	ADF	800-2	800-2	800-2
Goshen VOR via R-353 (ILS only)	E crs ILS (ILS Final)	Direct	2500				
Goshen VOR (ADF transition)	LOM	Direct	2500				

**Lakeville Int—Int R-170 SBN and R-270 GSH.

*Fly to left of ADF crs to intercept localizer crs within 5 mi of LOM when using transition as final for ILS.

Procedure turn N side of crs, 088 Outbd, 268 Inbd, 2000' within 10 mi.

Minimum altitude at glide slope int inbd, 2000' ILS; Min. alt. inbd final, 1500' ADF.

Altitude of glide slope and distance to approach end of runway at OM—1900'—3.8; at MM—975—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 3.8 mi after passing LOM, climb to 2100' on W crs

EEN LFR or when directed by ATC:

(1) Make right climbing turn to 2100' on N crs SBN LFR.

(2) Make right turn, climb to 2000' on R-003 SBN.

City, South Bend; State, Ind.; Airport Name, St. Joseph County; Elev., 778'; Fac. Class, ILS SBN; Ident., LOM SB; Procedure No. ILS-27, Comb. ILS-ADF, Amdt. 8; Eff. Date, 24 May 58; Sup. Amdt. No. 7; Dated, 26 May 56

EPI-LFR	LOM	Direct	2000	T-dn	300-1	300-1	200-1½
EPI-VOR	LOM	Direct	2000	C-dn	400-1	500-1	500-1½
Int R-300 SPI, and/or SW crs SPI LFR and R-312 VLA (via crs 015)	SW crs ILS (final)	Direct	2000	S-dn-4:			
Int R-097 SPI VOR and 250°-070° Brg SPI LOM	LOM	Direct	2600	ILS	300-¾	300-¾	300-¾
Int R-265 SPI VOR and 125°-303° Brg SPI LOM	LOM	Direct	2000	ADF	400-1	400-1	400-1
				A-dn:			
				*ILS	600-2	600-2	600-2
				ADF	800-2	800-2	800-2

*All installed components of the ILS must be operating; otherwise, alternate minimums of 800-2 apply.

Procedure turn S side of crs, 218 Outbd, 038 Inbd, 2000' within 10 miles.

Minimum altitude at G. S. int inbd, 2000' ILS; minimum altitude over LOM inbd, final, 1500' ADF.

Altitude of G. S. and distance to appr end of rwy at OM 2077—5.1, at MM 797—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 5.1 miles, (ADF), make left turn, climb to 2000' to Petersberg Int (Int R-285 SPI and NW crs SPI LFR) via R-285 SPI, or if directed by ATC: (1) Climb to 2000' and proceed to SPI VOR.

Note: No approach lights.

City, Springfield; State, Illinois; Airport Name, Capital; Elevation, 393'; Fac. Class, ILS-SPI; Ident., LOM-SP; Procedure No. ILS-4, Comb. ILS-ADF, Amdt. 3; Eff. Date, 24 May 58; Sup. Amdt. No. 2; Dated, 11 May 57

ICT-LFR	LOM	Direct	2500	T-dn	300-1	300-1	200-1½
ICT-VOR	LOM	Direct	2500	C-dn	400-1	500-1	500-1½
Via Rbn via crs 046	SW crs ILS (Final ILS)	Direct	2500	S-dn-1:			
Osford RBN	LOM	Direct	2500	ILS	200-1½	200-1½	200-1½
Osford BBN	LOM	Direct	2500	ADF	400-1	400-1	400-1
Derby BBN	LOM	Direct	2500	A-dn:			
Mayfield Int	LOM (Final)	Direct	2500	ILS	600-2	600-2	600-2
*Conway Int via R-050 ANY VOR	SW crs ILS (final)	Direct	2500	ADF	800-2	800-2	800-2

*Int R-318 PNC VOR and R-050 ANY VOR.

Procedure turn W side of crs, 190 Outbd, 010 Inbd, 2500' within 10 miles. (Procedure turn non-standard to avoid McConnell AFB.)

Minimum altitude at G. S. int inbd, 2500' ILS, inbd final 2000' ADF.

Altitude of G. S. and distance to approach end of rwy at OM 2559—4.2, at MM 1530—0.6.

If visual contact not established upon descent to authorized landing minimums or if landing not accomplished within 4.2 miles, climb to 3000' on N crs ILS (010) intercept and proceed outbd on NW crs of ICT-LFR within 20 mi or, when directed by ATC: (1) make left turn, climb to 2900' proceeding outbd on R-216 ICT within 20 mi.

CAUTION: Simultaneous approaches being conducted on Derby RBN to McConnell AFB. 2444' MSL tower 7.8 mi NNW of airport.

City, Wichita; State, Kans.; Airport Name, Municipal; Elev., 1332'; Fac. Class, ILS-ICT; Ident., LOM-IC; Procedure No. 1, Comb. ILS-ADF, Amdt. 3; Eff. Date, 21 Apr. 58; Sup. Amdt. No. 2; Dated, 22 Sept. 56

These procedures shall become effective on the dates indicated on the procedures.

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

[SEAL]

APRIL 22, 1958.

WILLIAM B. DAVIS,
Acting Administrator of Civil Aeronautics.

[P. R. Doc. 58-3143; Filed, Apr. 29, 1958; 8:45 a. m.]

TITLE 20—EMPLOYEES' BENEFITS

Chapter III—Bureau of Old-Age and Survivors Insurance, Social Security Administration, Department of Health, Education, and Welfare

[Regs. 3, Further Amended]

PART 403—FEDERAL OLD-AGE AND SURVIVORS INSURANCE (1940-1950)

REMAND OF CASES BY APPEALS COUNCIL TO REFEREES

Section 403.710 of Regulations No. 3, as amended (20 CFR 403.710) is further

amended by revising paragraphs (c) and (d) to read:

§ 403.710 Appeals Council proceedings on certification and review. . . .

(c) Procedure before Appeals Council on review of referee's decision or Bureau's revised determination. (1) Whenever the Appeals Council determines to review a referee's decision or the revised determination of the Bureau (except when the case is remanded to a referee in accordance with paragraph (d) of this section) the Appeals Council shall make available to any party upon request a copy of the transcript of evidence adduced at the hearing or a condensed

statement thereof or, where the hearing before the referee was waived (see § 403.709 (i)), copies or a statement of the contents of the documents upon which the referee's decision was based. The parties shall be given, upon their request, a reasonable opportunity to file briefs or other written statements of contentions. Copies of such brief or other written statement, where there is more than one party, shall be filed in a sufficient number that they may be made available to any party requesting a copy and to any other party designated by the Appeals Council.

(2) Evidence in addition to the evidence introduced at the hearing before

the referee, or the documents before the referee where the hearing is waived, may not be presented except where it appears to the Appeals Council that additional material evidence is available which may affect its decision. If it appears that such additional evidence is available, the Appeals Council shall receive such evidence or designate a referee or member of the Appeals Council before whom the evidence shall be introduced. Before additional evidence may be presented, as provided in this paragraph, notice shall be mailed to the parties, unless such notice is waived, at their last known addresses, that evidence will be received with respect to certain matters, and the parties shall be given a reasonable opportunity to present evidence which is relevant and material to such matters. When the additional evidence is introduced before a referee or a member of the Appeals Council, a transcript or a condensed statement of such evidence shall be made available to any party upon request.

(d) *Decision by Appeals Council or remanding of case.* (1) If a case is certified to the Appeals Council by a referee, the Appeals Council shall make a decision. If the Appeals Council determines to review a referee's decision or the Bureau's revised determination in a case, as provided in this section, the Appeals Council may either make a decision in such case or remand such case to a referee for hearing and decision in accordance with the provisions of § 403.709, which decision may be further reviewed as provided in this section.

(2) The decision of the Appeals Council, where the case is not remanded to the referee, shall be based upon the evidence adduced at the hearing or, where the hearing before the referee was waived (see § 403.709 (1)), the documents upon which the referee's decision was based, and such further evidence as the Appeals Council may receive, as provided in paragraphs (a) and (c) of this section. The decision shall be made in writing and contain findings of fact and a statement of reasons. A copy of the decision shall be mailed to the parties at their last known addresses.

(Sec. 1102, 49 Stat. 647 as amended; 42 U. S. C. 1302. Interprets or applies sec. 205, 53 Stat. 1368 as amended, sec. 221, 66 Stat. 772; 42 U. S. C. 405, 421)

[SEAL] CHARLES I. SCHOTTLAND,
Commissioner of Social Security.

Approved: April 22, 1958.

E. L. RICHARDSON,
Acting Secretary of Health,
Education, and Welfare.

[F. R. Doc. 58-3181; Filed, Apr. 29, 1958;
8:45 a. m.]

TITLE 46—SHIPPING

Chapter I—Coast Guard, Department of the Treasury

Subchapter B—Merchant Marine Officers and Seamen

[CGFR 58-15]

PART 12—CERTIFICATION OF SEAMEN

SUBPART 12.25—CERTIFICATES OF SERVICE FOR RATINGS OTHER THAN ABLE SEAMAN OR QUALIFIED MEMBER OF THE ENGINE DEPARTMENT

MEMBERS OF MERCHANT MARINE CADET CORPS

The designation of students at the United States Merchant Marine Academy has been changed from "Cadet-Midshipman" to "Cadet." The text of 46 CFR 12.25-25 is, therefore, revised to reflect this change of designation of students. Because this amendment to 46 CFR 12.25-25 is editorial in nature, it is hereby found that compliance with the Administrative Procedure Act with respect to notice of proposed rule making, public rule making procedures thereon, and effective date requirements thereof, is unnecessary.

By virtue of the authority vested in me as Commandant, United States Coast Guard, by Treasury Department Orders 120, dated July 31, 1950 (15 F. R. 6521), 167-14, dated November 26, 1954 (19 F. R. 8026), and CGFR 56-28, dated July 24, 1956 (21 F. R. 5659), to promulgate regulations in accordance with the statutes cited with the regulations below, the following amendment to § 12.25-25 is prescribed and shall become effective upon the date of publication of this document in the FEDERAL REGISTER:

§ 12.25-25 *Members of Merchant Marine Cadet Corps.* No ratings other than cadet (deck) or cadet (engine) as appropriate, and lifeboatman shall be shown on a merchant mariner's document issued to a member of the U. S. Merchant Marine Cadet Corps. The merchant mariner's document shall also be stamped "Valid only while cadet in the U. S. Maritime Administration training program." The merchant mariner's document thus prepared shall be surrendered upon the holder being certified in any other rating or being issued a license and the rating of cadet (deck) or cadet (engine) shall be omitted from any new merchant mariner's document issued.

(R. S. 4405, 4417a, 4488, 4551, as amended, sec. 13, 38 Stat. 1169, as amended, secs. 1, 2, 49 Stat. 1544, sec. 7, 49 Stat. 1936, sec. 1, 52 Stat. 753, 55 Stat. 579; 46 U. S. C. 375, 391a, 431, 643, 672, 367, 689, 672b, 672-1, 672-2)

Dated: April 24, 1958.

[SEAL] J. A. HIRSHFIELD,
Rear Admiral,
U. S. Coast Guard,
Acting Commandant.

[F. R. Doc. 58-3198; Filed, Apr. 29, 1958;
8:49 a. m.]

TITLE 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

Subchapter B—Carriers by Motor Vehicle [Ex Parte MC-40]

PART 190—GENERAL

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

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 21st day of April A. D. 1958.

The matter of field offices designated for filing of reports under the Motor Carrier Safety Regulations prescribed by order dated April 14, 1952, as amended by order dated March 25, 1953, being under consideration; and

It appearing that a notice of proposed rule making was issued, dated February 19, 1958 (23 F. R. 1256), for the purpose of amending § 190.40 in view of changes in territories of the Bureau of Motor Carriers field districts, district office locations, and district offices to which motor carriers having their principal place of business in Canada shall file accident and monthly hours of service reports and that no views or arguments were received in response to the said notice;

It is ordered, That 49 CFR Part 190 be, and the same is hereby, amended by deleting the center head Subpart C—Field Offices, and by revising § 190.40 so as to read as follows:

§ 190.40 *Accident and hours of service reports.*—(a) *Where filed.* Motor carriers shall file reports required by §§ 194.5, 194.7, 194.9, and 195.9 of this subchapter by serving or the mailing by first-class mail to the District Director, Bureau of Motor Carriers, Interstate Commerce Commission, for the district in which such carrier has his or its principal place of business as shown in the following table:

District No.	Territory included	Location of district office
1	Maine, Massachusetts, New Hampshire, Rhode Island, and Vermont.	Boston 9, Mass.
2	Connecticut, New Jersey, and New York.	New York 13, N. Y.
3	Delaware, District of Columbia, Eastern Pennsylvania, Maryland, and Virginia.	Philadelphia 6, Pa.
4	Ohio, Western Pennsylvania, and West Virginia.	Columbus 15, Ohio.
6	Alabama, Florida, Georgia, North Carolina, and South Carolina.	Atlanta 5, Ga.
7	Kentucky, Mississippi, and Tennessee.	Nashville 3, Tenn.
8	Illinois, Indiana, and Michigan.	Chicago 7, Ill.
9	Minnesota, North Dakota, South Dakota, and Wisconsin.	Minneapolis 1, Minn.
10	Iowa, Kansas, Missouri, and Nebraska.	Kansas City 4, Mo.
12	Arkansas, Louisiana, Oklahoma, and Texas.	Fort Worth 2, Tex.
13	Colorado, Montana, New Mexico, Utah, and Wyoming.	Denver 2, Colo.
15	Idaho, Oregon, and Washington.	Portland 5, Oreg.
16	Arizona, California, and Nevada.	San Francisco 5, Calif.

(b) Reports by foreign carriers, where filed. Motor Carriers having their principal place of business outside the borders of the United States shall file the reports required by §§ 194.5, 194.7, 194.9, and 195.9 of this subchapter at district offices as follows:

Canada:	District
That part of Canada east of the Richelleu, St. Lawrence, and St. Maurice Rivers to La Tuque on the north and thence a straight line due north to the Canadian border	1
That part of Canada west of the Richelleu, St. Lawrence, and St. Maurice Rivers to La Tuque on the north and thence a straight line due north to the Canadian border; and east of Highways 19 and 8 from Port Burwell to Goderich, thence a straight line running north through Tobermory and Sudbury and thence due north to the Canadian border	2
That part of Canada on the west of Highways 19 and 8 from Port Burwell to Goderich, thence a straight line running north through Tobermory and Sudbury and thence due north to the Canadian border; and on the east of Highway 11 from Nipigon to Macdiarmid and thence a straight line due north to the Canadian border	8

Canada—Continued	District
That part of Canada west of Highway 11 from Nipigon to Macdiarmid and thence a straight line due north to the Canadian border; and on and east of Highway 6 from Regway to Melfort and thence a straight line due north to the Canadian border	9
That part of Canada west of Highway 6 from Regway to Melfort and thence a straight line due north to the Canadian border, and all of the Province of Alberta	13
All of the Province of British Columbia	15
Mexico:	District
Baja California and Sonora	16
Those in all other Mexican States	12

It is further ordered, That this order shall be effective May 15, 1958, and shall continue in effect until further order of the Commission.

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

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

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F. R. Doc. 58-3188; Filed, Apr. 29, 1958; 8:47 a. m.]

and distinguished from other registered labels, brands, or trademarks.

(iv) If a label, brand, or trademark is registered by a handler to identify a specific grade, in order for a label, brand, or trademark of practically the same design and lettering with a different color, or additional terms or name, to be registered to represent a different grade, the name of the color and the additional terms or name shall appear on the label, brand, or trademark in block letters of at least one-half (1/2) inch in height, of contrasting color.

(v) A label, brand, or trademark registered with the committee to identify a specific grade shall not be used on any container packed with avocados of a lower grade than that for which the label, brand, or trademark is registered.

Dated: April 25, 1958.

[SEAL] S. R. SMITH,
Director, Fruit and Vegetable
Division, Agricultural Marketing Service.

[F. R. Doc. 58-3212; Filed, Apr. 29, 1958; 8:52 a. m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 202]

MINIMUM WAGE DETERMINATION

NOTICE OF PROPOSED DECISION IN THE DETERMINATION OF PREVAILING MINIMUM WAGES FOR THE DRUGS AND MEDICINE INDUSTRY

A complete record of proceedings held under sections 1 and 10 of the Walsh-Healey Public Contracts Act (41 U. S. C. 35 and 43a) to determine the prevailing minimum wages for persons employed in the Drugs and Medicine Industry has been certified to me by the Hearing Examiner. The record, having been fully considered, the rules of practice, 29 CFR 203.21 (b) next require issuance of a proposed decision in the matter, including a statement of findings and conclusions, as well as the reasons and basis therefor, and the appropriate wage determination.

DEFINITION

The notice of hearing defined the industry to include the following: Drugs or medical preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to affect the structure or any function of, the body of man or other animals. Typical products of the industry are: bulk organic and inorganic medicinal chemicals and their derivatives; endocrine products; basic vitamins; active medicinal principles such as alkaloids from botanical drugs and herbs; drugs and medicines in pharmaceutical preparations such as ampules, tablets, capsules, ointments, solutions and suspensions for human and veterinary use, including vitamin preparations and galenicals such as fluid extracts and tinctures; viruses, serums, toxins, and analogous products such as allergenic extracts, and normal serums

PROPOSED RULE MAKING

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 969]

AVOCADOS GROWN IN SOUTH FLORIDA
PACK REGULATION

Notice is hereby given that the Department is considering the proposals, hereinafter set forth, submitted by the Avocado Administrative Committee, established pursuant to the amended marketing agreement and Order No. 69, as amended (7 CFR Part 969; 22 F. R. 3513), regulating the handling of avocados grown in South Florida, 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).

Consideration will be given to any data, views, or arguments pertaining to the said proposals, which are received by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D. C., no later than the tenth day after publication hereof in the FEDERAL REGISTER.

The proposals are that the Secretary:

(1) Establish as pack specifications for the grading and packing of avocados the grades as set forth in the United States Standards for Florida avocados (§§ 51.3050-51.3069; 22 F. R. 6205);

(2) Prohibit, on and after June 1, 1958, the handling of any container of avo-

cados unless such avocados are packed in accordance with Standard pack, as set forth in the aforesaid United States Standards for Florida avocados;

(3) Prohibit, on and after June 1, 1958, the handling of any container of avocados unless the avocados in such container meet the requirements of one of the United States grades (established as pack specifications as aforesaid) and each container in each lot is marked or stamped to show the United States grade applicable to such lot: *Provided*, That in lieu of such marking requirement, any handler may affix to the container a label, brand, or trademark, registered with the Avocado Administrative Committee in accordance with the following, which appropriately identifies the grade of such avocados:

(i) Registration of each label, brand, or trademark with the Avocado Administrative Committee shall be on forms prescribed by it and shall be filed with such committee not less than 30 days prior to use in lieu of the foregoing marking requirement.

(ii) A label, brand, or trademark registered with the committee, during a fiscal year, to identify a specific grade may not be re-registered during the same fiscal year to identify any other grade.

(iii) Each label, brand, or trademark registered with the committee shall include the name and address of the handler and shall be sufficiently distinctive otherwise that it can be readily identified

and plasmas for human or veterinary use; and bacteriological media.

Management and labor representatives at the hearing stated that they had no objections to this definition. Its content is not substantially different from the one currently in effect (41 CFR 202.28). After full consideration of the record, I find that the definition as proposed in the notice is appropriate for this industry.

LOCALITY

The notice of hearing informed interested persons that they could appear at the hearing and submit data, views, and arguments as to whether there should be a single determination for all the area in which the industry operates or separate determinations for smaller geographic areas (including the appropriate limits for such areas). Information was particularly invited with reference to the geographic pattern of competition within the industry. Industry representatives stated they had no objection to an industry-wide determination. Labor representatives recommended a single determination for the entire industry. Past determinations for this industry have been on an industry-wide basis.

Substantially all of the information supplied on competitive and marketing factors in the industry was offered in an exhibit prepared by the Public Contracts Division and by the testimony of a Government procurement officer of a Federal Agency involved. It analyzed bidders, contractors and shipments to the Government on contracts awarded by the Veterans Administration and the Military Medical Procurement Agency, formerly the Armed Services Medical Procurement Agency. The contracts awarded by these agencies account for most of the Federal Government procurement of drugs and medicines.

The products of the drugs and medicine industry are marked by a relatively high value per pound. Transportation charges constitute only an insignificant portion of the cost of the delivered products. Producers generally distribute their production throughout the nation. The study of origins and destinations of actual shipments and bids on shipments for Government use, here in evidence, shows shipments and offers to ship from the several geographic areas proportionally to the concentration of the industry in those areas, for destinations proportionally to the concentration of Government consumption requirements within the areas of destination. This points to industry-wide competition and nationwide distribution, as distinguished from limited areas of competition.

The pattern of Government procurement reflects the relative insignificance of shipping costs, which inhibits development of limited areas of competition. The great majority of invitations to bid oblige the successful bidder to deliver to any point or points in the continental United States that may be designated by procuring agency during the term of the contract.

Government Exhibit 8 shows that during the fiscal years chosen for examina-

tion bids were received from each of the 4 geographical areas into which the Exhibit divides the country. Bids from each of these areas contemplated delivery of the finished product specifically within its own area, to each other such area, and to any area the purchasing agency might thereafter designate. Among the 20 possible origin-delivery combinations in this exhibit, such bids were successful in 16 of them. The very lack of a current minimum wage determination may explain the lack of success attending the bids in three of the remaining four possible combinations, for they contemplated production in an area showing high minimum wages for delivery to three lower minimum wage areas.

Though a substantial portion of the Government procurement in this industry is for proprietary items, generally manufactured by only a single company, there are so many such items so nearly alike that there is substantial competition between them in their selection for use at the level of the individual physician or hospital. There is thus substantial industry-wide competition even in this segment of the Government procurement. Furthermore, the producers of these proprietary items customarily market them through wholesale distributors located throughout the industry. Such distributors keep stocks of goods on hand, and are regular dealers equally eligible to bid on Government invitations calling for the proprietary items as are the proprietors who manufacture them.

Under all these circumstances, separate determinations for separate geographic areas would not accord with the purposes of the Act, and I find that the locality in which the materials, supplies, articles, or equipment are to be manufactured or furnished under contracts subject to the Act in the drugs and medicine industry is all that area in which the industry has its establishments.

WAGES

The wage data introduced at the hearing is contained primarily in a tabulated presentation of a survey of the industry conducted by the Bureau of Labor Statistics. The survey was based on the August 15, 1956, payroll period. It included all establishments within the industry employing 10 or more employees. The survey revealed that there are 428 such establishments, employing a total of 85,769 workers, 42,724 of whom were considered "covered", and protected by the Walsh-Healey minimum wage determination when the establishment is engaged on the work to which it applies. Wage data were obtained from 395 of these establishments, employing 83,103 total, and 41,228 covered, workers. This represents 92.2 percent of the establishments in the defined industry, employing 96.9 percent of its total workers, and 96.5 percent of its covered workers. In accordance with standard statistical techniques, the remaining 33 establishments were included in the tabulated results by ascribing to each of them the wages found in those plants actually studied which had similar characteristics of size, location, and the like.

The AFL-CIO for itself, and two affiliated unions, the International Chemical Workers and the Oil, Chemical and Atomic Workers International Union, relied on the following facts shown on the Bureau of Labor Statistics tabulations for their proposals as to the prevailing minimum wage. Half of the covered workers in the industry were employed in establishments which paid none of them less than \$1.36 per hour. In establishments employing 50.7 percent of the covered workers at least 99 percent of them received wages of \$1.40 per hour or more. Only 6 workers in those establishments received less than \$1.40 per hour. The unions took the position that these figures justified a finding that a minimum wage of \$1.38 per hour prevailed in August of 1956. On the basis of increases in minimum wages which had occurred since August 1956, as reflected by their collective bargaining agreements, the unions urged that the prevailing minimum wage had risen seven cents per hour since the survey. Adding the \$1.38, which they derive from the data based on the August 1956 pay period, and the seven cent increase they contend has subsequently occurred, the unions take the position that the present prevailing minimum wage is \$1.45 per hour.

The drugs and medicines trade associations did not make affirmative minimum wage recommendations or present evidence at the hearing, but post-hearing recommendations were filed by the American Pharmaceutical Manufacturers Association on behalf of its members. This Association commented that on one basis a present determination of \$1.24 per hour would be comparable to the \$0.93 per hour determination in which it acquiesced when it was made in 1952. In order to avoid what they characterize as harmful discrimination against small establishments they "urge recognition of the fact that a \$1.00 rate actually prevailed in August 1956 . . . for more than a 'handful of workers'", and "earnestly recommend that the minimum not be extended beyond \$1.20".

The contention of the unions that in determining the prevailing minimum wage in this industry operative effect be given a minimum wage of not less than \$1.36 per hour paid by about 17 percent of all plants to half of all covered employees, requires evaluation of whether such rate is best representative of the minimum wage practices in this industry as disclosed by the evidence viewed as a whole. The \$1.36 figure represents the median minimum wage paid by plants in the industry, weighted in accordance with the total covered worker employment in such plants.

The evidence of record shows that 355 of the 428 plants in this industry (or 82.9 percent of them) have a lower minimum wage than \$1.36 an hour. Though these 355 plants employ not more than half the workers in the industry, they constitute all but a small portion of the employment and production units in the industry.

In these circumstances, the suggested weighting of the evidence would exclude altogether from consideration of Gov-

ernment contracts, an overwhelming portion of the possible contractors in this industry. The evidence of minimum wages does not compel this result. Neither would such result be necessary to accord to the statutory terms nor for accomplishment of the Congressional purpose "to eliminate the practice under which the Government is compelled to deal with sweat shops" and "substandard factories" (House Report 2946, 74th Cong., 2d Sess.).

On the other hand, a median plant approach encompasses evaluating the evidence of minimum wages without weighting the plants in accordance with their employment of total covered workers. Under the evidence here, the minimum wage for the median plant (unweighted for covered workers), is \$1.06 per hour. The record here also demonstrates, however, that inflexible application of only the unweighted plant median, which disregards the relative employment, size and production of the several plants, also does not appropriately realize the statutory terms and purpose. The fact that the lower minimum wage half of the plants in the industry employ only 14.2 percent of its workers, and presumably account for not much more of its production, indicates fairly clearly that their wage practices cannot be used to mark the boundary of those which are prevailing for persons employed in the industry.

The unions also suggest \$1.40 per hour as appropriate for consideration of the prevailing minimum wage here. This figure is arrived at by not reflecting or taking cognizance of the minimum wage of the lowest paid covered worker in the plants at the critical median level. Selection of the prevailing minimum wage rate, as proposed by the unions, from a list of wages which exceed the actual minimum wages paid by the several plants in the industry, would not adequately weigh the substantial evidence of record on actual minimum wages paid in determining the prevailing minimum wage. This suggested method of determining prevailing minimum wages from among minimum wages paid to the bulk of employees at the lower end of each plant's wage scale rather than from the actual minimum wage paid by each plant to its lowest paid covered employee, would be pertinent in certain situations not existing here involving the scope or quality of the evidence as to the actual minimum wage paid by each plant.

The Unions also recommend \$1.38 per hour for determination as the prevailing minimum wage in this industry. This figure is drawn from the midpoint between the \$1.40 and \$1.36 per hour rates also suggested by the unions. Since neither \$1.40 or \$1.36 per hour is found above to represent the industry prevailing minimum wage, and since the \$1.38 is made dependent on each of them for its validity, it is not proper for determination as the minimum wage which prevails in this industry.

The American Pharmaceutical Manufacturers' Association did not recommend a specific minimum wage, but its post-hearing brief analyzing the evidence

commented that \$1.20 an hour appeared to it to be the highest minimum wage appropriate for determination as prevailing in this industry.

This rate is so situated within the range between the rates of \$1.36 and \$1.06, respectively found to be too high and too low for consideration as prevalent, as to avoid their disabilities. The wage survey data on payment of \$1.20 as a minimum wage show that 67.5 percent of all covered workers in the industry are employed in establishments which pay plant minimum wages of not less than \$1.20 an hour.

The substantial evidence of record, considered as a whole, supports the rate of \$1.20 as appropriate for determination as the prevailing minimum wage in this industry.

The Bureau of Labor Statistics wage survey data discloses certain special characteristics of this industry which have direct bearing on evaluation of the minimum wage data. One of these factors is the very large concentration of the industry's total covered employment in a relatively small number of large plants. Table 1A of Government's Exhibit No. 5 discloses that 57 percent of all covered employees are employed in 7.2 percent of the industry's establishments, each of which employs 501 or more employees. Another unusual circumstance is the relatively small number of covered employees employed by the numerical majority of establishments in the industry. Table 1A also shows that 54.3 percent of the total number of establishments in the industry, all in the 10 to 50 worker smallest size category, employ a total of only 8.2 percent of all covered workers.

Thus, the evidence presents two extremes with relation to the data normally in closer approximation and usually adverted to for a finding as to the minimum wage which prevails. As to industries where the employment is better diffused among the various plants in the industry, relating establishment minimum wages separately to total employment units or to total covered employment in such units has yielded minimum wages which are in relative proximity so that either could be characterized as prevailing in the particular industry. The exercise of statutory discretion in such cases has favored choice of one of these two minimum wages which under all the facts of record most accurately measures the prevailing minimum wages in the industry considered as a whole. Such process of determination, however, is precluded here by the evidence which shows a substantial spread between the minimum wage suggested by each of the two approaches. Any choice between them in appraising the minimum wages of the industry as a whole, would depend upon whether the various sizes of plants as to employment should be disregarded and all should be treated as equals in their contribution to the prevailing minimum wage standard of the industry, or whether they should be accorded force and influence in accordance with their size.

In this industry, no single minimum hourly wage is found among the several plants with such frequency that it fairly

may be said to be "prevailing" in the industry, in the sense that it will serve to distinguish the plants which pay "not less than . . . the prevailing minimum wages for persons employed in . . . the particular or similar industries." In this context, the minimum wage practices of the large plants dominating employment in the industry inherently have greater, but not necessarily exclusive weight in influencing the practice which is prevalent in the industry as a whole, than the practices of its least substantial employing and productive units. However, each productive unit regardless of size offers some measurable contribution to the minimum wage practices of the industry viewed as a whole requiring evaluation and weighting.

These several considerations are satisfied by the \$1.20 rate suggested. This rate has substantial representation as a minimum wage in the various sizes of plants studied from the largest to the smallest. While it recognizes the impact of the minimum wages paid by the large plants employing the majority of the covered workers, it also gives due weight to the minimum wage practices of the smaller sized plants. Thus, all but 2 of the 31 largest plants each with an employment of 501 and more workers employing 57.7 percent of the covered workers in the industry, paid experienced workers minimum wages of not less than \$1.20 an hour. Similarly, 51.4 percent of the establishments in the 251 to 500 worker size, and virtually 30 percent of the establishments in both the 51 to 250 and the smallest 10 to 50 worker size, also paid covered workers minimum wages of not less than \$1.20 per hour.

It is evident from this analysis that the \$1.20 rate more accurately measures the prevalent minimum wage practice in this industry than other rates proposed as appropriate for determination.

The unions also urge that the prevailing minimum wage which is justified by the data resulting from the August 1956 payroll period should be increased seven cents per hour to adjust to wage increases which have occurred since that time. At the hearing in April of 1957, they submitted data as to the wage changes which had occurred since August of 1956. In 36 plants employing 14,886 workers where the unions had collective bargaining status, it appears that minimum wage increases have occurred in 21 of these plants employing 9,919 workers. Only one of these plant wage increases involve minimum wage movements touching or crossing the \$1.20 per hour minimum wage point in the wage tabulations. This necessarily leads to the conclusion that even if all the wage changes which have been proved by the unions had been in effect in August of 1956, and fully reflected in the Bureau of Labor Statistics' tabulations, they would not have been effective to vary the cited support for the \$1.20 rate above discussed. These particular changes do not, therefore, alter the conclusion that \$1.20 per hour is the prevailing minimum wage in this industry.

There remains the question whether the proof of union minimum wage increases together with increases in aver-

age hourly earnings as tabulated by the Bureau of Labor Statistics in the Monthly Labor Review warrants an inference of such a general increase in minimum wages as to justify a determination that the prevailing minimum wage has risen above its August 1956 level. The union showing relates to 8.4 percent of the plants employing 35 percent of the covered employees in the industry. Minimum wages were increased in 58 percent of the union plants employing 69.9 percent of the covered employees in the union plants, and 23.4 percent of all covered workers in the industry. The union minimum wage increase averages 6.8 cents among the employees receiving it, or 4.5 cents among all the union employees.

Average hourly earnings in this industry published by the Bureau of Labor Statistics in the Monthly Labor Review adjusted to reflect only straight time wages, have risen seven cents per hour from August 1956 to June 1957. Such wages rose 42 cents per hour from January 1951 to August 1956, when, as discussed above, the prevailing minimum wage increased 27 cents. No method is suggested to measure movements in prevailing minimum wages solely by movements in adjusted average hourly earnings, which are composed of such factors, unrelated to increase in minimum wages as variations in the amount of shift work, employment as between high-wage and other plants, relative number of workers paid above the minimum, and others.

The data presented here both as to the relationship between these movements in this industry over a long period of time and the actual data as to the recent movement of minimum wages as to 23.4 percent of all covered workers in the industry, suggests an inference that some measure of increase in the prevailing minimum wage may have occurred since August 1956. However, there appears no way to measure such increase as may have occurred with the necessary support of the substantial evidence of record, and none may be found for failure of proof.

BEGINNERS

Separate wage data for beginners was obtained in the Bureau of Labor Statistics' survey. It showed that only 66 establishments in the industry employed 746 workers classified as beginners. The labor union representatives at the hearing specifically recommended that no wage rates be authorized to be paid below the general prevailing minimum wage to be established for the industry. The American Pharmaceutical Manufacturers Association stated in a post hearing submission that there was no strong sentiment in the industry for separate beginner or learner rates.

By reason of these positions of interested parties, and the scarcity of such special wage rates in the industry, the tables reflecting the wages paid all covered workers, including beginners, are the ones which have been basically relied on to ascertain the prevailing minimum wage. In this situation, there appears to be no basis for a tolerance for learners or beginners, and none will be

provided. Apprentices and handicapped workers may, of course, be employed at special rates as provided in the general regulations (41 CFR Part 201).

PROPOSED DETERMINATION

Accordingly, upon the findings and conclusions stated herein, and pursuant to authority under the Walsh-Healey Public Contracts Act (49 Stat. 2036, 41 U. S. C. Sec. 35 et seq.), and in accordance with the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. Sec. 237), notice is hereby given that I propose to amend the minimum wage determination for the drug, medicine and toilet preparations and cosmetics industry by deleting all reference to the drug and medicine branch thereof in 41 CFR 202.28 and promulgating a new section entitled "Drugs and Medicine Industry", as follows:

§ 202.60 *Drugs and Medicine Industry*—(a) *Definition*. (1) The drugs and medicine industry is defined to include the following: Drugs or medical preparations (other than food) intended for internal or external use in the diagnosis, treatment, or prevention of disease in, or to affect the structure of any function of the body of man or other animals.

(2) Typical products of the industry are: Bulk organic and inorganic medicinal chemicals and their derivatives; endocrine products; basic vitamins active medicinal principles such as alkaloids from botanical drugs and herbs; drugs and medicines in pharmaceutical preparations such as ampules, tablets, capsules, ointments, solutions and suspensions for human and veterinary use, including vitamin preparations and galenicals such as fluid extracts and tinctures; viruses, serums, toxins, and analogous products such as allergenic extracts, and normal serums and plasmas for human or veterinary use; and bacteriological media.

(b) *Minimum wage*. The minimum wage for persons employed in the manufacture of products of the drugs and medicine industry under contracts subject to the Walsh-Healey Public Contracts Act shall be not less than \$1.20 per hour arrived at either on a time or piece rate basis.

(c) *Effect on other obligations*. Nothing in this section shall affect any obligations for the payment of minimum wages that an employer may have under any law or agreement more favorable to employees than the requirements of this section.

Within thirty days from the date of the publication of this notice in the FEDERAL REGISTER, interested parties may submit written exceptions to the proposed actions above described. Exceptions should be addressed to the Secretary of Labor, United States Department of Labor, Washington 25, D. C.

Signed at Washington, D. C., this 25th day of April 1958.

JAMES P. MITCHELL,
Secretary of Labor.

[F. R. Doc. 58-3218; Filed, Apr. 29, 1958; 8:52 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

I 47 CFR Part 31

[Docket No. 12076; FCC 58-394]

TABLE OF ASSIGNMENTS, TELEVISION BROADCAST STATIONS

(ERIE, PA., AKRON-CLEVELAND, OHIO, CLARKSBURG AND WESTON, W. VA., FLINT-SAGINAW-BAY CITY, MICH.)

1. The Commission has before it for consideration its Notice of Proposed Rule Making issued in this proceeding on June 27, 1957 (FCC 57-699), proposing to shift Channel 12 from Erie, Pennsylvania, to Cleveland, Ohio, or to Cleveland-Akron, Ohio, and to shift Channel 12 from Flint, Michigan, to Saginaw-Bay City-Flint, Michigan. This proceeding was initiated at the request of several petitioners who requested amendments of § 3.606, Television Broadcast Stations, as follows: (1) Great Lakes Television Company, permittee of Television Station WSEE on Channel 35 in Erie, on July 13, 1956, petitioned that Channel 12 be deleted from Erie and assigned to Cleveland; (2) Lake Huron Broadcasting Corporation, licensee of Station WKNX-TV on Channel 57 in Saginaw, Michigan, on August 30, 1956, requested that Channel 12 be shifted from Flint to the hyphenated area of Saginaw-Bay City-Flint; and (3) Summit Radio Corporation, permittee of Station WAKR-TV on Channel 49 in Akron, on May 27, 1957, requested that Channel 12 be deleted from Erie and assigned to the hyphenated communities of Cleveland-Akron. The WAKR-TV petition further requested that the Commission order the permittee of Station WBLK-TV, authorized to operate on Channel 12 at Clarksburg, West Virginia, to show cause why its transmitter should not be relocated at a site south of Clarksburg and that a final grant on Channel 12 in the presently pending Flint adjudicatory proceeding for the channel be conditioned upon selection of a site at least 170 miles from the Cleveland "antenna farm" at Parma, Ohio.

2. On February 19, 1958, the Detroit Educational Television Foundation, licensee of noncommercial educational station WTVS on Channel 56 at Detroit, Michigan, filed a petition for rule making to delete Channel 12 from Flint, Michigan, and to reserve the channel for education in Detroit. Since this petition involves one of the channels under consideration in this proceeding and is in conflict with certain other proposals, it is being treated herein as a counter-proposal.

3. On June 7, 1957, Telecasting, Inc., permittee of Station WENS, authorized to operate on Channel 16 in Pittsburgh, Pennsylvania, petitioned to exchange Channels 9 and 16 between Steubenville, Ohio and Pittsburgh, or, in the alternative, to add Channel 6 to Pittsburgh by making VHF channel changes in seven areas (Pittsburgh, Erie, Lancaster and Johnstown-Altoona, Pennsylvania; Cleveland-Akron, Ohio; Clarksburg, West Virginia; and Philadelphia-Wilmington-Camden-Atlantic City). On August 30, 1957, and on November 12,

1957, Telecasting filed comments and reply comments in the subject proceeding, re-urging as counterproposals the identical proposals which it advanced in its June 7, 1957, petition and also suggesting certain additional channel changes. Several other parties filed reply comments in the instant case, which were directed solely to Telecasting's alternative proposals. On December 18, 1957, the Commission adopted a Memorandum Opinion and Order (FCC 57-1384) denying Telecasting's proposals. Thus, the comments filed in the instant proceeding relating solely to Telecasting's proposals need not be discussed herein.

4. Comments and reply comments favoring the proposal to shift Channel 12 from Erie to Cleveland or Cleveland-Akron were filed by Great Lakes Television Company (WSEE); Summit Radio Corporation (WAKR-TV); Peoples Broadcasting Corporation, licensee of AM broadcast Station WGAR, Cleveland; Forest City Publishing Company, permittee of Station WHK-TV, authorized to operate on Channel 19 at Cleveland; and Cleveland Broadcasting, Inc., permittee of Station WERE-TV, authorized to operate on Channel 65 at Cleveland. Comments and reply comments in opposition to this proposal were filed by Dispatch, Inc., licensee of Station WICU on Channel 12 at Erie; Westinghouse Broadcasting Company, Inc., licensee of Station KYW-TV on Channel 3 at Cleveland; Scripps-Howard Radio, Inc., licensee of Station WEWS on Channel 5 at Cleveland; Storer Broadcasting Company, licensee of Station WJW-TV on Channel 9 at Cleveland; WSTV, Inc., permittee of Station WBOY-TV, authorized to operate on Channel 12 at Clarksville; Midwest TV Company, permittee of Station WMAC-TV, authorized to operate on Channel 23 at Massillon, Ohio; and Sparton Broadcasting Company, licensee of Station WWTW on Channel 13 at Cadillac, Michigan. Comments and reply comments favoring the proposal to shift Channel 12 from Flint to Saginaw-Bay City-Flint were filed by Lake Huron Broadcasting Corporation (WKXN-TV); and oppositions to this proposal were filed by WJR, The Goodwill Station, Inc., permittee of television Station WJRT, authorized to operate on Channel 12 at Flint; and W. S. Butterfield Theatres, Inc., and Trebit Corporation (jointly), applicants for Channel 12 in Flint.

5. Various parties have tendered counterproposals. Tri-Cities Telecasting, Inc., permittee of Station WTLC, authorized to operate on Channel 28 at Canton, Ohio, and Brush-Moore Newspapers, Inc., parent Corporation of the Ohio Broadcasting Company, licensee of radio Stations WHBC and WHBC-FM in Canton, ask that Channel 12 be shifted from Erie to Canton, Washtenaw Broadcasting Company, Inc. (WPAG-TV, Channel 20; Ann Arbor, Michigan), and the Regents of the University of Michigan, request that Channel 12 be moved from Flint to Ann Arbor, Michigan. Scripps-Howard Radio, Inc., licensee of Station WEWS on Channel 5 in Cleveland, Ohio, Westinghouse Broadcasting Company, Inc., li-

cence of Station KYW-TV on Channel 3 in Cleveland, and Storer Broadcasting Company, licensee of Station WJW-TV on Channel 9 in Cleveland, all oppose the proposal to delete Channel 12 from Erie, but urge that, if the Commission shifts Channel 12 from Erie, it be assigned to Akron or reserved for education in Cleveland. Various parties filed oppositions to these counterproposals.

6. In sum, the original proposals and counterproposals in this proceeding are as follows: (1) to shift Channel 12 from Erie, Pennsylvania, to the Cleveland-Akron area; (2) to reassign Channel 12 from Flint, Michigan, to the hyphenated communities of Saginaw-Bay City-Flint, Michigan; (3) to shift Channel 12 from Erie to Canton, Ohio; (4) to assign Channel 12 to Akron alone or reserve it for education in Cleveland; (5) to shift Channel 12 from Flint to Ann Arbor, Michigan; and (6) to shift Channel 12 from Flint to Detroit, Michigan; and reserve the channel for education in Detroit.

7. The Commission's Report and Order of June 26, 1956 (FCC 56-587) in the general television allocations proceeding (Docket No. 11532) stated with respect to various proposals for city-by-city deintermixture of UHF and VHF channels (par. 31): "Because of the widely varying circumstances in individual markets and the numerous factors which bear on the choice of techniques in any individual community or area, it is not possible to formulate rigid criteria whose perfunctory application to individual cases will automatically indicate the course which would best serve the public interest in each community." Nevertheless, the Commission announced in that Report and Order that the merits of proposals to eliminate a VHF commercial assignment would depend to a large extent on such factors as:

1. Whether significant numbers of people would lack service as a result of elimination of the VHF channel.
2. Whether one or more UHF stations are operating in the area.
3. Whether a reasonably high proportion of the sets in use can receive UHF signals.
4. Whether the terrain is reasonably favorable for UHF coverage.
5. Whether, taking into account all the local circumstances, the elimination of a VHF channel would be consistent with the objective of improving the opportunities for effective competition among a greater number of stations.

The Commission further held that the desirability of assigning a first VHF channel or of adding an additional VHF channel would depend principally upon:

1. Whether it is possible to locate the new transmitter so as to meet minimum transmitter spacings.
2. Whether, in cases where it is necessary to move the channel from another city, there is greater need for the channel in the area to which it is proposed to be assigned.
3. Whether the addition of a new VHF assignment would be consistent with the objective of improving the opportunities for effective competition among a greater number of stations.

8. Predictions as to population losing their only Grade B signal (i. e., population within a "white area") resulting

from the deletion of Channel 12 from Erie, as computed by the various parties, range from zero to 16,254 depending upon the assumptions made and the methods used. WSEE (Channel 35, Erie) asserts that no one would lack service since WSEE presently serves a substantially greater area and larger population than WICU (Channel 12, Erie), and since the entire area within the WICU Grade B contour is within the WSEE Grade B contour. Both WSEE and WICU have recently received authorizations to improve their facilities. WSEE and WAKR-TV (Channel 49, Akron) have calculated that the authorized WSEE and WICU Grade B service areas are approximately equal in area and population. WICU submitted data showing that the deletion of Channel 12 from Erie would result in the creation of a Grade B "white area" of 440 square miles and 12,600 persons; while a similar engineering study by WEWS (Channel 5, Cleveland) shows a "white area" of 380 square miles and 16,254 persons. The WICU and WEWS computations are not significant, however, since they take into consideration WICU's authorized facilities but not WSEE's authorized facilities.

9. Since any computation of the area and population that might lose service by the deletion of Channel 12 from Erie must of necessity be grounded on so many variables and assumptions, including heights and powers to be employed in the future and additional stations that might take the air, significant computations are difficult. We believe that the record supports the conclusion that some "white area" would result from the deletion of Channel 12 from Erie, but that this white area would contain fewer than 16,254 persons.

10. The proponents of the proposal to delete Channel 12 from Erie assert that the Erie area is predominantly UHF, while the opponents contend that it is overwhelmingly VHF. One UHF station (WSEE) and one VHF station (WICU) now operate in Erie. Three competing applications are pending for a second UHF station. A UHF station (WICA) operated in Ashtabula, Ohio, 41 miles from Erie, until June 16, 1956, and the proponents argue that WICA will probably return to the air if Erie is deintermixture. The permittee of WICA, however, did not file any comments in this proceeding. UHF stations operate in Youngstown, Ohio and Buffalo, New York, 75 and 85 miles, respectively, from Erie. The closest VHF stations to Erie are in Buffalo, Cleveland and Pittsburgh, 85, 95 and 115 miles away. Our review of the record discloses that VHF stations other than WICU serve the greater part of the authorized WICU Grade B service area, although the Grade B contours of these other VHF stations fall short of the city of Erie. We therefore find that the deletion of Channel 12 from Erie will not result in effective deintermixture in much of the authorized service areas of the Erie stations.

11. Estimates of UHF set conversion in the city of Erie vary from 69.8 percent to 82.2 percent. All parties agree that the number of UHF equipped television homes declines rapidly as the dis-

tance from Erie increases; and WICU asserts, on the basis of a survey that it conducted, that less than 50 percent of the television homes within the entire WSEE (Channel 35, Erie) Grade B contour can receive UHF signals, and that less than 25 percent of the homes within the WSEE Grade B contour but outside the Erie metropolitan area are so equipped. We are of the opinion that, while there is reasonably high UHF set conversion in Erie, the average set conversion throughout the entire service areas of the Erie stations is moderately low.

12. While it is clear that the terrain within five miles of Lake Erie, the coastal area in which the city of Erie and nearby communities to the east and west are located, is quite smooth and favorable for the propagation of UHF signals, the terrain in the remainder of the area served by the Erie UHF and VHF stations is rough and broken. As would normally be expected, and as field intensity measurements made by WICU disclose, the propagation of the UHF signals in the area south of the coastal plain is poorer than along Lake Erie. At the same time, a large part of the population within the computed service area of the Erie stations live in communities located in valleys well below the line of sight of both WICU and WSEE. From data submitted in this record we conclude that while the terrain within the WICU and WSEE computed Grade B service areas south of the Lake Erie coastal plain substantially suppresses UHF signals, there is markedly less suppression of VHF signals in that area.

13. The parties favoring the deletion of Channel 12 from Erie predict that the Erie area would enjoy a significantly greater availability and choice of services if deintermixture is effected; that the continued operation of WICU on Channel 12 may force all UHF stations off the air in the area; that only UHF can provide three fully competitive outlets in Erie for the three national networks; and that if WICA in Ashtabula is to return to the air and any other communities within sixty miles of Erie are ever to have their own stations, these must be in the UHF band. Contrarily, the opponents of the proposal assert that Erie should be permitted to retain its only VHF station, since other cities of similar size have at least one VHF station; that limiting Erie to UHF facilities would impair its ability to serve many rural, remote, isolated persons whose economic interests are tied to Erie; that effective deintermixture cannot be achieved in the area now served by the Erie VHF station because a substantial portion of this area is blanketed by VHF signals from other cities; and that UHF stations can continue to compete with a single VHF facility in Erie.

14. Cleveland and Akron are about 25 miles apart. Cleveland has three VHF stations (KYW-TV on Channel 3, WEWS on Channel 5 and WJW-TV on Channel 8), and Akron has one UHF station (WAKR-TV on Channel 49). Advocates of the proposal to move the channel argue that it is needed to provide a fourth competitive VHF service

to the Cleveland-Akron area; that unless the proposal is adopted, the Cleveland metropolitan area, one of the top ten markets in the nation, will be permanently limited to three stations; and that a fourth station is needed to provide effective local television service, since the best viewing hours of the three present Cleveland stations are utilized by the networks. WAKR-TV asserts that since the three Cleveland VHF stations provide Grade A service to Akron, WAKR-TV cannot compete effectively with the Cleveland stations in the Akron market and cannot continue to operate on a UHF channel indefinitely.

15. We are not convinced that a more compelling need has been demonstrated for the use of Channel 12 in the Cleveland-Akron area than in Erie. Some "white area" would result from the deletion of Channel 12 from Erie. Erie is not a predominantly UHF community. Much of the area within the computed Grade B service area of the Erie stations is served with multiple VHF signals from Buffalo, Cleveland and Pittsburgh stations. Although UHF set conversion is moderately high in and immediately adjacent to the city of Erie, there is considerably less UHF conversion outside the Erie metropolitan area. Except for a narrow strip of coastal land along Lake Erie, the terrain within the Grade B contours of the Erie stations is rough and hilly and not well suited to UHF propagation. The deletion of Channel 12 from Erie would probably deprive a number of isolated communities of their best, or of their only, dependable television service. On the other hand, the entire Cleveland-Akron area is already well served with three VHF services, and WAKR-TV provides a local UHF television service to Akron. In consideration of the service and lack of service in the Erie and Cleveland-Akron areas, we cannot say that the latter has a greater need for Channel 12 than the former, or that the proposal to shift Channel 12 to the Cleveland-Akron area would result in greater compliance with the requirement of section 307 (b) of the Communications Act for a more fair, efficient and equitable distribution of television facilities to these communities.

16. Since we have decided that Channel 12 should not be removed from Erie, no useful purpose would be served by discussing the arguments advanced by various parties with respect to where Channel 12, if deleted from Erie, could best be assigned and the transmitter site difficulties attendant upon the assignment of the channel to Cleveland, Akron, or to the hyphenated allocation of Cleveland-Akron.

17. There remains for discussion the counterproposals to shift Channel 12 from Erie to Canton, Ohio. The two parties who urge that Channel 12 be assigned to Canton did not submit any engineering data and did not comment on the technical feasibility of this counterproposal. However, our independent study discloses that Canton is approximately 118 miles from Clarksburg, West Virginia, where WBOY-TV is authorized to operate on Channel 12. The assignment of that channel to Can-

ton would therefore represent a substantial departure from the minimum channel spacing of 170 miles. As we have often indicated, it is our view that such an allocation would not serve the public interest at the present time. See Memorandum Opinion and Order of December 19, 1956 (released December 27, 1956) in Docket No. 11532 (FCC 56-1269). We reaffirm that view here.

18. The three existing VHF stations in Cleveland (WEWS, KYW-TV and WJW-TV) oppose the proposal to delete Channel 12 from Erie, but urge that, if the Commission nevertheless decides to finalize that proposal, the channel be reserved for non-commercial educational use in Cleveland. We note, however, that no educational organization has filed comments requesting that the Channel be so reserved, and we do not believe that a compelling need has been demonstrated for such a reservation.

19. Channel 12 is presently assigned to Flint, Michigan, and WJR, The Goodwill Station, Inc., has a construction permit for Station WJRT on that channel with a transmitter site near Chesaning, Michigan, from which site city-grade service will be provided to the cities of Flint, Saginaw, and Bay City, Michigan.¹

¹ On May 14, 1954 the Commission released a Final Decision granting the application of WJR and denying the mutually exclusive applications of Trebit Corporation and W. S. Butterfield Theatres, Inc. Within 30 days Trebit, Butterfield and a "Citizens Committee for a VHF television station for Flint" filed petitions to reconsider. On December 6, 1954 the Commission reaffirmed its grant to WJR. Ten days later WJR filed an application for modification of its CP to change its transmitter location from Clarkston—a community between Flint and Detroit—to Chesaning, a community north of Flint in the direction of Saginaw and Bay City. Trebit and Butterfield by joint petition requested the Commission to vacate and set aside its original decision preferring WJR, to reopen the record and to order a further hearing. In a Memorandum Opinion and Order, released April 1, 1955, the Commission denied the Trebit and Butterfield joint petition. On April 14, 1955, the Commission granted WJR's modification application.

Three television stations operating in Northern Michigan (including WENX-TV) protested. On June 10, 1955, the Commission released its Memorandum Opinion and Order designating the application for hearing and postponing the effective date of its grant. After a hearing the Examiner released an Initial Decision on January 17, 1956, and supplemented this Decision on April 5, 1956, reaffirming the grant to WJR.

While the protest proceeding was pending, Trebit and Butterfield sought court review of the Commission's refusal to reopen the comparative hearing record in light of facts disclosed in the application for modification of CP. In a decision released May 24, 1956, the Court of Appeals held that the Commission had abused its discretion in refusing to reopen the comparative hearing record along the lines suggested by Trebit and Butterfield, and directed the Commission to "conduct further hearings on the question of developments between WJR's original and modified proposals and . . . to reconsider its grant to WJR in the light of the developments thus disclosed".

On October 19, 1956, the Commission issued an Order reopening the comparative hearing and remanding the cases for further hearing. One of the issues in this further

20. Lake Huron Broadcasting Corporation (WKNX-TV) urges that Channel 12 be shifted from Flint to Saginaw-Bay City-Flint and that new parties be permitted to file applications for the channel. Lake Huron contends that its request would not cause any delay in the eventual use of this channel; that UHF has been unsuccessful in Saginaw-Bay City-Flint, two UHF grants for Flint and one for Bay City having been surrendered, due to the presence of strong VHF signals from three pre-freeze VHF stations in Detroit, one pre-freeze VHF in Lansing and a post-freeze VHF in Bay City; that WKNX-TV is the sole UHF station on the air in north central Michigan; that because of strong VHF competition in the area, there is no likelihood that another UHF station will be constructed; that WKNX-TV has only been able to survive because of fortuitous circumstances, the principal one being that WJRT on Flint Channel 12 has not yet become operative; that although WKNX-TV has been able to compete with a single VHF station (WNEM-TV on Channel 5 in Bay City),* it cannot possibly survive the advent of a Flint Channel 12 station and the certain attendant loss of WKNX's CBS affiliation; that the WJR proposal for a Flint Channel 12 operation from a site only 11 miles south of Saginaw would place a city-grade signal over Saginaw and Bay City, and its service area will wholly encompass that of WKNX-TV; that if WKNX-TV is forced to go off the air, Saginaw will be left without a station of its own; that if the Commission is to have an opportunity to pass upon the desirability of granting the last remaining VHF channel in this area to an applicant committed to giving some consideration to the special needs of Saginaw, it must be through a joint allocation of that channel to Flint-Saginaw-Bay City; that Saginaw is an important market in its own right, the 16th market in the nation, and is about half the size of Flint; and that Flint's television needs are better served by outside stations than those of Saginaw, since

Flint gets Grade B signals from all three Detroit stations, a Grade A signal from both WJIM-TV in Lansing and WNEM-TV in Bay City, and will receive an additional VHF service from Parma-Onondaga, although Saginaw can hope to receive only Station WNEM-TV and a Channel 12 station. WKNX-TV further asserts that, when considering a suitable site for a Channel 12 facility to serve the Flint-Saginaw-Bay City area, maximum height and power will be needed to provide city-grade signals over all of the three principal cities; that the site near Chesaning, Michigan presently proposed by WJR, while furnishing city-grade coverage to all three cities, would not provide sufficient coverage in areas now served by only one or two stations; and that an assumed site two miles north of Gilford, Michigan, in Zone II, with maximum power (316 kw at 1,500 feet) will provide city-grade coverage to underserved areas.

21. WJR, in opposing the proposal to shift Channel 12 from Flint to Saginaw-Bay City-Flint, alleges that the Commission in its Sixth Report and Order made an equitable allocation of VHF and UHF channels to Flint, Saginaw and Bay City, and that nothing has occurred to render the allocation inequitable; that WKNX-TV's principal purpose in filing its petition to shift Channel 12 is to delay the inauguration of a Flint Channel 12 operation; that no change in the allocation of Channel 12 which would require WJR to lose its Flint identification could be effectuated without first affording WJR a hearing pursuant to Section 316, since WJR holds a valid construction permit; that considerable delay would be involved in getting a Channel 12 station on the air by adopting the WKNX-TV proposal; that the complexity of the present proceedings involving Channel 12, as alleged by WKNX-TV, does not exist, and these proceedings should soon end with a final decision in the further hearing ordered by the Court; that even if the Flint Channel 12 proceeding were as complex as alleged by WKNX-TV, legal complexity affords no basis for discarding or reopening the record or for reallocating Channel 12; that any new hearing on Channel 12 with new applicants would probably require several more years for final determination; that while operation by WJR on Channel 12 will result in new competition to WKNX-TV, WKNX-TV will probably still retain its ABC affiliation; and should be able to remain on the air; and that Flint is far larger than Saginaw or Bay City and is the only one of these cities which does not now have its operating station. WJR argues that WKNX-TV's contention that Flint's needs are better served than Saginaw's needs by outside stations lends no support to the proposed reallocation of Channel 12, because such reallocation is based upon the false premise that the entire Flint-Saginaw-Bay City area can only support two stations, and because the overriding fact of Flint's needs for a local transmission facility of its own is ignored.

22. The following civic and governmental groups filed comments favoring the proposal to shift Channel 12 from

Flint to Saginaw-Bay City-Flint: City Council of the City of Saginaw, President and Executive Director of Saginaw Community Chest, Saginaw Chamber of Commerce, Bay City Commission, and City Manager of Midland. The following civic, governmental, fraternal, commercial and miscellaneous groups have filed comments opposing the proposal to shift Channel 12 from Flint to Saginaw-Bay City-Flint; Board of Directors of Flint Rotary Club, President of Flint Civitan Club, Flint Chamber of Commerce, Director Region No. 1-C, UAW-CIO, City Manager of Flint, President of Greater Flint Downtown Corporation, President of Genesee County Traffic Safety Commission, Flint City Commission, Greater Flint Council of Churches, Board of Directors of Flint Community Players, Flint Jewish Community Council, Flint Junior College, Cooperative Extension Service of Michigan State University in Genesee County, Manufacturers' Association of Flint, Citizens Committee for VHF Television Station for Flint, Tall Pine Council, Boy Scouts of America, Flint Youth Bureau, Flint Junior Chamber of Commerce, Director of Mott Foundation Program, Flint Public Schools, Genesee County Chapter of American Red Cross, Flint Farmers Club, International Institute of Flint, Genesee County Girl Scout Council, David B. Treat of Flint, Michigan, Catholic Social Service Bureau of Flint, Flint Goodwill Industries, Kiwanis Club of Flint, Red Feather Fund of Flint, and Council of Social Agencies of Flint and Genesee County. No new facts were alleged in these comments which were not covered in other formal comments.

23. We are not persuaded that Channel 12 should be moved from Flint to Saginaw-Bay City-Flint. We believe that as between the cities of Flint and Saginaw, there is a decidedly greater need for a VHF channel in Flint. The Flint metropolitan area, with a population of 270,963, is the 69th market in the nation. The Saginaw metropolitan area, with a population of 153,515, is the 111th market.

24. Six years have transpired since the adoption of the Sixth Report and Order allocating Channel 12 to Flint, and that city is still without local service. The smaller cities of Saginaw and Bay City, on the other hand, have long enjoyed local television service (WKNX-TV on Channel 57 at Saginaw and WNEM-TV on Channel 5 at Bay City). Reopening of the Flint Channel 12 proceeding would entail further delay, and any Commission decision resulting in such delay, in the absence of most compelling reasons not present in this case, would not be in the public interest.

25. Washtenaw Broadcasting Company, Inc., authorized to operate Station WPAG-TV on Channel 20 in Ann Arbor, and the Regents of the University of Michigan ask that Channel 12 be moved from Flint to Ann Arbor. They propose a share-time arrangement, with the University operating a non-commercial educational station during part of the broadcast hours and with WPAG-TV utilizing the remaining hours. They assert that a VHF channel is needed in Ann

proceeding dealt with the proposed shift by WJR of its site from the vicinity of Detroit to the outskirts of Saginaw. WKNX-TV filed a petition to intervene in the hearing on this issue. On December 14, 1956, the Commission adopted a Memorandum Opinion and Order denying the joint petition of Trebit and Butterfield but granting WKNX-TV's petition to intervene.

On January 23, 1957, the Commission granted a request by WKNX-TV that a final decision in the protest hearing (Docket No. 11412) be deferred until a final decision is reached in the further comparative proceeding so as not to prejudge matters on which the Court of Appeals had ordered a further hearing. On January 6, 1957, the taking of evidence at the further hearing was begun, and the record was closed on April 17, 1957. On September 12, 1957, the Examiner issued an Initial Decision preferring WJR.

*WKNX-TV asserts that, although WJIM-TV on Channel 6 in Lansing in theory places a Grade B signal over Saginaw, because of adjacent channel interference, the strong city-grade signal of WNEM-TV on Channel 5 blots out the weaker WJIM-TV Grade B signal in Saginaw and its immediate environs.

Arbor because that city already receives six VHF stations (three from Detroit, one from Windsor, Ontario, one from Lansing and one from Toledo) and will, at the conclusion of pending hearings, also receive VHF signals from new stations at Parma-Onondaga and Toledo; that elimination of Channel 12 from the Flint-Saginaw area would not result in a significant number of people lacking service because of the present service from stations on Channel 6 at Lansing, Channel 5 at Bay City and Channel 57 at Saginaw; that Station WKNX-TV on Channel 57 in Saginaw can continue to render valuable UHF service if a Channel 12 station does not commence operation in the Saginaw-Bay City-Flint area; that UHF set saturation in the Saginaw area is about 90 percent, as compared with a very low conversion rate in the Ann Arbor area; that the Saginaw-Bay City-Flint area is favorable for UHF coverage, while the terrain in the Ann Arbor area is extremely hilly and not well suited for UHF propagation; and that the shift of Channel 12 from Flint to Ann Arbor would improve the opportunity for effective competition among a greater number of stations in both the Saginaw-Bay City-Flint and the Ann Arbor areas. The Regents of the University of Michigan represent that if the University is permitted share-time operation on Channel 12 in Ann Arbor, it will produce "quality programs in the public interest and in keeping with the educational policies and practices of the University."

26. The following civic, governmental and educational groups have filed separate comments favoring the counterproposal to shift Channel 12 from Flint to Ann Arbor, Michigan: Superintendent of Ypsilanti, Michigan, Public Schools, Washtenaw County Board of Education, Eastern Michigan College, and Ann Arbor City Council. These parties advanced no arguments not also urged by WPAG-TV and the Regents of the University of Michigan.

27. The counterproposal to shift Channel 12 from Flint to Ann Arbor was first considered and rejected by the Commission on June 27, 1957, when we adopted our Notice of Proposed Rule Making in the instant proceeding (FCC 57-699). Few new arguments have been advanced which were not included in the original petition. We reaffirm our belief that our interim objective, embodied in the Commission's Report and Order issued on June 28, 1956, in Docket No. 11532 (FCC 56-587), of improving the opportunities for effective competition among a greater number of stations would not be served by assigning Channel 12 to Ann Arbor and thereby precluding its use as the first local service in the much more populous City of Flint.

28. The Detroit Educational Television Foundation requests that Channel 12 be deleted from Flint and reserved for non-commercial educational use in Detroit, Michigan. The Foundation asserts that it desires to apply for and construct an educational station on Channel 12 which would serve the Detroit, Ann Arbor, and Flint areas; that it has operated Station WTWS on UHF Channel 56 in Detroit

since September 27, 1955; and that with four VHF commercial services available (three Detroit stations and one in Windsor, Ontario) the Foundation has found it extremely difficult to promote the conversion of receivers to UHF on a large scale.

29. We believe that this counterproposal should be rejected. It would be contrary to the mandate of section 307 (b) of the Communications Act to delete the only VHF channel assigned to Flint, which has no local operating station, in order to add the channel to Detroit, which already has three commercial VHF stations and one noncommercial educational UHF station.

30. In view of the above considerations, we are convinced that the adoption of any of the proposals or counterproposals in this proceeding would not serve the public interest, convenience and necessity, and we conclude therefore that the allocation of Channel 12 to Erie, Pennsylvania, and the assignment of the same channel to Flint, Michigan, should remain unchanged.

31. Accordingly, it is ordered, That the petitions of Great Lakes Television Company, Lake Huron Broadcasting Corporation, Summit Radio Corporation and Detroit Educational Television Foundation are denied and this proceeding is terminated.

Adopted: April 23, 1958.

Released: April 25, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3203; Filed, Apr. 29, 1958;
8:51 a. m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 196]

[Ex Parte MC-40]

INSPECTION AND MAINTENANCE

QUALIFICATIONS AND MAXIMUM HOURS OF SERVICE OF EMPLOYEES OF MOTOR CAR- RIERS AND SAFETY OF OPERATION AND EQUIPMENT

At a general session of the Interstate Commerce Commission, held at its office in Washington, D. C., on the 22d day of April A. D. 1958

The matter of inspection and maintenance under the Motor Carrier Safety Regulations prescribed by order dated April 14, 1952, as amended, being under consideration; and

It appearing that experience has established facts that certain motor carriers fail to inspect and maintain motor vehicles in safe operating condition;

It further appearing that the existing administrative policy of the Bureau of Motor Carriers in the matter of declaring and marking "out of service" any vehicle revealed by inspection or operation to be so imminently hazardous to operate as to be likely to cause an accident or breakdown may be susceptible of varying interpretations thereby making it advisable to amend § 196.5 so as to

specify standards for which any motor vehicle shall be declared and marked "out of service" with a prescribed sticker by certain employees of the Bureau of Motor Carriers;

It is ordered, That pursuant to section 4 (a) of the Administrative Procedure Act (60 Stat. 237, 5 U. S. C. 1003) notice is hereby given of the Commission's proposal to vacate and set aside § 196.5, other than the forms entitled, "Out of Service Vehicle" and Form B. M. C. 63 (1958) "Out of Service Notice" prescribed therein; of the Motor Carrier Safety Regulations, adopted April 14, 1952, as amended (49 CFR 196.5) (49 Stat. 546, as amended, 49 U. S. C. 304) by substituting the following rule in lieu of the rule now in effect:

§ 196.5 *Motor vehicles declared "out of service."* (a) Any safety supervisor, district supervisor or safety inspector of the Bureau of Motor Carriers is authorized to declare and mark "Out of Service" with the prescribed sticker, any motor vehicle which in his judgment is unsafe to operate because any of the required parts and accessories, referred to in paragraphs (b) through (k) of this section, are missing or have any of the defects described therein. Such motor vehicle shall not be operated until the repairs required by the "Out of Service Notice" on Form BMC-63 have been satisfactorily completed and the "out of service" sticker removed. No person shall remove the "out of service" sticker from such motor vehicle prior to the completion of the required repairs, and when the repairs have been made, the carrier shall so certify to the Commission on Form BMC-63, in accordance with the terms prescribed thereon.

(b) *Engine.* The vehicle engine cannot be made to start operating within 10 minutes without the use of equipment or materials not carried on the vehicle.

(c) *Steering mechanism.*—(1) *Turning.* The steering wheels are incapable of being turned from full-right to full-left because of interference by parts of the steering mechanism.

(2) *Steering wheel play.* The steering wheel turns more than 30 degrees without associated movement of the front wheels.

(3) *Steering column.* Any absence or looseness of bolts or positioning parts so as to permit motion of the steering column from its normal position.

(4) *Steering box attachment.* Any absence or looseness of bolts or other parts so as to permit motion of the steering box at the point of attachment to the vehicle frame.

(5) *Ball and socket joints.* Any looseness at any ball and socket joint in the steering linkage in excess of one-half inch measured in alignment with the shank or neck of the ball.

(6) *Fastening or locking parts.* Any absence or looseness of fastening or locking parts in any part of the steering mechanism.

(7) *Front wheel play.* The play about either a horizontal or vertical axis of either front wheel exceeds one inch measured at the tread surface of the tire.

(d) *Brake systems.*—(1) *Stopping.* The vehicle or combination fails, in two

trials, to stop from a speed of 20 miles per hour in a distance of 75 feet from a point at which the brake controls are first moved for the purpose of applying brakes when tested on a smooth, dry, level surface free from loose material.

(2) *Missing or inoperative brakes.* Brakes missing or not operating on any wheel of any vehicle except the front wheels of trucks or truck-tractors having three or more axles and except wheels of one steerable axle of trucks or truck-tractors equipped with two or more steerable axles.

(3) *Equalization.* The braking force developed on any wheel is less than one-half the braking force developed on the other wheel of the same axle.

(4) *Hoses, tubing, piping, and connections.* (i) Any brake hose is worn, charred, cut, or cracked through the outer casing and through one ply of fabric.

(ii) Any brake hose or brake tubing, or brake piping with audible leak, bulge, or restriction.

(iii) Any brake system connection with an audible leak.

(5) *Lining.* Any service brake lining missing, cracked through across the face or pulling away from the brake shoe.

(6) *Drums.* Any crack visible on the exterior of any brake drum extending more than one-half the width of the drum.

(7) *Any reservoir pressure.* Beginning at governor cut-in pressure, with the engine running at idling speed and all air service brakes fully applied, the reservoir pressure drops more than 10 pounds per square inch at the end of 3 minutes or with emergency line disconnected, a trailer brake air system leaks audibly.

(8) *Vacuum system.* (1) Beginning with the vacuum braking system of the towing vehicle or single vehicle at atmospheric pressure and the trailer brake connections, if any, closed, the engine is started while moderate pressure is maintained on the brake pedal, and the brake pedal fails to move as an indication that the vacuum system is in working order.

(i) With all vacuum brakes fully applied, with the trailer brake connections open (if a trailer is connected) and the engine operated long enough to reach constant vacuum, and then stopped, the brake application cannot then be maintained for at least 5 minutes without brakes releasing.

(9) *Brake chamber leaks.* Any brake chamber leaking or not securely mounted.

(10) *Hydraulic system.* The hydraulic service brake pedal, while applied with uniform foot pressure, continues to move forward or downward.

(11) *Pedal reserve.* On mechanical or hydraulic brake systems, the service brake pedal first meets firm resistance at a point closer to the floorboard or other fixed obstruction to pedal travel than 20 percent of the total pedal travel from released position when measured in a straight line.

(12) *Parking brake.* (i) Any mechanical part of the parking brake missing, broken, or disconnected.

(ii) Parking brake not capable of locking the rear driving wheels and not adequate under any condition of loading to hold the vehicle or combination to the limit of traction of such braked wheels on the grade on which it is tested.

(iii) Parking brake mechanism, when fully applied, will not hold in the applied position without manual effort.

(e) *Lighting devices, reflectors, and electrical equipment.* During the period of one-half hour after sunset to one-half hour before sunrise or during any other time when there is not sufficient light to render clearly discernible persons and vehicles on the highway at a distance of 500 feet:

(1) *Headlamps.* More than one filament in the headlight system is inoperative.

(2) *Lamps on rear.* There are not at least two lighted red lamps, other than stop lamps, and at least one operative stop lamp on the rear of the vehicle visible from a distance of 500 feet.

(3) *Lamps on projecting loads.* There are not at least two lighted red lamps on the rear of loads projecting four or more feet beyond the vehicle body.

(4) *Reflectors on rear.* There is not at least one red reflector on the rear of the vehicle mounted at a height of not less than 24 inches or more than 60 inches above the ground or as near thereto as the configuration of the vehicle permits.

(5) *Electrical connections.* Any visible electrical connections made by twisting together wiring between the towed and towing vehicle.

(f) *Tires.* (1) *Any tire.* Wear of any tire exceeding four outer textile plies.

(2) *Unvulcanized patches or boots.* Any tire containing an unvulcanized blowout patch or boot.

(3) *Cuts.* Any single tire or both tires on a pair of duals cut through 3 or more layers of fabric, the cut being 4 inches or more long at the third layer.

(4) *Flat tires.* Any tire on any wheel flat or having an audible leak.

(5) *Steering axle.* Any tire on any steering axle of a single vehicle or towing vehicle in which any part of a carcass ply is showing in the tread, or the sidewall.

(6) *Dual tires.* More than one tire on any dual tire installation having one or more textile plies showing.

(g) *Wheels and rims.* (1) *Loose or cracked rims or wheels.* Any rim, wheel, or wheel flange loose or cracked.

(2) *Bolts, nuts, and lugs.* More than one-fourth of the bolts, or the nuts, or the lugs for attaching the wheels to the hub or the rim to the wheel are missing, loose, or defective.

(h) *Exhaust systems.* Exhaust system not securely fastened or having visible or audible leaks to a point rear or above the passenger or driver compartment.

(i) *Fuel systems.* (1) *Leakage.* Gasoline or liquified petroleum gas fuel system having a leak at any points.

(ii) *Fill pipe caps.* Any gasoline fuel tank fill pipe without a cap.

(j) *Coupling devices and adjustable axle assemblies.* (1) *Tow-bars, adjustable fifth wheel, and adjustable axle as-*

sembly, locking devices. Tow bars, adjustable fifth wheels, or adjustable axle assemblies lacking one or more locking devices, or any such locking devices not properly fitted.

(2) *Fifth wheel, tow-bar and axle play.* (i) Play lengthwise the vehicle exceeding one inch between the upper and lower fifth wheel halves.

(ii) Where provision is made for adjustment of a fifth wheel lower half, tow-bar, axle, or tandem axle assembly, relative to the vehicle frame, there is more than one-half inch of play lengthwise the vehicle in any such adjustment when locked or latched in position.

(3) *Fifth wheel mounting.* Fifth wheel mountings including bolts, nuts, and brackets, but not including adjustable features, which are loose, worn, or broken so as to permit observable relative motion between the fifth wheel mounting and the frame of the vehicle.

(4) *Fifth wheel and tow-bar cracks or breaks.* Any cracks or breaks in the tow-bar or the fifth wheel, except the horns.

(k) *Suspension.* (1) *Axle positioning parts.* Any torque arms, U-bolts, spring hangers or other axle positioning parts cracked, broken, loose, or missing so as to permit displacement of an axle from its normal position.

(2) *Leaf spring assembly.* One-fourth or more of the leaves in leaf spring assemblies broken or missing, or the main leaf depended upon for positioning the axle is broken.

(3) *Torsion bar assembly.* Any part of the torsion bar assembly or any part used for attaching the torsion bar to the vehicle frame or axle cracked, broken, or missing.

(4) *Torsion bar.* Any torsion bar broken or having a crack extending crosswise the bar, either directly or inclined, to an extent of one-half its diameter or more.

(l)-(y) [Reserved.]

(z) *Appeal by carrier.* A carrier when notified by a safety supervisor, district supervisor, or safety inspector, in writing, that a motor vehicle has been declared and marked out-of-service because of the conditions set out and described in said notice, may, before the close of the first business day following the date of said notice, appeal by telegraph to the district director of the Bureau of Motor Carriers for the district in which said carrier has his or its principal place of business, and upon receipt of such appeal, the district director shall arrange for the assignment of another safety supervisor, district supervisor, or safety inspector other than the one from whose decision the appeal is taken to re-examine and inspect said vehicle within 24 hours from date of receipt of appeal. If upon re-examination the motor vehicle is found in serviceable condition, the district director shall immediately notify the carrier, at the carrier's expense, by telegraph, whereupon such motor vehicle may be put into service without further delay; but if the re-examination and inspection of said motor vehicle sustains the decision of the safety supervisor, district supervisor, or safety inspector, the district director shall at once notify the carrier owning or operating such motor vehicle that the

appeal from the safety supervisor, district supervisor, or safety inspector is dismissed, and upon the receipt of such notice the carrier may, within thirty days appeal to the Interstate Commerce Commission, and upon such appeal, and after hearing, said Commission may sustain the prior findings or may revise, modify, or set aside such action of the district director and declare that said motor vehicle is in serviceable condition and authorize the same to be operated. The fact that either appeal is pending, however, does not authorize the operation of the vehicle.

It is further ordered, That interested persons may on or before July 1, 1958, submit written statements containing data, views, or arguments, verified under

oath by a person having knowledge of such data, views, or arguments, and that thereafter consideration shall be given to the proposed amendments, or some revision thereof, in the light of the statements which may be submitted.

It is further ordered, That one signed copy and 14 additional copies of such statements be furnished for the use of the Commission by mailing to the Secretary of the Interstate Commerce Commission, Washington, D. C. No oral hearing is contemplated, but any request for such hearing shall be supported by an explanation as to why the evidence to be presented cannot reasonably be submitted in the form heretofore provided. The Commission thereafter will deter-

mine whether or not assignment of the matter for oral hearing is necessary or desirable.

And it is further ordered, That notice of this proposed rule modification shall be given to motor carriers, other persons of interest, and to the general public by depositing a copy thereof in the office of the Secretary of the Interstate Commerce Commission, Washington, D. C., and by filing a copy with the Director, Division of the Federal Register.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-3189; Filed, Apr. 29, 1958;
8:48 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE (PROPERTIES AND INSTALLATIONS) AND MILITARY DEPARTMENTS

DELEGATIONS OF AUTHORITY WITH RESPECT TO MAKING OF TAX DETERMINATIONS ON WHERRY HOUSING PROJECTS

The Secretary of Defense approved the following delegations of authority on April 22, 1958:

Reissuance. This Directive is a reissuance of DoD Directive 4165.30, "Taxes on Wherry Housing Projects", November 16, 1956 (published at 21 F. R. 9228), in order to clarify responsibility for the making of determinations of amounts which may be deducted appropriately from the taxes or assessments on Wherry projects constructed in connection with installations of the Atomic Energy Commission.

Delegation of authority. A. Pursuant to the authority vested in the Secretary of Defense by section 202 (f) of the National Security Act of 1947, as amended, and section 5 of the Reorganization Plan No. 6 of 1953, the authority conferred on the Secretary of Defense by section 511, Public Law 85-1020 (70 Stat. 1110), is hereby delegated as set forth below.

B. The Assistant Secretary of Defense (Properties and Installations) is delegated the authority to:

1. Issue instructions for the guidance of the military departments in making determinations under Public Law 85-1020 as to the amounts which may be deducted appropriately from the taxes or assessments on Wherry projects.

2. Enter into agreement with the head of any executive department or agency of the Federal Government for the furnishing of information regarding the amount of any payments or other contributions made to local taxing or other public agencies with respect to Wherry projects or for establishing procedures to facilitate implementation of Public Law 85-1020.

3. Perform such functions under Public Law 85-1020 as are not otherwise delegated to the Secretaries of the military departments.

C. The Secretary of each military department, or his designee, is hereby delegated the authority to:

1. Determine the amounts which may be deducted appropriately under Public Law 85-1020 from taxes or assessments on Wherry projects constructed pursuant to certification by that department.

2. Assist the lessees of Wherry projects in furnishing information regarding appropriate deductions to local taxing authorities for the purpose of fixing the net amount of taxes to be paid on Wherry projects.

D. The Secretary of the Army, or his designee, is hereby delegated the authority to:

Determine the amounts which may be deducted appropriately under Public Law 85-1020 from taxes or assessments on Wherry projects constructed pursuant to certification by the Atomic Energy Commission.

Cancellation. This cancels and supercedes Federal Register document published at 21 F. R. 9228.

MAURICE W. ROCHE,
Administrative Secretary,
Office of the Secretary of Defense.

APRIL 22, 1958.

[F. R. Doc. 58-3180; Filed, Apr. 29, 1958;
8:45 a. m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

ALASKA

NOTICE OF PROPOSED WITHDRAWAL AND RESERVATION OF LANDS

The Department of the Army has filed an application, Serial Number A.027776 for the withdrawal of the lands described below, from all forms of appropriation under the public land laws including the mining and the mineral leasing laws. The applicant desires the land for Port of Whittier Communications Facility.

For a period of 60 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, Box 480, Anchorage, Alaska.

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

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

The lands involved in the application are:

TRACT R

(Formerly Designated ACS Station Site)

Beginning at Corner No. 9, U. S. Survey No. 2559, official survey of the Whittier Townsite, Alaska, accepted 5 June 1942; thence N. 78°51' W. 148.37' to Corner No. 1, the true point of beginning; thence S. 58°14' W. 189.25' to the SE corner of Lot 39, Blk. 13, of said survey which is Corner No. 2; thence N. 74°00' W. 228.28' along the northerly line of 1st St. to the SW corner of Lot 35, Blk. 13, of said survey which is Corner No. 3; thence N. 16°00' E. 109.96 feet, along the West line of Lot 36, to the 1-9 line of said survey which is Corner No. 4; thence S. 78°51' E. 356.76 feet, along said 1-9 line to Corner No. 1, the true point of beginning.

Containing 0.82 acres.

L. T. MAIN,
Operations Supervisor,
Anchorage.

[F. R. Doc. 58-3202; Filed, Apr. 29, 1958;
8:50 a. m.]

Office of the Secretary

VOLUNTARY OIL IMPORT PROGRAM
GOVERNMENT PURCHASES OF CRUDE PETROLEUM AND PETROLEUM PRODUCTS

SECTION 1. Purpose. The purpose of these rules is to set forth the standards which will govern the issuance of certifi-

ates of compliance, and representations of compliance, with the Voluntary Oil Import Program pursuant to section 4 of Executive Order 10761 entitled "Government Purchases of Crude Petroleum and Petroleum Products" (23 F. R. 2067). The rules also make a change in the requirements for reporting under the Voluntary Oil Import Program.

Sec. 2. Scope of compliance. If a company has both an allocation for the importation of crude oil into Districts I-IV and an allocation for importation of crude oil into District V, the company must observe both the allocation respecting Districts I-IV and the allocation respecting District V in order to be in compliance with the Voluntary Oil Import Program. A parent company and its subsidiaries controlled by majority stock ownership or wholly owned will be regarded as a single organization with respect to compliance with the program.

Sec. 3. Requests for certificates; reporting. Requests for certificates of compliance should be addressed to Administrator, Voluntary Oil Import Program, Department of the Interior, Washington 25, D. C. Each company reporting its actual and estimated imports of crude oil (on Form Budget Bureau No. 42-R 1307) to the Administrator is requested to state its actual and estimated imports to the nearest 100 barrels daily. Any company which requests the issuance of a certificate of compliance must accompany the request with a statement of its actual imports to the nearest 100 barrels daily for the period which the certificate will cover, if that company has not filed with the Administrator reports of imports to the nearest 100 barrels daily for that period. In connection with reports and statements, attention is called to the provisions of 18 U. S. C., sec. 1001.

Sec. 4. Submission of bids. Section 1 of Executive Order 10761 refers to a period of three months preceding "the month in which a bid is submitted to a Government department or agency." The month in which a bid is opened will be considered to be the month in which a bid is submitted to a Government department or agency.

Sec. 5. Districts I-IV prior to July 1, 1958. With respect to Districts I-IV prior to July 1, 1958, an importer will be deemed to be in compliance for the three months preceding the month in which a bid is opened, as required by Executive Order 10761, when:

(a) His average barrels per day of actual crude oil imports for the entire period during which he has had an allocation plus the average barrels per day of crude oil imports estimated for the months through June 1958 in the report submitted to the Administrator, Voluntary Oil Import Program in March 1958 are not greater than his allocation as it stood prior to April 1, 1958;

(b) His average barrels per day of crude oil imports for the three months preceding the month in which a bid is opened has not been greater than his average allocation for the same months; or

(c) His average barrels per day of crude oil imports for the entire period during which he has had an allocation has not been greater than his average allocation for the same period.

Sec. 6. Districts I-IV on and after July 1, 1958. (a) With respect to Districts I-IV on July 1, 1958, and thereafter, an importer will be deemed to be in compliance for the three months preceding the month in which a bid is opened, as required by Executive Order 10761, when his average barrels per day of crude oil imports for the three months preceding the month in which a bid is opened has not been greater than his average allocation for the same months.

(b) If an importer's average barrels per day of crude oil imports for a particular period of three months has exceeded his average allocation for that period, the Administrator, Voluntary Oil Import Program, may determine that the importer is in compliance for that period if the importer (1) makes a satisfactory showing that the overage was due solely to the difficulty of scheduling receipts or to an historical pattern of imports based on seasonal availability of transportation and (2) offers satisfactory assurance that his imports during succeeding months through September 1958 will result in an average barrels per day of crude oil imports during the period April 1, 1958, through September 1958 that will not be greater than his average allocation for that period.

Sec. 7. District V. With respect to District V, an importer will be deemed to be in compliance for the three months preceding the month in which a bid is opened, as required by Executive Order 10761, when:

(a) His average barrels per day of actual crude oil imports for the entire period during which he has had an allocation plus the average barrels per day of crude oil imports estimated for the months through June 1958 in the reports submitted to the Administrator, Voluntary Oil Import Program, are not greater than his allocation for the same period; or

(b) His average barrels per day of crude oil imports for the three months preceding the month in which a bid is opened has not been greater than his allocation for the same months.

Sec. 8. Commingled foreign crude oil. While an importing company may be in compliance with the Voluntary Oil Import Program insofar as its imports of crude oil are concerned, it is possible that the products of a particular refinery owned by that company may not be "complying petroleum products." This situation would arise if, under a processing agreement, crude oil which had not been imported in compliance with the Voluntary Oil Import Program were commingled with other crude supplying the refinery.

Sec. 9. Storage in bond. If, because of the difficulty of scheduling tanker shipments, the unloading of a particular cargo or cargoes of crude oil would cause an importer to exceed its allocation, the importer may store the crude oil in bond

and charge the crude against its allocation for the month in which the crude is withdrawn.

Sec. 10. Compliance during contract period. (a) With respect to Districts I-IV, an importer will be deemed to be in compliance with the Voluntary Oil Import Program during a contract period, or that part of a contract period, falling between April 1, 1958, and September 30, 1958, if his average barrels per day of actual crude oil imports for those months in which he has imported during the period April 1 through September 1958 plus the average barrels per day of crude oil imports estimated for the remainder of the period April 1, through September 1958 in the reports submitted to the Administrator, Voluntary Oil Import Program, are not greater than his average allocation for the period April 1 through September 1958.

(b) With respect to District V, an importer will be deemed to be in compliance with the Voluntary Oil Import Program during a contract period, or that part of a contract period, falling between April 1, 1958, and June 30, 1958, if his average barrels per day of actual crude oil imports for those months in which he has imported during the period January 1, 1958, through June 1958 plus the average barrels per day of crude oil imports estimated for the remainder of the period January 1 through June 1958 in the reports submitted to the Administrator, Voluntary Oil Import Program, are not greater than his allocation for the period January 1, through June 1958.

(c) As soon as is practicable, rules will be issued covering a period following September 30, 1958 with respect to Districts I-IV and a period following June 30, 1958 with respect to District V.

M. V. CARSON, Jr.,
Administrator,

Voluntary Oil Import Program.

APRIL 28, 1958.

[F. R. Doc. 58-3240; Filed, Apr. 28, 1958; 2:19 p. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Research Service

CERTAIN OFFICIALS

DELEGATION OF AUTHORITY TO NEGOTIATE
CONTRACTS FOR AERIAL SPRAYING IN
STATES OF NEW YORK AND PENNSYLVANIA

Pursuant to the authority vested in the Administrator, Agricultural Research Service, by the Secretary of Agriculture, under date of April 16, 1958 (23 F. R. 2621), authority is delegated to the Chief, Procurement Branch, Administrative Services Division, Washington, D. C., and to the Regional Business Manager and the Administrative Services Officer, Philadelphia, Pennsylvania, to negotiate, without advertising, under sections 302 (c) (4) and 302 (c) (9) of the Federal Property and Administrative Services Act of 1949 (63 Stat. 377, as amended), contracts required by the Department of Agriculture for aerial spraying of approximately 140,000 acres of wooded areas in New York and Pennsyl-

vania for the period ending December 31, 1958.

The authority hereby delegated shall be exercised in accordance with the requirements of the above-titled act, particularly sections 304, 305 and 307, the delegation of authority by the Administrator, General Services Administration to the Secretary of Agriculture, under date of April 3, 1958 (23 F. R. 2304), the policies, procedures and controls prescribed by the General Services Administration, and the delegation of authority by the Secretary of Agriculture above-mentioned.

The authority herein delegated may not be redelegated.

Done at Washington, D. C., this 25th day of April 1958.

[SEAL] B. T. SHAW,
Administrator,
Agricultural Research Service.

[F. R. Doc. 58-3213; Filed, Apr. 29, 1958;
8:52 a. m.]

Office of the Secretary

FLORIDA

DESIGNATION OF AREA FOR PRODUCTION EMERGENCY LOANS

For the purpose of making production emergency loans pursuant to section 2 (a) of Public Law 38, 81st Congress (12 U. S. C. 1148a-2 (a)), as amended, it has been determined that in the following counties in the State of Florida a production disaster has caused a need for agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

FLORIDA	
Broward.	Lee.
Charlotte.	Martin.
Collier.	Okeechobee.
Dade.	Palm Beach.
Glades.	St. Lucie.
Indian River.	

Pursuant to the authority set forth above, production emergency loans will not be made in the above-named counties after December 31, 1958, except to applicants who previously received such assistance and who can qualify under established policies and procedures.

Done at Washington, D. C., this 24th day of April 1958.

[SEAL] TRUE D. MORSE,
Acting Secretary.

[F. R. Doc. 58-3191; Filed, Apr. 29, 1958;
8:48 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 11588, 11999; FCC 58M-412]

JOSEPH M. RIPLEY, INC., AND DAN
RICHARDSON

ORDER SCHEDULING ORAL ARGUMENT

In re applications of Joseph M. Ripley, Inc., Jacksonville, Florida, Docket No. 11588, File No. BP-9788; Dan Richardson, Orange Park, Florida, Docket No.

11999, File No. BP-10697; for construction permits.

The Hearing Examiner having under consideration "Petition For Leave To Amend" filed herein on April 2, 1958, by Joseph M. Ripley, Inc.; "Opposition To Petition For Leave To Amend" filed by Dan Richardson, another applicant, on April 14, 1958; "Reply of Broadcast Bureau To Petition For Leave To Amend" filed by Joseph M. Ripley, Inc. on April 11, 1958; "Notice of Taking Depositions" filed by Joseph M. Ripley, Inc. on April 14, 1958; and "Motion To Quash Request To Take Depositions" filed by Dan Richardson on April 21, 1958: *It is ordered*, This 23d day of April 1958, that oral argument will be held on (1) "Petition For Leave To Amend" and (2) "Notice of Taking Depositions" on May 5, 1958, 10 o'clock a. m., at the Commission's offices in Washington, D. C.

Released: April 23, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3204; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket Nos. 11882, 12321; FCC 58M-415]

OREGON RADIO, INC. (KSLM) AND LINCOLN
ELECTRONICS, INC. (KBCH)

ORDER CONTINUING HEARING

In re applications of Oregon Radio, Incorporated (KSLM), Salem, Oregon, Docket No. 11882, File No. BP-10272; Lincoln Electronics, Inc. (KBCH), Oceanlake, Oregon, Docket No. 12321, File No. BP-11556; for construction permits

The Hearing Examiner having under consideration a motion filed April 22, 1958, by Oregon Radio, Incorporated (KSLM), requesting that the further pre-hearing conference now scheduled for Wednesday, April 23, 1958, be continued until Friday, April 25, 1958; and

It appearing that the reason for the requested continuance arises from the fact that certain engineering material will not be available in time for study by all of the parties prior to Wednesday, April 23, 1958, and the additional time is necessary for such study; that all parties have consented to the granting of the motion for continuance and have agreed to waive provisions of § 1.43 of the Commission's Rules to permit immediate consideration of this motion; that good cause for the granting of the continuance having been shown;

It is ordered, This the 23d day of April 1958, that the motion for continuance is granted and the pre-hearing conference now scheduled for Wednesday, April 23, 1958, is continued until Friday, April 25, 1958, beginning at 10:00 a. m. in the offices of the Commission, Washington, D. C.;

It is further ordered, That the evidentiary hearing in this proceeding presently scheduled to begin on Tuesday, April 29, 1958, is continued to a date to

be announced at the conclusion of the hearing conference on April 25, 1958.

Released: April 24, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3205; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket No. 12031; FCC 58M-390]

BIRCH BAY BROADCASTING CO.

ORDER SCHEDULING HEARING

In re application of George A. Wilson & L. N. Ostrander d/b as Birch Bay Broadcasting Company, Blaine, Washington, Docket No. 12031, File No. BP-10848; for construction permit.

It is ordered, This 17th day of April 1958, that Millard F. French will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 25, 1958, in Washington, D. C.

Released: April 23, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3206; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket Nos. 12229, 12230; FCC 58M-409]

WALTER G. ALLEN AND MARSHALL COUNTY
BROADCASTING CO., INC.

ORDER CONTINUING HEARING

In re applications of Walter G. Allen, Huntsville, Alabama, Docket No. 12229, File No. BP-10871; Marshall County Broadcasting Company, Inc., Arab, Alabama, Docket No. 12230, File No. BP-11088; for construction permits.

The Hearing Examiner having under consideration "Petition For Postponement Of Hearing" filed by Marshall County Broadcasting Company, Inc. on April 21, 1958, requesting that the hearing in the above-entitled proceeding, which is presently scheduled for this date, be postponed to a later date;

It appearing that good cause exists for the granting of such petition and there is no opposition thereto;

It further appearing that counsel for all parties have consented to a waiver of § 1.43 of the Commission's Rules;

It is therefore ordered, This 23d day of April 1958, that the petition herein be, and the same is hereby, granted and the hearing now scheduled to commence on this date is hereby continued without date.

Released: April 22, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,
[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3207; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket Nos. 12287, 12288; FCC 58M-414]

SHERRILL C. CORWIN AND K-VHF (TV)

ORDER FOLLOWING PRE-HEARING CONFERENCE
(SCHEDULING HEARING)

In re applications of Sherrill C. Corwin, Los Angeles, California, Docket No. 12287, File No. BPCT-2368; Frederick J. Bassett and William E. Sullivan (Partners) as K-UHF (TV), Los Angeles, California, Docket No. 12288, File No. BPCT-2385; for construction permits for a new television broadcast station (Channel 34).

1. A pre-hearing conference in the above-entitled proceeding was begun on March 3, 1958, and resumed on April 21, 1958. Both conference sessions followed published orders specifying the time and place for such conferences. Sherrill C. Corwin, applicant in Docket 12287, and the Chief, Broadcast Bureau have been represented by counsel. Frederick J. Bassett and William E. Sullivan, Partners, d/b as K-UHF (TV), applicant in Docket 12288, have not appeared in person or by attorney but in lieu thereof submitted a pleading which was received in the offices of the Commission on April 21, 1958, which communication is to be found in the transcript of the hearing conference held on that date.

2. The Commission by order dated January 22, 1958, found that Sherrill C. Corwin, hereinafter sometimes referred to as Corwin, is legally, financially, technically and otherwise qualified to construct, own and operate the proposed station but was unable to find that Frederick J. Bassett and William E. Sullivan, Partners, d/b as K-UHF (TV), hereinafter sometimes referred to as K-UHF (TV), were legally, financially or technically qualified to construct, own and operate the proposed station and as the two applications were mutually exclusive, a hearing pursuant to the provisions of section 309 (b) of the Communications Act of 1934, as amended, was necessary and designated both applications for hearing in a consolidated proceeding upon the following issues:

1. To determine whether K-UHF (TV) is in fact a legally qualified applicant inasmuch as its partnership agreement states that such partnership shall not commence until the effective date of the requested construction permit.

2. To determine the financial qualifications of K-UHF (TV) to construct, own and operate the proposed television broadcast station.

3. To determine whether the antenna system and site proposed by K-UHF (TV) would constitute a hazard to air navigation.

4. To determine the technical qualifications of K-UHF (TV) to construct, own and operate the proposed television broadcast station.

5. To determine on a comparative basis which of the operations proposed in the above-captioned applications would better serve the public interest, convenience and necessity in the light of the record made with respect to the significant differences between the applicants as to:

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

(b) The proposals of each with respect to the management and operation of the television broadcast station.

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

6. To determine, in the light of the evidence adduced pursuant to the foregoing issues, which of the applications should be granted.

The Commission order also specified that the issues may be enlarged by the Hearing Examiner on his own motion or on petition properly filed by a party to the proceeding and upon a sufficient allegation of facts in support thereof, by the addition of the following issue: To determine whether the funds available to the applicants will give reasonable assurance that the proposals set forth in the applications will be effectuated.

3. In the written communication received April 21, 1958, from K-UHF (TV), this applicant proposed that the presentation of their case be handled entirely by the submission of correspondence and exhibits and through the exchange of such exhibits. The other parties to the proceeding and the Hearing Examiner construe the pleading to be a written request filed pursuant to the provisions of § 1.111 of the Commission's rules that the parties present their direct affirmative case in written form. This proposal is accepted by counsel for Sherrill C. Corwin and by counsel for the Chief, Broadcast Bureau and is approved by the Hearing Examiner.

4. The written communication from K-UHF (TV) received April 21, 1958, erroneously assumes that applicant Corwin is required to respond to Issues 1 through 4 inclusive. K-UHF (TV) is the only applicant required to respond to these four issues.

5. Both applicants are required to respond to the comparative issue (Issue 5). Each applicant will show to the extent deemed necessary to him so much of the background and experience of each of its principals as may be necessary to show the ability of the applicant to own and operate the proposed television station. Each applicant will show, to the extent deemed necessary by him, the facilities proposed, including but not necessarily limited to the transmitter, studio and technical equipment, number of cameras, size and location of studios, and such other equipment and facilities as will be used in the operation of the proposed station. Each applicant will show to the extent deemed necessary by him the programming proposed, including the availability of network, film, and plans for locally originated programs together with such material or information as the applicant deems necessary to establish that he is capable of programming as proposed and to establish that the programs as proposed will serve the public interest, convenience and necessity. Each applicant will show his proposed typical week and an appropriate analysis thereof. He may include a statement of program policies. If there are any types of programs not reflected in the proposed typical week, he may so state and explain why such programs are not included.

6. No part of this order is to be construed as limiting or restricting either applicant to developing facts relating only to those matters specifically referred to herein. Each applicant will decide

what exhibits he will prepare and what facts will be shown in the exhibits. Each applicant is authorized to prepare exhibits disclosing all facts and information deemed by him as necessary to give a complete and adequate representation of its plans and proposals to the extent required by the issues specified by the Commission. The exhibits will be exchanged by the parties on or before June 2, 1958, and the exhibits exchanged on that date shall constitute the entire direct affirmative showing of the applicant with respect to each issue to which the applicant intends to respond.

7. Each of the exhibits to be exchanged on June 2, 1958, will be verified by the person or persons having personal knowledge of the facts and representations made in the exhibit. An exhibit which is intended to show the existence of funds, availability of credit, ability to purchase equipment or supplies on time, to rent or build studio facilities or lease property shall be verified by the person who is to furnish the material, extend credit, build or lease properties, as the case may be.

8. The evidentiary hearing in this proceeding will begin on Monday, June 16, 1958. Only those exhibits which have been exchanged with the parties on or before June 2, 1958, will be received in evidence in support of the direct affirmative case of the applicant. At the evidentiary hearing, the principals or witnesses for an applicant, if called, will be permitted to testify but such testimony will be limited to qualifying and explaining the exhibits exchanged on June 2, 1958, or in qualifying and explaining plans or proposals advanced in exhibits which, after being offered in evidence, are rejected by the Hearing Examiner. Testimony which will expand or amplify the plans and proposals of an applicant beyond those clearly defined in the exhibits exchanged on June 2, 1958, will not be received.

9. In rebuttal, each applicant may give testimony and introduce exhibits to rebut the affirmative case made by the competing applicant; however, such testimony and exhibits will be clearly rebuttal testimony and may not be used for the purpose of amplifying the plans and proposals of the applicant beyond those clearly defined in the exhibits exchanged on June 2, 1958, to establish his affirmative direct case.

It is ordered, This the 23d day of April 1958, that in accordance with the procedures outlined above, all exhibits to be offered in evidence in support of the direct affirmative case of each applicant will be exchanged with the other parties to the proceeding on or before the close of business on Monday, June 2, 1958;

It is further ordered, That the evidentiary hearing in this proceeding will begin on Monday, June 16, 1958, in the offices of the Commission, Washington, D. C.

Released: April 24, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] MARY JANE MORRIS,
Secretary.

[F. R. Doc. 58-3208; Filed, Apr. 29, 1958; 8:51 a. m.]

[Docket Nos. 12309; FCC 58M-418]

VIDEO INDEPENDENT THEATRES, INC.
(KVIT)

ORDER CONTINUING HEARING

In re application of Video Independent Theatres, Inc. (KVIT), Santa Fe, New Mexico, Docket No. 12309, File No. BMPCT-4586; for modification of construction permit.

The Hearing Examiner having under consideration an oral request by counsel for applicant Video for further continuance of the hearing of May 5 to May 26, 1958;

It appearing that counsel for Video has appealed to the Commission from a ruling of the Hearing Examiner, released April 16, 1958, ordering the production of certain documents, and that counsel deems it important that the appeal be decided before hearing is held; and that counsel for the other parties have no objection to the requested continuance;

It is ordered, This 23d day of April 1958, that the oral request is granted, and that the hearing is further continued from May 5 to Monday, May 26, 1958, at 10 a. m., in the offices of the Commission, Washington, D. C.

Released: April 24, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-3209; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket Nos. 12349-12351; FCC 58M-413]

WJPB-TV, INC., ET AL.

ORDER SCHEDULING PREHEARING CONFERENCE

In re applications of WJPB-TV, Inc., Weston, West Virginia, Docket No. 12349; File No. BPCT-2318; West Virginia Radio Corporation, Weston, West Virginia, Docket No. 12350, File No. BPCT-2343; Telecasting, Inc., Weston, West Virginia, Docket No. 12351, File No. BPCT-2345; for construction permits for new television broadcast stations (Channel 5).

It is ordered, This 23d day of April 1958, that all parties, or their counsel, in the above-entitled proceeding are directed to appear for a pre-hearing conference pursuant to the provisions of § 1.111 of the Commission's Rules at 10 o'clock a. m., May 6, 1958, in the Commission's offices, Washington, D. C.

Released: April 23, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-3210; Filed, Apr. 29, 1958;
8:51 a. m.]

[Docket Nos. 12395, 12396; FCC 58M-399]

HISTORYLAND RADIO AND STAR
BROADCASTING CORP.

ORDER SCHEDULING HEARING

In re applications of T. Harry Gatton, tr/as Historyland Radio, Fredericksburg,

Virginia, Docket No. 12395, File No. BP-11137; Star Broadcasting Corporation, Fredericksburg, Virginia, Docket No. 12396, File No. BP-11460; for construction permits.

It is ordered, This 17th day of April 1958, that Herbert Sharfman will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 25, 1958, in Washington, D. C.

Released: April 23, 1958.

FEDERAL COMMUNICATIONS
COMMISSION,[SEAL] MARY JANE MORRIS,
Secretary.[F. R. Doc. 58-3211; Filed, Apr. 29, 1958;
8:51 a. m.]

DEPARTMENT OF COMMERCE

Federal Maritime Board

MEMBER LINES OF PERSIAN GULF
OUTWARD FREIGHT CONFERENCENOTICE OF AGREEMENT FILED FOR
APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 7700-4, between the member lines of The Persian Gulf Outward Freight Conference, modifies the basic agreement of that conference (No. 7700, as amended) to include within the scope thereof the trade from ports in Eastern Canada to ports in the Persian Gulf and adjacent waters in the range west of Karachi and north east of Aden (but excluding both Aden and Karachi).

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: April 25, 1958.

By order of the Federal Maritime Board,

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.[F. R. Doc. 58-3199; Filed, Apr. 29, 1958;
8:49 a. m.]REDERIET OCEAN A/S AND WEST COAST
LINE, INC., ET AL.

NOTICE OF AGREEMENT FILED FOR APPROVAL

Notice is hereby given that the following described agreement has been filed with the Board for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733, 46 U. S. C. 814):

Agreement No. 8251, between Rederiet Ocean A/S and West Coast Line Inc., (the carriers comprising the West Coast Line joint service), and Bull Insular

Line, Inc., covers the transportation of general cargo under through bills of lading from Chile, Ecuador, Peru and Colombian Pacific Coast ports to Puerto Rico, with transshipment at New York, Baltimore or Philadelphia. Agreement No. 8251, upon approval, will supersede and cancel approved Agreement No. 7768, between the same parties in the same trade.

Interested parties may inspect this agreement and obtain copies thereof at the Regulation Office, Federal Maritime Board, Washington, D. C., and may submit, within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to this agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: April 25, 1958.

By Order of the Federal Maritime Board,

[SEAL] GEO. A. VIEHMANN,
Assistant Secretary.[F. R. Doc. 58-3200; Filed, Apr. 29, 1958;
8:50 a. m.]

FEDERAL POWER COMMISSION

[Docket No. G-14934]

RODMAN, LATE & NOEL

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

APRIL 24, 1958.

Rodman, Late & Noel (Rodman), on March 25, 1958, tendered for filing a proposed change in his presently effective rate schedule 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 Rodman's FPC Gas Rate Schedule No. 1.
Effective date: April 25, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed rate increase, Rodman cites the favored-nation provision of the contract and refers to El Paso's letter agreeing to pay the increased price subject to the Commission's approval. Rodman further states that the contract provisions were designed to protect the producer.

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 Supplement No. 3 to Rodman's FPC Gas Rate Schedule No. 1 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 Supplement No. 3 to Rodman's FPC Gas Rate Schedule No. 1.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until September 25, 1958, 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 (Commissioner Kline dissenting).

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[P. R. Doc. 58-3182; Filed, Apr. 29, 1958;
8:45 a. m.]

[Docket No. G-14935]

TEXAS CO. ET AL.

ORDER FOR HEARING AND SUSPENDING
PROPOSED CHANGE IN RATE

APRIL 24, 1958.

The Texas Company (Operator) et al. (Texas), on March 25, 1958, tendered for filing a proposed change in its presently effective rate schedule¹ 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: Natural Gas Pipe Line Company of America.
Rate schedule designation: Supplement No. 16 to Texas' FPC Gas Rate Schedule No. 133.
Effective date: May 10, 1958 (effective date is the effective date proposed by Texas).

In support of the proposed rate increase, Texas states that the increased price is provided by the contract, that it is just and reasonable and that the pricing arrangement is common in long-term contracts and is beneficial to both buyer and seller in that it provides a low initial price which increases as seller's costs increase and buyer's capital investment is amortized. Texas also cites its exhibits in the suspension proceeding in Docket No. G-8969 and recent increases in hourly wages and steel prices.

¹ Present rate previously suspended and is in effect subject to refund in Docket No. G-12506.

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 Supplement No. 16 to Texas' FPC Gas Rate Schedule No. 133 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 Supplement No. 16 to Texas' FPC Gas Rate Schedule No. 133.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until October 10, 1958, 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.

[P. R. Doc. 58-3183; Filed, Apr. 29, 1958;
8:46 a. m.]

[Docket No. G-14954]

ASSOCIATED OIL & GAS CO.

ORDER PROVIDING FOR HEARING AND
SUSPENDING CHANGES IN RATES

APRIL 24, 1958.

On February 17, 1958, Associated Oil & Gas Company (Associated), tendered for filing a proposed letter agreement with Trunkline Gas Company, dated February 10, 1958. This tendered filing, which was designated in duplicate as Supplement No. 1 to Associated's FPC Gas Rate Schedule No. 5 and as Supplement No. 2 to its Rate Schedule No. 6, purported to release from performance under each such schedule of acreage under four leases previously committed thereunder. The so-designated Supplements Nos. 1 and 2, which constituted, in effect, notice of cancellation of a part of an effective rate schedule, were accepted for filing to be effective on March

20, 1958, upon expiration of statutory notice.

On March 25, 1958, after the required notice period had expired on the prior filings, Associated tendered for filing as an initial rate schedule a second agreement with Trunkline, also dated February 10, 1958. The filing so tendered on March 25 provides for the sale to Trunkline of gas produced from acreage covered under five leases, four of which are the leases purportedly released by the prior filing of February 17, 1958. The fifth lease had not heretofore been dedicated under a gas sales contract. Concurrently herewith, we have, by separate action, vacated and voided our prior acceptance of the filings tendered on February 17, 1958.

The filing tendered on March 25, 1958, has been designated in duplicate as Supplement No. 2 to Associated's FPC Gas Rate Schedule No. 5 and as Supplement No. 3 to its Rate Schedule No. 6.

The changes in rate schedules 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) 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 proposed changes and that Supplements Nos. 1 and 2 to Associated's FPC Gas Rate Schedule No. 5 and Supplements Nos. 2 and 3 to Associated's FPC Gas Rate Schedule No. 6 be suspended and the use thereof deferred as hereinafter ordered.

(2) It is also necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the hearing hereinafter ordered and provided embrace the question of compliance by Associated with the Commission's Regulations under the Natural Gas Act, particularly § 154.97 thereof (18 CFR 154.97), in submitting its above-mentioned tendered filing of February 17, 1958.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly section 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 matters and issues referred to in paragraphs (1) and (2) above.

(B) Pending such hearing and decision thereon, said Supplements 1 and 2 to Associated's FPC Gas Rate Schedule No. 5 and Supplements 2 and 3 to Associated's FPC Gas Rate Schedule No. 6 be and they are each hereby suspended and the use thereof deferred until April 26, 1958, and until such further time as they are made effective in the manner prescribed by the Natural Gas Act.

(C) 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 periods of suspension have

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. GUTRIDE,
Secretary.

[P. R. Doc. 58-3184; Filed, Apr. 29, 1958;
8:46 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 214]

MOTOR CARRIER APPLICATIONS

APRIL 25, 1958.

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers and by brokers under sections 206, 209, and 211 of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.241).

All hearings will be called at 9:30 o'clock a. m., United States standard time (or 9:30 o'clock a. m., local daylight saving time), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 222 (Sub No. 22), filed April 17, 1958. Applicant: LIBERTY MOTOR FREIGHT LINES, INCORPORATED, 1535 Paterson Plank Road, Secaucus, N. J. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, green hides, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between (a) Boston, Mass., and St. Louis, Mo., (b) Philadelphia, Pa., and St. Louis, Mo., and (c) Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Massachusetts, Illinois, New York, Ohio, Indiana, Missouri, Pennsylvania, Connecticut, Rhode Island, New Jersey, Kentucky, Maryland, West Virginia, Michigan, and Delaware.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 1124 (Sub No. 143), filed February 24, 1958. Applicant: HERRIN TRANSPORTATION COMPANY, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carbon*

black, in bulk, between points in Texas, Louisiana, Arkansas, Tennessee, Mississippi, and Alabama. Applicant is authorized to conduct operations in Louisiana, Texas, Arkansas, and Tennessee.

HEARING: June 12, 1958, at the Baker Hotel, Dallas, Tex., before Examiner Reece Harrison.

No. MC 3560 (Sub No. 13), filed April 23, 1958. Applicant: GENERAL EXPRESSWAYS, INC., 221 West Roosevelt Road, Chicago 5, Ill. Applicant's attorney: Floyd F. Shields, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation assembly plant at Valley Park, Mo., located on the north side of U. S. Highway 66, approximately 19 miles west of St. Louis, Mo., as an off-route point in connection with applicant's regular route operations to and from St. Louis, Mo., and to and from points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone. Applicant is authorized to conduct operations in Massachusetts; District of Columbia, Maryland, Connecticut, New York, Rhode Island, New Jersey, Delaware, Iowa, Michigan, Ohio, Indiana, Illinois, Missouri, Minnesota, and Wisconsin.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 8681 (Sub No. 66), filed April 11, 1958. Applicant: WESTERN AUTO TRANSPORTS, INC., 430 South Navajo Street, Denver, Colo. Applicant's attorney: Louis E. Smith, 1800 North Meridian Street., Indianapolis 2, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Automobiles*, in initial movements, in truckaway service, from Kalamazoo, Mich., to points in Arizona, Arkansas, California, Colorado, Idaho, Iowa, Kansas, Louisiana, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oregon, South Dakota, Utah, Washington, and Wyoming; and *rejected and/or damaged shipments of automobiles*, on return. Applicant is authorized to conduct operations throughout the United States.

HEARING: May 8, 1958, at the Federal Building, Detroit, Mich., before Examiner William R. Tyers.

No. MC 10343 (Sub No. 7), filed April 14, 1958. Applicant: CHURCHILL TRUCK LINES, INC., Highway 36 West, Chillicothe, Mo. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division Plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with

applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois, Iowa, Kansas, and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 10472 (Sub No. 17), filed April 13, 1958. Applicant: BYERS TRANSPORTATION COMPANY, INC., 901 Washington, Kansas City, Mo. Applicant's attorney: Lowell L. Knipmeyer, Waittower Building, Kansas City 6, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation plant at or near Valley Park, Mo., and Valley Park, Mo., as off-route points in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Missouri, Kansas, and Illinois.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 14582 (Sub No. 6), filed April 21, 1958. Applicant: ELFRINK TRUCK LINES, INC., Advance, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, between Advance and Lutesville, Mo., and points within 30 miles of each, on the one hand, and, on the other, the site of the Chrysler Corporation Plant near Valley Park, Mo. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 20111 (Sub No. 2), filed April 21, 1958. Applicant: EAST SIDE EXPRESS, INC., 710 South Sixth Street, St. Louis, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation Plant near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 29988 (Sub No. 69), filed April 17, 1958. Applicant: DENVER-CHICAGO TRUCKING COMPANY, INC., 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a

common carrier, by motor vehicle, transporting: *General commodities*, except Class A and B explosives, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between Denver, Colo., Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Colorado, Washington, Idaho, Utah, Wyoming, Illinois, Missouri, Kansas, Arizona, California, New York, Massachusetts, Indiana, New Jersey, New Mexico, Oregon, Pennsylvania, Ohio, and Michigan.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 31600 (Sub No. 448), filed April 11, 1958. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham 54, Mass. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington 6, D. C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fluorinated hydrocarbons*, in bulk in tank vehicles, from Edgewater and Elizabethport, N. J., to Baltimore, Md., Bronx and Brooklyn, N. Y., Lancaster, Norristown, and Tylersport, Pa., and Cleveland, Minerva, Portsmouth, Teays, and Waverly, Ohio. Applicant is authorized to conduct operations in Massachusetts, Rhode Island, New York, Connecticut, Maine, New Hampshire, Pennsylvania, Vermont, Indiana, Michigan, Delaware, Ohio, Illinois, South Carolina, North Carolina, Maryland, West Virginia, New Jersey, and Virginia.

HEARING: June 5, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner David Waters.

No. MC 31600 (Sub No. 449), filed April 14, 1958. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: Wilmer B. Hill, 216 Transportation Building, Washington, D. C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distilled spirits*, in bonded stainless steel tank vehicles, from Owensboro, Ky., to Peekskill, N. Y. Applicant is authorized to conduct operations in Massachusetts, Rhode Island, New York, Connecticut, Maine, New Hampshire, Pennsylvania, Vermont, Indiana, Michigan, Delaware, Ohio, Illinois, South Carolina, North Carolina, Maryland, West Virginia, New Jersey, and Virginia.

HEARING: June 6, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Mack Myers.

No. MC 32838 (Sub No. 10), filed April 11, 1958. Applicant: WEAVER W. SCHERFF, doing business as SCHERFF'S TRUCK LINE, California, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equip-

ment, serving the site of the Chrysler Corporation, Plymouth Division plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Missouri, Illinois, Kansas, Oklahoma, and Iowa.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 35320 (Sub No. 54), filed March 3, 1958. Applicant: T. I. M. E., INCORPORATED, 2604 Texas Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., 1105 Great Plains Life Building, Lubbock, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over an alternate route, transporting: *General commodities*, except sand, gravel, coal, livestock, and articles not suitable for transportation in standard equipment, between junction unnumbered highway (formerly U. S. Highway 41), near Cassville, Ga., and junction U. S. Highway 41 and Georgia Highway 293, over U. S. Highway 41, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Cincinnati, Ohio, and Atlanta, Ga. Applicant is authorized to conduct operations in Arizona, Arkansas, California, Georgia, Illinois, Indiana, Kentucky, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

HEARING: June 6, 1958, at 680 West Peachtree Street NW., Atlanta, Ga., before Joint Board No. 101, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 35320 (Sub No. 55), filed March 3, 1958. Applicant: T. I. M. E., INCORPORATED, 2604 Texas Avenue, Lubbock, Tex. Applicant's attorney: W. D. Benson, Jr., 1105 Great Plains Life Building, Lubbock, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over an alternate route, transporting: *General commodities*, except Class A and B explosives, articles requiring other than van-type equipment, and household goods as defined by the Commission, between Tulsa, Okla., and Oklahoma City, Okla., over Turner Turnpike, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations between Tulsa and Oklahoma City, Okla. Applicant is authorized to conduct operations in Arizona, Arkansas, California, Georgia, Illinois, Indiana, Kentucky, Missouri, New Mexico, Oklahoma, Tennessee, and Texas.

HEARING: June 5, 1958, at the Federal Building, Oklahoma City, Okla., before Joint Board No. 88, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 36832 (Sub No. 11), filed April 22, 1958. Applicant: AMERICAN TRANSIT LINES, INCORPORATED, 4535 West Adams Street, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, liquid commodities in bulk, and those requiring special equipment, between the site of the plant of the Chrysler Corporation located at Valley Park, Mo., on the one hand, and, on the other, St. Louis, Mo. Applicant is authorized to conduct operations in Illinois, Missouri, Kentucky, Michigan, Iowa, Kansas, Indiana, and Ohio.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 43038 (Sub No. 406), filed April 17, 1958. Applicant: COMMERCIAL CARRIERS, INC., 3399 East McNichols Road, Detroit 12, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, except trailers, in initial and secondary movements, in truckaway and driveway service, from Kalamazoo, Mich., to points in the United States and the District of Columbia. Applicant is authorized to conduct operations in Alabama, Arkansas, Colorado, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maryland, Michigan, Massachusetts, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Oregon, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, Washington, West Virginia, Wisconsin, and Wyoming.

HEARING: May 8, 1958, at the Federal Building, Detroit, Mich., before Examiner William R. Tyers.

No. MC 43421 (Sub No. 23), filed April 17, 1958. Applicant: DORHN TRANSFER COMPANY, Robinson Building, Rock Island, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between St. Louis, Mo., and Indianapolis, Ind. Applicant is authorized to conduct operations in Illinois, Iowa, Missouri, Michigan, Ohio, Indiana, and Wisconsin.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 46599 (Sub No. 29), filed April 21, 1958. Applicant: HEALZER CARTAGE CO., 1428 West Ninth Street, Kansas City 1, Mo. Applicant's attorney: Floyd F. Shields, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, livestock and household goods as defined by the Commission, serving the site of the Chrysler Corpora-

tion new Assembly Plant at Valley Park, Mo., located on the north side of U. S. Highway 66, approximately 19 miles west of St. Louis, Mo., as an off-route point in connection with applicant's authorized regular route operations to and from St. Louis, Mo., and to and from points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone. Applicant is authorized to conduct operations in Illinois, Missouri, Kansas, and Wisconsin.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 47336 (Sub No. 10), filed April 3, 1958. Applicant: ECLIPSE MOTOR LINES, INC., 920 National Road, Bridgeport, Ohio. Applicant's attorney: James M. Burtch, Jr., 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Tin plate, black plate, and terne plate*, from Steubenville and Yorkville, Ohio, Irwin and Aliquippa, Pa., and Weirton, W. Va., to Cambridge, Md., and *damaged and rejected commodities* of the above-described commodities and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application on return. Applicant is authorized to conduct regular route operations in Pennsylvania and West Virginia and irregular route operations in Indiana, Maryland, New York, Ohio, Pennsylvania, West Virginia, and the District of Columbia.

HEARING: June 4, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Herbert L. Hanback.

No. MC 52657 (Sub No. 515), filed April 10, 1958. Applicant: ARCO AUTO CARRIERS, INC., 7530 South Western Avenue, Chicago 20, Ill. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Trailers*, other than those designed to be drawn by passenger automobiles, in initial movements in truckaway service, from Chicago, Ill., to points in Arizona, Nevada, New Hampshire, Oregon, Utah, and Vermont; (b) *trailers*, other than those designed to be drawn by passenger automobiles, in initial movements in driveway service, from Chicago, Ill., to points in the United States and Alaska; (c) *trailers*, other than those designed to be drawn by passenger automobiles, in initial movements in truckaway and driveway service; *trailer parts and attachments*, including but not restricted to trailer converter dollies, jeep dollies, third axle attachments, goose necks, decks, and rear axle assemblies, from Pleasant Ridge (Rensselaer P. O.), Ind., to points in the United States and Alaska; (d) *tractors*, in secondary movements in driveway service, only when drawing trailers moving in initial driveway service as described in (b) and (c) above, from Chicago, Ill., and Pleasant Ridge (Rensselaer P. O.), Ind., to points in Alabama, Arizona, Arkansas, California, Colorado, Georgia, Idaho, Kansas, Louisiana, Maine, Mississippi, Montana, Nevada,

New Hampshire, New Mexico, North Dakota, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Utah, Vermont, Washington, Wyoming, and the District of Columbia, and Alaska; and (e) *trailer converter dollies*, from Chicago, Ill., to points in the United States except those in California, Colorado, Idaho, Maine, Montana, New Mexico, Washington, and Wyoming; and to points in Alaska. Applicant is authorized to conduct operations throughout the United States and Alaska.

HEARING: June 11, 1958, at Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 52877 (Sub No. 4), filed April 17, 1958. Applicant: CHICAGO-ST. LOUIS EXPRESS, INC., 1030 South 11th Street, St. Louis, Mo. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except livestock, Class A and B explosives, household goods as defined by the Commission, and commodities in bulk, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between Chicago, Ill., and St. Louis, Mo. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 56167 (Sub No. 2), filed April 14, 1958. Applicant: DAVID K. HER-SHEY, R. D. No. 5, Hanover, Pa. Applicant's attorney: John M. Musselman, State Street Building, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crushed stone and crushed limestone products*, from points in Adams County, Pa., to points in Delaware, Virginia, West Virginia, and the District of Columbia; and *slag*, from Sparrows Point, Md., to Hanover, Pa., and points in Pennsylvania within 50 miles of Hanover. Applicant is authorized to conduct operations in Pennsylvania and Maryland.

HEARING: June 6, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner William E. Messer.

No. MC 59483 (Sub No. 23), filed April 16, 1958. Applicant: SOUTHWESTERN TRANSPORTATION COMPANY, Cotton Belt Tracks and Lelia Street, P. O. Box 619, Texarkana, Tex. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division Plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with ap-

plicant's authorized regular route operations. Applicant is authorized to conduct operations in Missouri, Tennessee, Arkansas, Texas, and Louisiana.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 59649 (Sub No. 10), filed April 16, 1958. Applicant: PEORIA CARTAGE COMPANY, 905-911 South Washington Street, Peoria, Ill. Applicant's attorney: B. W. LaTourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods (when transported as a separate and distinct service in connection with so-called household movings), livestock, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division Plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois, Iowa, and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 59680 (Sub No. 124), filed March 5, 1958. Applicant: STRICKLAND TRANSPORTATION CO., INC., P. O. Box 5689, Dallas, Tex. Applicant's attorney: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Hope, Ark., and Carthage, Tex., from Hope over Arkansas Highway 29 and Louisiana Highway 3 to Shreveport, La., and thence over U. S. Highway 79 to Carthage, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations between Hope, Ark., and Houston, Tex., via Texarkana, Ark.-Tex. Applicant is authorized to conduct operations in Texas, Arkansas, Tennessee, Louisiana, Mississippi, Missouri, Oklahoma, Illinois, Indiana, New Jersey, Ohio, and New York.

NOTE: Applicant proposes that the above service be restricted to the transportation of shipments to or from points east of Texarkana but with no service to or from Shreveport, La. Applicant states the sole purpose for seeking the above-described alternate route authority is to allow it to use its station at Shreveport, La., as a relay point instead of Texarkana, Ark.-Tex. on equipment moving north and south from and to Houston.

HEARING: June 27, 1958, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 153, or, if the Joint Board waives its right to par-

participate, before Examiner Reece Harrison.

No. MC 59680 (Sub No. 125), filed April 10, 1958. Applicant: STRICKLAND TRANSPORTATION CO., INC., P. O. Box 5689, Dallas, Tex. Applicant's attorney: Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, including Class A and B explosives, and except commodities of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment, between Little Rock, Ark., and Shreveport, La., from Little Rock over U. S. Highway 67 to Hope, Ark., and thence over Arkansas Highway 29 and Louisiana Highway 3 to Shreveport, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's authorized regular route operations between Shreveport, La., and Little Rock, Ark., from Shreveport over U. S. Highway 71 to Texarkana, Ark.-Tex., and thence over U. S. Highway 67 to Little Rock, in Certificate MC 59680. Applicant is authorized to conduct operations in Arkansas, Illinois, Indiana, Louisiana, Mississippi, Missouri, New Jersey, New York, Ohio, Oklahoma, Tennessee, and Texas.*

HEARING: June 27, 1958, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 35, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 61616 (Sub No. 61) (CORRECTION), filed April 7, 1958, published issue April 23, 1958. Applicant: MIDWEST BUSLINES, INC., 319 Dowling Street, Houston, Tex. Applicant's attorney: R. Ben Allen, Boyle Building, Little Rock, Ark. The publication of April 23, 1958, at Page 2717, with regard to route (2) was in error. Correctly stated it should read: (2) from junction U. S. Highway 65 and Louisiana Highway 15 near Clayton, La., to Natchez, Miss., over U. S. Highway 65 and 84 * * *

No. MC 62835 (Sub No. 9), filed April 9, 1958. Applicant: C. E. S. TRUCK LINES, INC., U. S. Highway 61-67, Crystal City, Mo. Applicant's attorney: B. W. La Tourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct regular route operations in Illinois and Missouri, and irregular route operations in Arkansas, Illinois, Indiana, and Missouri.*

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 64932 (Sub No. 238), filed April 14, 1958. Applicant: ROGERS CARTAGE CO., a Corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals, in bulk, in tank vehicles, from Muscatine, Iowa, to points in Michigan, Indiana, Ohio, and Missouri. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin.*

HEARING: June 12, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 64932 (Sub No. 239), filed April 15, 1958. Applicant: ROGERS CARTAGE CO., a Corporation, 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals, in bulk, in tank vehicles, from Ordill, Ill., and points within 10 miles thereof, to points in Ohio, Missouri, Iowa, Minnesota, Wisconsin, Michigan, Indiana, Kentucky, Tennessee, and Arkansas. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, West Virginia, and Wisconsin.*

HEARING: June 12, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 67646 (Sub No. 46), filed April 2, 1958. Applicant: HALL'S MOTOR TRANSIT COMPANY, a corporation, Fifth and Vine Streets, Box 738, Sunbury, Pa. Applicant's attorney: John E. Fullerton, 131 State Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over alternate routes, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Amity Hall, Perry County, Pa., and Lewistown, Mifflin County, Pa., over U. S. Highway 322, serving no intermediate points, and (2) between Lewistown, Mifflin County, Pa., and Potters Mills, Centre County, Pa., over U. S. Highway 322, serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's authorized regular-route operations. Applicant is authorized to transport similar commod-*

ities in Delaware, Maryland, New Jersey, New York, Ohio, Pennsylvania, and the District of Columbia.

HEARING: June 4, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Allan P. Borroughs.

No. MC 69116 (Sub No. 44), filed April 17, 1958. Applicant: SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment other than refrigeration, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between St. Louis, Mo., and Boston, Mass., and St. Louis, Mo., and Quincy, Ill. Applicant is authorized to conduct operations in Missouri, Massachusetts, Indiana, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Illinois, Maryland, Ohio, Kansas, Iowa, and Nebraska.*

HEARING: May 23, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 69402 (Sub No. 1), filed April 21, 1958. Applicant: BEE LINE TRUCKING COMPANY, 718 South Seventh Street, St. Louis, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in the St. Louis, Mo.-East St. Louis, Ill., Commercial Zone, as defined by the Commission in 1 M. C. C. 656, on the one hand, and, on the other, the site of the Chrysler Corporation Plant near Valley Park, Mo. Applicant is authorized to conduct operations in Illinois and Missouri.*

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 135.

No. MC 72300 (Sub No. 29), filed April 16, 1958. Applicant: AMERICAN CARLOADING CORPORATION, 261 Hastings Street, Detroit 26, Mich. Applicant's attorney: B. W. La Tourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division Plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Michi-*

gan, Illinois, Indiana, Ohio, Wisconsin, and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 74721 (Sub No. 63), filed April 16, 1958. Applicant: MOTOR CARGO, INC., 1540 West Market Street, Akron 13, Ohio. Applicant's attorney: B. W. La Tourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, other than small-arms ammunition, livestock, household goods as defined by the Commission, and liquids in bulk, in tank vehicles, serving the site of the Chrysler Corporation, Plymouth Division Plant, located on U. S. Highway 66 at or near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Ohio, Pennsylvania, Minnesota, Wisconsin, Illinois, Iowa, Indiana, New York, New Jersey, Maryland, Missouri, and the District of Columbia.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 75281 (Sub No. 4), filed April 21, 1958. Applicant: R I G H T E R TRUCKING COMPANY, INCORPORATED, Charleston, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation Plant near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 92983 (Sub No. 283), filed April 9, 1958. Applicant: ELDON MILLER, INC., 330 East Washington Street, Iowa City, Ia. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wine*, in bulk, in tank vehicles, from Chicago, Ill., to points in Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Ohio, Tennessee, and Wisconsin. Applicant is authorized to conduct operations in Alabama, Oklahoma, Mississippi, Georgia, Connecticut, Massachusetts, Pennsylvania, South Dakota, North Dakota, Texas, New York, Michigan, Tennessee, Florida, Louisiana, North Carolina, South Carolina, Kentucky, Arkansas, Ohio, Minnesota, Indiana, Kansas, Missouri, Wisconsin, Nebraska, Illinois, and Iowa.

HEARING: June 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 92983 (Sub No. 284), filed April 10, 1958. Applicant: ELDON MILLER,

INC., 330 East Washington Street, Iowa City, Ia. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fats and oils, including blends thereof*, in bulk, in tank vehicles, between Jacksonville and Champaign, Ill., on the one hand, and, on the other, points in Alabama, Connecticut, Delaware, the District of Columbia, Florida, Georgia, Massachusetts, Maryland, Mississippi, North Carolina, Rhode Island, South Carolina, Virginia, and West Virginia. Applicant is authorized to conduct operations in Iowa, Illinois, Nebraska, Wisconsin, Missouri, Kansas, Indiana, Minnesota, Ohio, Arkansas, Kentucky, North Carolina, South Carolina, Louisiana, Florida, Tennessee, Michigan, New York, Texas, North Dakota, South Dakota, Pennsylvania, Massachusetts, Connecticut, Georgia, Mississippi, Oklahoma, and Alabama.

HEARING: June 4, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 102567 (Sub No. 67), filed March 24, 1958. Applicant: EARL CLARENCE GIBBON, doing business as EARL GIBBON PETROLEUM TRANSPORT, West First and Broadway, Bossier City, La. Applicant's attorney: Jo E. Shaw, First National Bank Building, Houston, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Pulaski and Lonoke Counties, Ark., to points in Missouri east of Missouri Highway 5. Applicant is authorized to conduct operations in Texas, Arkansas, Louisiana, Mississippi, Missouri, Tennessee, Alabama, Georgia, and Oklahoma.

HEARING: June 26, 1958, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 91, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 103880 (Sub No. 188), filed March 26, 1958. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, in bulk, in tank vehicles, from Trenton, Mich., to points in Illinois, Indiana, Iowa, Kentucky, Ohio, Minnesota, New York, Pennsylvania, West Virginia, and Wisconsin. Applicant is authorized to conduct operations in Indiana, Michigan, Ohio, Illinois, Kentucky, Wisconsin, West Virginia, Pennsylvania, Iowa, Missouri, New York, Connecticut, Massachusetts, Kansas, Minnesota, Tennessee, Arkansas, Mississippi, North Carolina, South Carolina, Alabama, Florida, Georgia, Louisiana, Oklahoma, Texas, Rhode Island, Delaware, Maryland, Maine, New Jersey, Vermont, and New Hampshire.

HEARING: June 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC/ 104210 (Sub. No. 62), filed February 3, 1958. Applicant: THE TRANSPORT COMPANY, INC., 2728 Agnes Street, Corpus Christie, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Aviation gasoline and jet fuels* moving on government bills of lading, in bulk, in tank vehicles, from Big Spring, Tex., to Altus Air Force Base, Altus, Okla. Applicant is authorized to transport petroleum and petroleum products in Louisiana, New Mexico, Oklahoma, and Texas.

HEARING: June 18, 1958, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Joint Board No. 16, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 105813 (Sub No. 31), filed April 2, 1958. Applicant: BELFORD TRUCKING CO., INC., 1299 North West 23d Street, Miami 42, Fla. Applicant's attorney: Sol H. Proctor, 713-17 Professional Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products, dairy products, and articles distributed by meat-packing houses*, as defined by the Commission in Appendix I to Ex Parte No. MC-45, Descriptions in Motor Carrier Certificates, 61 M. C. C. 209 (272), from Joliet, Ill., to points in Florida. Applicant is authorized to conduct operations in Delaware, Florida, Illinois, Indiana, Kansas, Maryland, Massachusetts, Missouri, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, Wisconsin, and the District of Columbia.

HEARING: June 9, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 106049 (Sub No. 30), filed March 10, 1958. Applicant: ATLANTA-NEW ORLEANS MOTOR FREIGHT CO., 260 University Avenue SW., Atlanta 15, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, (1) between Brewton, Ala., and Andalusia, Ala., over U. S. Highway 29, serving no intermediate points, (2) between junction of U. S. Highways 84 and 31 near Evergreen, Ala., and Monroeville, Ala., from junction of U. S. Highways 84 and 31 over U. S. Highway 84 to the junction of Alabama Highway 11, thence over Alabama Highway 11 to Monroeville, and return over the same route, serving no intermediate points, the above two routes being alternate routes for operating convenience only, in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Alabama, Florida, Georgia, Louisiana, and Mississippi.

HEARING: June 11, 1958, at the Hotel Thomas Jefferson, Birmingham, Ala., be-

fore Joint Board No. 100, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 106049 (Sub No. 31), filed March 10, 1958. Applicant: ATLANTA-NEW ORLEANS MOTOR FREIGHT CO., 260 University Avenue SW., Atlanta 15, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building., Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities, including those of unusual value*, but excluding Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Pensacola, Fla., and Panama City, Fla., from Pensacola over U. S. Highway 98 to Panama City, and return over the same route, serving all intermediate points, and the off-route point of Pace, Fla. Applicant is authorized to conduct operations in Georgia, Alabama, Louisiana, and Florida.

HEARING: June 5, 1958, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 205, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 106943 (Sub No. 63), filed March 21, 1958. Applicant: EASTERN EXPRESS, INC., 128 Cherry Street, Terre Haute, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, except Class A and B explosives, livestock, grain, petroleum products in bulk, household goods as defined by the Commission, and commodities requiring special equipment, serving the site of Centex Industrial Development at or near Elk Grove, Ill., as well as an off-route point in connection with applicant's authorized regular route operations to and from Chicago, Ill.*

HEARING: June 10, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 149, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 107002 (Sub No. 119), filed March 14, 1958. Applicant: W. M. CHAMBERS TRUCK LINE, INC., 920 Louisiana Boulevard, P. O. Box 547, Kenner, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup, unmixed, liquid sugar, and blends of corn syrup and liquid sugar*, in bulk, in tank vehicles, from New Orleans, La., to points in Alabama, Arkansas, Mississippi, Oklahoma, Tennessee, and Texas. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Florida, Georgia, Illinois, Indiana, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, New Jersey, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, Tennessee, Texas, Virginia, Wisconsin, and the District of Columbia.

HEARING: June 24, 1958, at the Federal Office Building, 600 South Street,

New Orleans, La., before Examiner Reece Harrison.

No. MC 107107 (Sub No. 97), filed March 7, 1958. Applicant: ALTERMAN TRANSPORT LINES, INC., P. O. Box 65, Allapattah Station, 2424 Northwest 46th Street, Miami 42, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D. C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products and meat by-products*, as defined by the Commission, from Detroit, Mich., to points in Florida. Applicant is authorized to conduct operations in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, Wisconsin, and the District of Columbia.

HEARING: June 3, 1958, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Richard H. Roberts.

No. MC 107403 (Sub No. 257), filed April 9, 1958. Applicant: E. BROOKE MATLACK, INC., Wilford Building, 33d and Arch Streets, Philadelphia 4, Pa. Applicant's attorney: Robert H. Shertz, 811 Lewis Tower Building, Philadelphia, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Canton, Ohio, to points in the lower peninsula of Michigan. Applicant is authorized to conduct similar operations in Connecticut, Delaware, District of Columbia, Illinois, Indiana, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Tennessee, Vermont, Virginia, and West Virginia.

HEARING: May 16, 1958, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 57.

No. MC 107515 (Sub No. 268), filed February 6, 1958. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Carizzo Springs, San Antonio and Houston, Tex., to points in Tennessee, Georgia, Alabama, Florida, South Carolina, and North Carolina. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

HEARING: June 20, 1958, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Reece Harrison.

No. MC 107515 (Sub No. 278), filed April 7, 1958. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Allan Watkins, 214-216 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Chambersburg, Pa., and points within ten miles thereof, to points in Kentucky, West Virginia, and those points in Virginia on and south of the southern boundaries of Shenandoah, Warren, Fauquier, and Prince William Counties. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

HEARING: June 10, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Charles H. Riegner.

No. MC 107757 (Sub No. 15), filed April 21, 1958. Applicant: M. C. SLATER, INC., 1129 Bremen Avenue, St. Louis 7, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities, including Class A and B explosives*, serving the site of the Chrysler Corporation Plant near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 108461 (Sub No. 66), filed April 11, 1958. Applicant: WHITFIELD TRANSPORTATION, INC., 240 West Amador Street, Las Cruces, N. Mex. Applicant's attorney: Loyal G. Kaplan, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, except livestock, commodities of unusual value, Class A and B explosives, household goods as defined by the Commission and commodities requiring special equipment*, between Salt Lake City, Utah, and Aztec and Farmington, N. Mex.: from Salt Lake City over U. S. Highway 50 to junction U. S. Highway 160, thence over U. S. Highway 160 to junction U. S. Highway 550 at Durango, Colo., thence over U. S. Highway 550 to Farmington, serving Aztec and Farmington, N. Mex., and serving intermediate points between Aztec and Farmington, N. Mex., and return over the same route; from Salt Lake City, Utah, to Albuquerque, N. Mex.: from Salt Lake City over U. S. Highway 50 to junction with U. S. Highway 160, thence over U. S. Highway 160 to junction with U. S. Highway 666 at Cortez, Colo., thence over U. S. Highway 666 to junction with U. S. Highway 66 at Gallup, N. Mex., and thence over U. S. Highway 66 to

Albuquerque, serving all intermediate points between Shiprock and Albuquerque, N. Mex., and the off-route points located within 30 miles of Grants, N. Mex. Applicant is authorized to conduct operations in Texas, New Mexico, Utah, Colorado, Arizona, and California.

HEARING: June 2, 1958, at the Utah Public Service Commission, Salt Lake City, Utah, before Joint Board No. 212.

No. MC 109637 (Sub No. 75), filed March 21, 1958. Applicant: GASOLINE TRANSPORT CO., a Corporation, 4107 Bells Avenue, Louisville, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid synthetic resin*, and *liquid glue*, in bulk, in tank vehicles, from Meredosia, Ill., and points within 5 miles thereof, to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, Tennessee, and Texas. Applicant is authorized to conduct operations in Illinois, Tennessee, Kentucky, Indiana, Ohio, Georgia, Missouri, Minnesota, Alabama, Florida, Louisiana, Michigan, Mississippi, North Carolina, Texas, West Virginia, Wisconsin, and Iowa.

NOTE: Applicant is under common control with Alabama Tank Lines, Inc., Docket No. MC 116387.

HEARING: June 24, 1958, at the Federal Office Building, 600 South Street, New Orleans, La., before Examiner Reece Harrison.

No. MC 110328 PETITION TO RE-OPEN CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY ISSUED TO ROY A. LEIPHART TRUCKING, INC., South 16th Street, Columbia, Pa., filed April 3, 1958.

Petitioner's attorney: Norman T. Petow, 43 West Duke Street, York, Pa. Petitioner requests that certificate issued to Charles John Smith, dba Charles Smith Motor Express (MC 75559 Sub 1), be reopened for further hearing. Petitioner acquired the authority from Smith November 13, 1953, and was issued Certificate No. MC 110328, March 17, 1954. Contained in said certificate issued to Smith was authority (in part) to transport *Canned goods and groceries*, from Baltimore, Md., and Dallastown, Pa., to Lebanon, Lykens, Harrisburg, Lancaster, Reading, Shamokin, Sunbury, York, Hanover, Red Lion and Hershey, Pa. Petitioner states that Smith regularly and continuously transported canned goods and groceries and in so transporting carried such merchandise as is commonly dealt in by wholesale, retail and chain grocery and food business houses which merchandise included all items commonly dealt in by such organizations which would not be fit for human consumption but which would be generally sold and distributed by said organizations. That Petitioner upon grant of its certificate March 17, 1954, continued such service, assuming that it had authority to transport such merchandise as is dealt in by the above organizations. Petitioner has filed an application in conjunction with this petition requesting authority to transport such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, and requests consolidated hearing of both.

Petitioner states that since the grant of authority to Smith, it has regularly and continuously transported such merchandise as is dealt in by wholesale, retail, chain grocery and food business houses, until on or about December 1, 1957.

HEARING: June 5, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Isadore Freidson.

No. MC 110328 (Sub No. 5), filed April 3, 1958. Applicant: ROY A. LEIPHART TRUCKING, INC., South 16th Street, Columbia, Pa. Applicant's attorney: Norman T. Petow, 43 West Duke Street, York, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, from Baltimore, Md., to Windsor, Lebanon, Lykens, Harrisburg, Lancaster, Reading, Shamokin, Sunbury, York, Hanover, Red Lion, and Hershey, Pa. Applicant is authorized to conduct operations in Delaware, Pennsylvania, Massachusetts, New York, New Jersey, Maryland, District of Columbia, Virginia, Ohio, Rhode Island, and West Virginia.

NOTE: Applicant has filed a petition to reopen Certificate No. MC 110328 and requests hearing be held at same time as this application.

HEARING: June 5, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Isadore Freidson.

No. MC 110525 (Sub No. 354), filed April 11, 1958. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Gerald L. Phelps, Munsey Building, Washington 4, D. C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fulorinated hydrocarbons*, in bulk, in tank vehicles, (1) from Edgewater, N. J., to Albany, New York City, and Suffern, N. Y., Bridgeport, Conn., Chicopee, Easthampton, and West Roxbury, Mass., Cleveland, Minerva, Portsmouth, Teays, and Waverly, Ohio, Lancaster, Norristown, and Tylersport, Pa., (2) from Elizabethport, N. J., to Albany, New York City, and Suffern, N. Y., Bridgeport, Conn., Chicopee, Easthampton, and West Roxbury, Mass., Cleveland, Minerva, Portsmouth, Teays, and Waverly, Ohio, and Tylersport, Pa. Applicant is authorized to conduct operations in Maryland, New Jersey, Kentucky, Pennsylvania, Delaware, West Virginia, New York, Connecticut, Massachusetts, Michigan, Rhode Island, Tennessee, Illinois, Ohio, North Carolina, Indiana, Virginia, Wisconsin, Missouri, Alabama, and Minnesota.

HEARING: June 5, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner David Waters.

No. MC 111159 (Sub No. 52), filed March 20, 1958. Applicant: MILLER TRANSPORTERS, LTD., P. O. Box 1123, Jackson, Miss. Applicant's attorney: Phineas Stevens, Suite 900 Milner Building, P. O. Box 14, Jackson, Miss. Authority sought to operate as a *common*

carrier, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Moundville, Ala., and points within 25 miles thereof, to points in Mississippi. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, Missouri, Oklahoma, and Tennessee.

HEARING: June 11, 1958, at the Hotel Thomas Jefferson, Birmingham, Ala., before Joint Board No. 14, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 111231 (Sub No. 33), filed April 14, 1958. Applicant: JONES TRUCK LINES, INC., 514 East Emma Avenue, Springdale, Ark. Applicant's attorney: Wentworth E. Griffin, 10th Floor, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation, Plymouth Division Plant located on U. S. Highway 66 near Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Missouri, Arkansas, Oklahoma, Kansas, Illinois, and Texas.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 111281 (Sub No. 10), filed April 17, 1958. Applicant: ECK MILLER TRANSFER CO., 421 East Second Street, Owensboro, Ky. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the plant of the Chrysler Corporation located at Valley Park, Mo., as an off-route point in connection with applicant's authorized regular route operations between Evansville, Ind., and St. Louis, Mo. Applicant is authorized to conduct operations in Indiana, Kentucky, Illinois, Tennessee, Ohio, Missouri, Virginia, West Virginia, and Michigan.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 111401 (Sub No. 93), filed March 17, 1958. Applicant: GROENDYKE TRANSPORT, INC., 2204 North Grand, Enid, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Turpentine*, in bulk, in tank vehicles, from Picayune, Miss., to Oklahoma City, Okla., and *empty containers or other such incidental facilities* used in transporting turpentine, on return. Applicant is authorized to conduct operations in Oklahoma, Kansas, Colorado, Texas, New Mexico, Louisiana, Mississippi, Tennessee, Missouri, and California.

HEARING: June 4, 1958 at the Federal Building, Oklahoma City, Okla., before Examiner Reece Harrison.

No. MC 111472 (Sub No. 56), filed April 10, 1958. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton, Racine, Wis. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Agricultural machinery and parts thereof, and tractor attachments* for earth moving, from Topeka, Salina, and Hesston, Kans., Fort Dodge and Pella, Iowa, Milwaukee and New Holstein, Wis., Bloomington, Ill., Glencoe, Minn., and Cleveland, Ohio, to Ports of Entry on the boundary between the United States and Canada at Noyes, Minn., Detroit, Mich., and Buffalo, N. Y., and *rejected shipments* of the above-described commodities, on return. Applicant is authorized to conduct operations in Iowa, Indiana, Illinois, Minnesota, Missouri, Nebraska, North Dakota, South Dakota, Wisconsin, Michigan, Kansas, Ohio, Tennessee, Pennsylvania, Oklahoma, New York, Colorado, Georgia, Kentucky, Maryland, Virginia, West Virginia, Delaware, New Jersey, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, Alabama, Arkansas, Georgia, Louisiana, Texas, Arizona, California, Idaho, Mississippi, Montana, New Mexico, Oregon, Utah, Washington, Wyoming, and Florida.

Note: A proceeding has been instituted under section 212 (c) No. MC 111472 (Sub 53), to determine whether applicant's status is that of a contract or common carrier.

HEARING: June 13, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Examiner Allen W. Hagerty.

No. MC 112020 (Sub No. 43), filed February 19, 1958. Applicant: COMMERCIAL OIL TRANSPORT, a Corporation, 1030 Stayton Street, Fort Worth, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Formaldehyde*, in bulk, in tank vehicles, from points in Tennessee on and west of Kentucky Lake and Tennessee River, points in Alabama (except Fox), and points in Louisiana (except points in Ascension Parish, Bossier City, Lake Charles, and points within thirteen (13) miles of Lake Charles, North Baton Rouge, Shreveport, and Superior), points in Kansas (except Lawrence), and those in Missouri, to Tyler, Tex., and points within ten (10) miles thereof; and (2) *Liquid resins*, in bulk, in tank vehicles, from Tyler, Tex., and points within ten (10) miles thereof, to points in Arkansas, Louisiana, Oklahoma, Mississippi, points in Tennessee on and west of Kentucky Lake and Tennessee River, points in Kansas, Missouri, and those in Alabama (except Fox). Applicant is authorized to conduct operations in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Nebraska, New York, Ohio, Oklahoma, Tennessee, Texas, and Wisconsin.

No. 85—5

HEARING: June 11, 1958, at the Baker Hotel, Dallas, Tex., before Examiner Reece Harrison.

No. MC 112497 (Sub No. 108), filed March 24, 1958. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid acids and chemicals*, in bulk, in tank vehicles, between McIntosh, Ala., and points within 10 miles thereof, on the one hand, and, on the other, points in Louisiana and Mississippi. Applicant is authorized to conduct operations in Louisiana, Arkansas, Alabama, Florida, Georgia, Mississippi, California, Ohio, New York, South Carolina, Tennessee, Texas, Kentucky, and North Carolina.

HEARING: June 23, 1958, at the Federal Office Building, 600 South Street, New Orleans, La., before Joint Board No. 165, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 112750 (Sub No. 29), filed March 21, 1958. Applicant: ARMORED CARRIER CORPORATION, DeBevoise Bldg., 222-17 Northern Boulevard, Bay-side, L. I., N. Y. Applicant's attorney: James K. Knudson, 1821 Jefferson Place, Washington 6, D. C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commercial papers, documents and written instruments* (except currency, coin and bullion), as are used in the businesses of banks and banking institutions, (1) between Dallas and Fort Worth, Tex., on the one hand, and, on the other, points in Oklahoma, Johnston, Coal, Atoka, Bryan, Pushmataha, Choctaw, and McCurtain Counties, Okla., (2) between Wichita Falls, Tex., on the one hand, and, on the other, points in Jefferson, Stephens, Comanche, Cotton, and Oklahoma Counties, Okla., (3) between Dallas and Fort Worth, Tex., on the one hand, and, on the other, points in Miller County, Ark., and (4) between Dallas and Fort Worth, Tex., on the one hand, and, on the other, points in Sabine, Natchitoches, Grant, LaSalle, Catahoula, and Concordia Counties, La., and points in all counties in Louisiana north of the above-named Louisiana counties, and *empty containers or other such incidental facilities* used in transporting the above-specified commodities, on return. Applicant is authorized to conduct similar operations between specified points in New York, New Jersey, Connecticut, Pennsylvania, Ohio, West Virginia, Massachusetts, Delaware, Maryland, Virginia, and the District of Columbia.

HEARING: June 16, 1958, at the Baker Hotel, Dallas, Tex., before Examiner Reece Harrison.

No. MC 112822 (Sub No. 14), filed February 13, 1958. Applicant: EARL BRAY, INC., P. O. Box 910, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid dairy wax*, in bulk, in insulated tank vehicles, from Ponca City, Okla., to all points in Minnesota; *lubricating oil*, in bulk, in tank vehicles,

from Kansas City, Kans., to all points in Arkansas; and *rejected or contaminated shipments* of the commodities specified from points in Arkansas and Minnesota to Ponca City, Okla., and Kansas City, Kans. Applicant is authorized to transport dairy wax in Arkansas, Illinois, Iowa, Kansas, Kentucky, Missouri, Nebraska, Oklahoma, Tennessee, Texas, and Louisiana and petroleum products in Arkansas, Illinois, Indiana, Iowa, Kansas, Mississippi, Missouri, Nebraska, Oklahoma, and Texas.

HEARING: June 5, 1958, at the Federal Building, Oklahoma City, Okla., before Examiner Reece Harrison.

No. MC 113325 (Sub No. 2), filed April 21, 1958. Applicant: SLAY TRANSPORTATION CO., INC., 718 South Seventh Street, St. Louis, Mo. Applicant's representative: A. A. Marshall, 305 Buder Building, St. Louis 1, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the site of the Chrysler Corporation Plant near Valley, Mo., as an off-route point in connection with applicant's authorized regular route operations. Applicant is authorized to conduct operations in Illinois and Missouri.

HEARING: May 22, 1958, at the Missouri Public Service Commission, Jefferson City, Mo., before Joint Board No. 179.

No. MC 114004 (Sub No. 17), filed March 12, 1958. Applicant: ARKANSAS TRUCKING CO., INC., P. O. Box 1715, 8828 New Benton Highway, Little Rock, Ark. Applicant's attorney: Ed E. Ashbaugh, 902 Wallace Building, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, by haul-away method (except utility trailers), from points in Comanche and Grady Counties, Okla., to points in the United States and the District of Columbia, except Mt. Clemens, Flint, and Detroit, Mich., and *damaged or refused trailers* on return. Applicant is authorized to conduct operations throughout the United States.

HEARING: June 4, 1958, at the Federal Building, Oklahoma City, Okla., before Examiner Reece Harrison.

No. MC 114019 (Sub No. 16), filed April 18, 1958. Applicant: THE EMERY TRANSPORTATION COMPANY, a Corporation, 7000 South Pulaski Road, Chicago 29, Ill. Applicant's attorney: Charles W. Singer, 1825 Jefferson Place NW., Washington 6, D. C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk and in packages or containers, from points in Lake County, Ohio, to points in Illinois, Indiana, Michigan, Pennsylvania, New York, Virginia, West Virginia, Maryland, Kentucky, and St. Louis, Mo., and *empty containers or other such incidental facilities* used in transporting salt, on return. Applicant is authorized to conduct operations as a contract carrier

in No. MC 9685 and sub-numbers thereunder, in Tennessee, Ohio, Indiana, Illinois, Pennsylvania, Wisconsin, Iowa, New York, West Virginia, Missouri, Michigan, Kentucky, Minnesota, New Jersey, Nebraska, Georgia, North Carolina, South Carolina, Virginia, Florida, the District of Columbia, Maryland, Arkansas, Mississippi, Massachusetts, New Hampshire, Vermont, and Delaware.

NOTE: A proceeding has been instituted under section 212 (c), No. MC 9685 Sub No. 58, to determine whether applicant's status is that of a contract or common carrier.

HEARING: May 15, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Examiner Harold P. Boss.

No. MC 114928 (Sub No. 3), filed February 27, 1958. Applicant: PELLHAM TRANSPORTATION CO., INC., 554 South 11, Kansas City, Kans. Applicant's attorney: James F. Miller, 500 Board of Trade, 10th and Wyandotte, Kansas City 5, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including those requiring refrigeration*, but excluding commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Chicago, Ill., and the site of the Olin-Mathieson Chemical Corporation Plant near Mapleton, Ill. Applicant is authorized to conduct operations in Illinois, Missouri, and Kansas.

NOTE: The Commission has instituted a proceeding on its own motion under section 212 (c) of the Interstate Commerce Act for determining whether the carrier's outstanding contract carrier authority as of August 22, 1957, should be revoked and a certificate of public convenience and necessity issued in lieu thereof.

HEARING: June 10, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 114928 (Sub No. 4), filed February 27, 1958. Applicant: PELLHAM TRANSPORTATION CO., INC., 554 South 11, Kansas City, Kans. Applicant's attorney: James F. Miller, 500 Board of Trade, 10th and Wyandotte, Kansas City 5, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including those requiring refrigeration*, but excluding commodities of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Chicago, Ill., and the site of the Hotpoint Company Plant, bounded by Devon Avenue on the South, Tonne Road on the West, Landmeir Road on the North, and Busse Road on the East, located in Cook County, Ill. Applicant is authorized to conduct operations in Illinois, Missouri, and Kansas.

NOTE: The Commission has instituted a proceeding on its own motion under section 212 (c) of the Interstate Commerce Act for determining whether the carrier's outstand-

ing contract carrier authority as of August 22, 1957, should be revoked and a certificate of public convenience and necessity issued in lieu thereof.

HEARING: June 10, 1958, at Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 116008 (Sub No. 14), (CORRECTION) filed March 27, 1958, published issue April 16, 1958, at page 2471. Applicant: ARCHIE'S MOTOR FREIGHT, INC., 316 East Sixth Street, Richmond, Va. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, paper products, wood pulp, and pulpboard*, between West Point, Va., on the one hand, and, on the other, Hampton, Newport News, Norfolk, Portsmouth, and Richmond, Va. Applicant is authorized to conduct operations in Pennsylvania, Virginia, Kentucky, Tennessee, West Virginia, Maryland, District of Columbia, New Jersey, North Carolina, Georgia, and Florida.

NOTE: Previous publication gave applicant's name as Archie's Motor Express Freight, INC. This was in error. The correct name is ARCHIE'S MOTOR FREIGHT, INC.

HEARING: Remains as assigned May 22, 1958, at the U. S. Court Rooms, Richmond, Va., before Joint Board No. 108, or, if the Joint Board waives its right to participate, before Examiner Richard H. Roberts.

No. MC 116178 (Sub No. 1), (Correction) filed March 10, 1958, published April 16, 1958, at page 2471. Applicant: ERVIN DAVIS, doing business as A-EMERGENCY TOW SERVICE, 1326 Washington Avenue, Kansas City, Mo. Applicant's attorney: Lee Reeder, 1012 Baltimore Building, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged, disabled, repossessed or abandoned motor vehicles with transportation of replacement motor vehicles to point of wreck, damage, or disablement; and wrecked, damaged or disabled trailers by the use of wrecking equipment only*, between points in Iowa, Kansas, Missouri, Nebraska, and Oklahoma, in non-radial, cross-hauling service. Applicant is authorized to conduct operations in Iowa, Kansas, Missouri, Nebraska, and Oklahoma. Previous publication inadvertently omitted the State of Missouri from the territory proposed to be served.

HEARING: June 4, 1958, at the Hotel Pickwick, Kansas City, Mo., before Examiner Gerald E. Colfer.

No. MC 116387 (Sub No. 12), filed March 14, 1958. Applicant: ALABAMA TANK LINES, INC., P. O. Box 38, Powderly Station, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid acids and chemicals, in bulk*, in tank vehicles, between McIntosh, Ala., and points within ten (10) miles thereof, on the one hand, and, on the other, points in Louisiana

and Mississippi. Applicant is authorized to conduct operations in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: June 23, 1958, at the Federal Office Building, 600 South Street, New Orleans, La., before Joint Board No. 165, or, if the Joint Board waives its right to participate, before Examiner Reece Harrison.

No. MC 116947 (Sub No. 2), filed March 24, 1958. Applicant HUGH H. SCOTT, doing business as SCOTT TRANSFER COMPANY, 5 Haynes Street SW., Atlanta, Ga. Applicant's attorney: R. J. Reynolds, Jr., 1403 Citizens & Southern National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated store fixtures*, from Atlanta, Ga., to points in Alabama, Arkansas, California, Colorado, Florida, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, New Mexico, Nevada, North Carolina, Ohio, Oklahoma, Oregon, South Carolina, Tennessee, Texas, Virginia, and Washington, and *damaged or rejected shipments of uncrated store fixtures on return*.

HEARING: June 6, 1958, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner Richard H. Roberts.

No. MC 117162, filed February 4, 1958. Applicant: FOREIGN AUTO TRANSPORT, LTD., a Corporation, 222 North Osage, Independence, Mo. Applicant's attorneys: John R. Miller, Suite 928 Dwight Building, Kansas City, Mo., and James F. Miller, 500 Board of Trade Building, Kansas City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles, including passenger automobiles and busses, and parts and equipment for motor vehicles*, from Houston, Tex., to all points in Oklahoma, Kansas, Missouri, and Colorado; and *damaged, rejected or refused motor vehicles and parts and equipment for motor vehicles, and empty containers or other such incidental facilities, not specified*, used in transporting parts and equipment for motor vehicles, on return. RESTRICTION: Applied-for authority to be limited to transportation of the commodities specified which are manufactured outside the continental limits of the United States.

HEARING: June 19, 1958, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Reece Harrison.

No. MC 117175, filed February 10, 1958. Applicant: SCHWERMAN TRUCKING CO. OF TEXAS, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: Adolph E. Solle, 715 First Nat'l Bank Building, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cement and mortar*, from Dallas and Houston, Tex., to points in Arkansas, Louisiana, and Oklahoma.

HEARING: June 6, 1958, at the Baker Hotel, Dallas, Tex., before Examiner Reece Harrison.

No. MC 117203, filed February 24, 1958. Applicant: HERMAN LORENZ, doing

business as **NORTHBROOK GARAGE**, 1891 Shermer, Northbrook, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked or disabled motor vehicles*, from points in Illinois to points in Wisconsin.

Note: Applicant states that he will transport the vehicles specified above for members of the Motor Vehicle and Affiliated Truck Owners Association, and to render emergency repair services required, predicated upon site of wreck or breakdown.

HEARING: June 6, 1958, in Room 852, U. S. Custom House, 610 South Canal Street, Chicago, Ill., before Joint Board No. 13, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 117206, filed February 26, 1958. Applicant: **NATIONAL TRUCKING COMPANY**, a Corporation, 709 Talleyrand Avenue, Jacksonville, Fla. Applicant's attorney: Martin Sack, 500 Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles, new trucks, new chassis, and automobile and truck parts*, in initial movements, in truckaway and driveway service, from points of manufacture and assembly in Jacksonville, Fla., to points in Florida, and that part of Georgia on and south of U. S. Highway 78; *Automobiles, trucks, and chassis*, new, used, or unfinished, in secondary or subsequent movements, in truckaway and driveway service, between Jacksonville, Fla., and points in Florida and that part of Georgia on and south of U. S. Highway 78; *Automobiles, trucks, and chassis*, new or unfinished, in secondary movements, in truckaway and driveway service, between Ridgeland, S. C., on the one hand, and, on the other, points in Florida and that part of Georgia on and south of U. S. Highway 78; *Automobiles, trucks, chassis, and automobile and truck parts* when moving with new automobiles, trucks, or chassis, in initial movements, in truckaway and driveway service, from Hapeville, Ga., to points in Florida; and *Automobiles, trucks, chassis, and automobile and truck parts* when moving with new automobiles, trucks, or chassis, in secondary movements, in truckaway and driveway service, from Savannah, Ga., and Sanford, Fla., to points in that part of Georgia in and south of Seminole, Decatur, Mitchell, Worth, Turner, Ben Hill, Telfair, Wheeler, Treutlen, Candler, Bullock, and Screven Counties, Ga.

Note: Applicant is authorized to conduct contract carrier operations in Permit No. MC 2903 and Subs thereunder. It has filed an appropriate application with this Commission for a determination of its status as a common or contract carrier, under section 212 (c) of the act, which was assigned Docket No. MC 2903 (Sub No. 8). The purpose of the instant application (MC 117206) is to convert applicant's status from contract carrier to common carrier.

HEARING: May 14, 1958, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 354, or, if the Joint Board waives its right to participate, before Examiner Harold W. Angle.

No. MC 117219, filed March 3, 1958. Applicant: **GERALD DEAN SQUIER**, 521 Maple Street, Osage, Iowa. Applicant's attorney: Joseph B. Casey, Home Trust & Savings Bank Building, Osage, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over a regular route transporting: *Liquid animal blood*, in bulk, in tank vehicles, from Austin, Minn., to Osage, Iowa, from Austin over U. S. Highway 218 to Osage, serving no intermediate points, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity on return.

Note: Applicant states he proposes to pick up the liquid animal blood at the plant of George A. Hormel & Co., Austin, Minn., and to transport it by bulk tank to the spray drying plant of Pacific Adhesives Co., Inc., at Osage, Iowa.

HEARING: May 29, 1958, at the Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 146, or, if the Joint Board waives its right to participate, before Examiner Allen W. Hagerty.

No. MC 117222, filed March 4, 1958. Applicant: **DAVID J. PRUDEN**, 3111 Madison Street, Little Rock, Ark. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick, tile, and other clay products; chemicals*, in sacks and in bulk, used in the manufacture of brick; and *equipment and machinery, and parts therefor, used in the manufacture of brick and tile*, between points in Arkansas, on the one hand, and, on the other, points in Oklahoma, Texas, Louisiana, Missouri, Ohio, Indiana, Kansas, Tennessee, Mississippi, Illinois, and Kentucky.

HEARING: June 26, 1958, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Reece Harrison.

No. MC 117266, filed March 17, 1958. Applicant: **GRAY & SON TRUCK LINES, INC.**, 1918 North Eighth Street, P. O. Box 786, Paducah, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lamps and shades, and parts and supplies used in the making of the lamps and shades*, between Arlington, Ky., on the one hand, and, on the other, points in Kentucky, Illinois, Indiana, Michigan, Ohio, Tennessee, Mississippi, Wisconsin, Louisiana, Georgia, Alabama, and Arkansas.

HEARING: May 28, 1958, at the Kentucky Hotel, Louisville, Ky., before Examiner Alfred B. Hurley.

No. MC 117266 (Sub No. 1), filed March 17, 1958. Applicant: **GRAY & SON TRUCK LINES, INC.**, 1918 North Eighth Street, P. O. Box 786, Paducah, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Paducah, Ky., and points in McCracken, Marshall, and Calhoun Counties, Ky., and Cairo, Ill., on

the one hand, and, on the other, points in Kentucky on U. S. Highway 51 between junction U. S. Highways 60 and 51 near Wickliffe, Ky., and junction Kentucky Highway 94, all points on Kentucky Highway 94 between the Mississippi River and Murray, Ky., points on U. S. Highway 45 between Paducah, Ky., and Fulton, Ky., excluding Mayfield and Fulton, Ky., points on Kentucky Highway 97 between Mayfield, Ky., and junction Kentucky Highway 94, points on Kentucky Highway 121 between Mayfield, Ky., and junction Kentucky Highway 94, points on Kentucky Highway 58 between Mayfield, Ky., and Benton, Ky., and those on Kentucky Highway 80 between Mayfield, Ky., and junction Kentucky Highway 94.

HEARING: May 28, 1958, at the Kentucky Hotel, Louisville, Ky., before Joint Board No. 156, or, if the Joint Board waives its right to participate, before Examiner Alfred B. Hurley.

No. MC 117323, filed April 7, 1958. Applicant: **A. N. EDDINS AND I. T. EDDINS**, A Partnership, doing business as **EDDINS LIVESTOCK DEALERS**, Stanardsville, Va. Applicant's attorney: David F. Berry, Stanardsville, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from Baltimore, Md., to Stanardsville, Va., and points within 15 miles of Stanardsville.

HEARING: June 5, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 68.

No. MC 117326 (Sub No. 1), filed April 11, 1958. Applicant: **W. EDWIN MOSER**, Route No. 2, Boonsboro, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Burned lime*, in bulk, in spreader vehicles, from Blair and Martinsburg (Berkeley County), W. Va., to points in Washington and Frederick Counties, Md.

HEARING: May 23, 1958, at the Offices of the Interstate Commerce Commission, Washington, D. C., before Joint Board No. 113.

No. MC 117337, filed April 14, 1958. Applicant: **HOWARD M. NELSON**, doing business as **NELSON TRUCKING SERVICE**, Jefferson, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Livestock and poultry watering and feeding troughs, feeders, tanks, pans and tank heaters*, from Jefferson, Iowa, to points in Illinois on and north of a line beginning at U. S. Highway 40 at the Illinois-Missouri State line and extending along U. S. Highway 40 to Vandalia, thence on and west along U. S. Highway 51 to the Illinois-Wisconsin State line; points in Minnesota on and south of U. S. Highway 212; points in Missouri on and north of U. S. Highway 50; points in Nebraska on and east of U. S. Highway 281; and points in South Dakota on and south of a line beginning at U. S. Highway 14 at the South Dakota-Minnesota State line and extending along U. S. Highway 14

to junction U. S. Highway 281, and thence on and east of a line extending along U. S. Highway 281 to the South Dakota-Nebraska State line.

HEARING: May 29, 1958, at the Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Allen W. Hagerty.

MOTOR CARRIERS OF PASSENGERS

No. MC 117324, filed April 7, 1958. Applicant: FORT DODGE TRANSPORTATION COMPANY, a Corporation, 425 First Avenue North, Fort Dodge, Iowa. Applicant's attorney: Homer E. Bradshaw, Suite 510 Central National Building, Des Moines 9, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations, beginning and ending at Fort Dodge, Iowa, and points within fifty (50) miles of Fort Dodge, and extending to points in Minnesota, Wisconsin, Illinois, Nebraska, Missouri, Arkansas, Colorado, California, New York, Louisiana, South Dakota, and the District of Columbia.

HEARING: June 2, 1958, at the Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Allen W. Hagerty.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 29886 (Sub No. 115) filed April 9, 1958. Applicant: DALLAS & MAVIS FORWARDING CO., INC., 4000 West Sample Street, South Bend, Ind. Applicant's attorney: Charles Pieroni, 523 Johnson Building, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Freight carrying trailers, trailer and truck bodies, dollies with and without bodies, set up or knocked down, from the site of the plant of Willys Motor, Inc., in Toledo, Ohio, to points in Arizona, California, Colorado, Iowa, Idaho, Maine, Maryland, Minnesota, Montana, New Hampshire, Nevada, North Dakota, New Mexico, Nebraska, Oregon, South Dakota, Utah, Virginia, Vermont, Washington, West Virginia, and Wyoming.* Applicant is authorized to conduct operations throughout the United States.

No. MC 30319 (Sub No. 93), filed April 14, 1958. Applicant: SOUTHERN PACIFIC TRANSPORT COMPANY, 810 North San Jacinto Street, P. O. Box 4054, Houston, Tex. Applicant's attorney: Edwin N. Bell, Esperson Building, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between Oak Hill, Tex., and Llano, Tex., from Oak Hill over Texas Highway 71 to junction of U. S. Highway 281, thence over U. S. Highway 281 to Marble Falls, thence return over U. S. Highway 281 to junction of Texas Highway 71, thence over Texas Highway 71 to Llano, and return over the same route, serving no intermediate*

points, as an alternate route for operating convenience only. Applicant is authorized to conduct operations in Texas.

NOTE: Dual operations or common control may be involved. Applicant states that it does not seek to serve any intermediate points between Oak Hill and Llano, except Marble Falls, which point it is presently authorized to serve in connection with its regular route operations.

No. MC 61403 (Sub No. 28), filed April 14, 1958. Applicant: ROBINSON TRANSFER MOTOR LINES, INC., Wilcox Drive, Kingsport, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitric acid*, in bulk, in tank vehicles, from Mineral Springs, Ala., to points in Tennessee on and east of U. S. Highway 431. Applicant is authorized to conduct operations in Tennessee, North Carolina, South Carolina, Virginia, West Virginia, Georgia, Kentucky, Indiana, Illinois, Louisiana, Mississippi, New Hampshire, Rhode Island, Vermont, Arkansas, Ohio, District of Columbia, Florida, Michigan, Missouri, New Jersey, Maryland, New York, Delaware, Pennsylvania, Alabama, Texas, Connecticut, Maine, Massachusetts, Minnesota, and Wisconsin.

No. MC 102608 (Sub No. 11), filed March 31, 1958. Applicant: BURLINGTON-CHICAGO CARTAGE, INC., 604 Tremont Street, Kewanee, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, transporting: *General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, serving the new plant-site location of the Caterpillar Tractor Co., located on Illinois Highway 29, approximately six and one-half (6½) miles north of Peoria, Ill. (north of Moxville, Ill.), and south of Chillicothe, Ill., as an off-route point in connection with applicant's authorized regular route operations.* Applicant is authorized to conduct operations in Illinois, Iowa, and Nebraska.

No. MC 114004 (Sub No. 18), (Amendment) published issue of April 2, 1958, at Page 2165, filed March 14, 1958. Applicant: ARKANSAS TRUCKING CO., INC., P. O. Box 1715, 8828 New Benton Highway, Little Rock, Ark. Applicant's attorney: Ed. E. Ashbaugh, 902 Wallace Building, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Prefabricated buildings, knocked down, from Camden, Ark., and points within 25 miles thereof to points in the United States including District of Columbia and damaged or refused panels and material, and materials used in said buildings on return.* Applicant is authorized to conduct operations throughout the United States.

NOTE: Verified statements filed in support of the application indicate a need for service in the transportation of panels, prefabricated buildings, and panelled homes.

No. MC 114194 (Sub No. 8), filed April 10, 1958. Applicant: KREIDER TRUCK SERVICE, INC., 8003 Collinsville Road, East St. Louis, Ill. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Used wooden pallets, skids, boxes, and wood sawdust, chips, and shavings, packaged and in bulk, from St. Louis, Mo., and Collinsville, Ill., to points in Illinois, Indiana, Ohio, Michigan, Wisconsin, Missouri, Iowa, and Minnesota, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified in this application on return.* Applicant is authorized to conduct operations in Illinois, Indiana, Missouri, Ohio, and Tennessee.

No. MC 114958 (Sub No. 1), filed April 14, 1958. Applicant: GEORGE H. BROWN, doing business as OCEANWAY TRANSPORT, P. O. Box 747, Route No. 1, Florence, Ore. Applicant's attorney: Earle V. White, 1401 Northwest 19th Avenue, Portland 9, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in those portions of Lincoln, Lane, and Douglas Counties, Ore., located west of a line running north and south through the post office site at Greenleaf, Ore., to points on Coos Bay, Ore. Applicant is authorized to transport lumber in Oregon.

No. MC 115360 (Sub No. 1), filed April 11, 1958. Applicant: JOHN W. BOLTON, 35 Aronold Street, Westfield, Mass. Applicant's attorney: Arthur M. Marshall, 145 State Street, Springfield 3, Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gases*, in containers, and *equipment and supplies* required for the installation of appliances using liquefied petroleum gases, from Westfield, Mass., to Bristol, Thomaston, and Wallingford, Conn., Bellows Falls and Norwich, Vt. and *empty steel containers* used in transporting liquefied petroleum gases on return. Applicant is authorized to conduct operations in Massachusetts and New York.

No. MC 115904 (Sub No. 2), filed April 14, 1958. Applicant: LOUIS GROVER, Route 5, West Broadway, Idaho Falls, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Asphalt, roofing materials or tar* in containers, from the site of the Plant of Husky Refining Co., approximately 4 miles north of Cody, Wyo., to points in Idaho south and east of the Salmon River; (2) *Pumice, cinder or cement building blocks*, from points in Bonneville County, Idaho to points in Montana and Wyoming, except points in Teton County, Wyo. Applicant is authorized to conduct operations in Montana, Idaho, and Utah.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub No. 235), filed April 22, 1958. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, a Corporation, 180 Boyden Avenue, Maplewood, N. J. Applicant's attorney: Richard Fryling, Law Department, 180 Boyden Avenue, Maplewood, N. J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and*

their baggage in the same vehicle with passengers, in round-trip special operations during the racing seasons, (1) beginning and ending at Paterson, Clifton and Passaic, N. J., and extending to Aqueduct Race Track, New York, N. Y., Belmont Race Track, Elmont, N. Y., Jamaica Race Track, New York, N. Y., Roosevelt Raceway, Westbury, N. Y., Delaware Park Race Track, Stanton, Del., Pimlico Race Track, Baltimore, Md., Laurel Race Track, Laurel, Md., and Bowie Race Track, Bowie, Md., and (2) beginning and ending at Clifton and Passaic, N. J., and extending to the Yonkers Raceway, Yonkers, N. Y. Applicant is authorized to conduct operations in Delaware, Connecticut, Maryland, Maine, Massachusetts, New Hampshire, Rhode Island, Vermont, New Jersey, New York, Pennsylvania, Virginia, and the District of Columbia.

PETITION

No. MC 116365, APPLICANT'S PETITION dated February 25, 1958 FOR REOPENING, RECONSIDERATION AND MODIFICATION OF CERTIFICATE, DEPENDABLE FREIGHT LINES, INC. OF BURLINGTON, 4501 North Howard Street, Philadelphia 40, Pa. Applicant's representative: Jacob Polin, P. O. Box 317, Bala-Cynwyd, Pa. Petitioner requests waiver of Rule 101 (e) of the Commission's general rules of practice and permission to file petition for modification of its certificate No. MC 116365 dated February 14, 1958. Petitioner is the eighth successor-in-interest to the original "grandfather" applicant, Flavio Vannozi (deceased) in No. MC 41134 who was granted a certificate dated July 29, 1941 authorizing the transportation of general commodities except household goods as defined by the Commission, dangerous explosives and other dangerous articles, etc. Petitioner states that the exceptions were modified, as set forth in the general commodity authority contained in Vannozi's application; that a group of exceptions was adopted beyond the scope of the application and contrary to proof submitted. Petitioner contends that the general commodity description in the "grandfather" application excepted "explosives" but by not listing "other dangerous articles" Vannozi held himself out to transport any dangerous article not of an explosive nature. Therefore, petitioner requests leave to file the instant petition, and seeks to modify the general commodity rights involved herein by excluding the phrase "and other dangerous articles" from the exceptions thereto.

No. MC 103362 (Sub No. 4), SUPPLEMENT. Applicant: SUPERIOR CARRIERS, INC., Berkshire Valley Road, Kenil, New Jersey. Applicant's attorney: John T. Hildemann, P. O. Box 457, Woodbridge, New Jersey. Carrier filed an application, under section 212 (c) of the Interstate Commerce Act, for a determination of its status pertaining to contract carrier authority issued on or before August 23, 1957. On April 10, 1958, the carrier requested dismissal of the application, and an order was entered on April 21, 1958, effective June 4,

1958, dismissing the application and discontinuing the proceeding.

APPLICATION FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5, GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE

MOTOR CARRIER OF PROPERTY

No. MC 98404 (Sub No. 3), filed April 22, 1958. Applicant: JAMES C. COPE, doing business as COPE TRUCKING COMPANY, 53 Garfield Street, Asheville, N. C. Applicant's attorney: Francis W. McInerney, 1625 K Street NW., Washington 6, D. C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: General commodities, except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment, between points in North Carolina as follows:

(1) From Murphy over U. S. Highway 19 to Asheville, serving Murphy, Andrews, Topton, Bryson City, Cherokee, Maggie, Waynesville, Lake Junaluska, Clyde, Canton, Enka, and Asheville; (2) from Cherokee to the North Carolina-Tennessee State line over N. C. Highway 107; (3) from Lauada to Franklin over N. C. Highway 28; (4) from Lake Junaluska over U. S. Highway 23 and 19-A to Waynesville, Hazelwood, Sylva, Dillsboro, and Franklin; (5) from Sylva to Whittier via U. S. Highway 19-A, including Dillsboro and Ela; (6) from Franklin over U. S. Highway 64 to Hayesville and Murphy; (7) from Topton over U. S. Highway 129 to Robbinsville and Tapoco and the North Carolina-Tennessee State line, and over an unnumbered highway to Fontana Village; (8) from Bryson City over U. S. Highway 19 to Lauada; thence over U. S. Highway 19 to junction with N. C. Highway 28 leading to Stecoah, thence over N. C. Highway 28 to Stecoah, thence over unnumbered paved highway to Fontana Village; and return, serving all intermediate points; (9) from Asheville over U. S. Highway 23 via Weaverly, Stockville, and Swiss to Ramsaytown; from intersection of U. S. Highway 23 and N. C. Highway 36-A southeast of Mars Hill, over N. C. Highway 36-A, to Mars Hill; thence northeast over N. C. Highway 213 to the intersection of U. S. Highway 23; (10) from the intersection of U. S. Highway 23 and U. S. Highway 19-E over U. S. Highway 19-E via Burnsville, Micaville, Spruce Pine, Ingalls, Plumtree, and Cranberry to Elk Park; from Burnsville over N. C. Highway 197 to Pensacola; from Micaville over N. C. Highway 80 to Celso; (11) from the intersection of U. S. Highway 19-E and N. C. Highway 197, west of Burnsville, over N. C. Highway 197 via Day Book and Green Mountain to Red Hill; thence over N. C. Highway 26 via Bakersville and Spruce Pine to the intersection of N. C. Highway 26-A, thence over N. C. Highway 26-A to Little Switzerland; from Day Book over an unnumbered road to Ramsaytown on U. S. Highway 23; (12) from Ingalls over N. C. Highway 194 via Crossnore, Newland, and Banner Elk to Vilas, thence over U. S. Highway 421 to Boone; thence over U. S. Highways 321

and 221 to Blowing Rock; from Newland over N. C. Highway 181 to Linville, thence over U. S. Highway 221 via Pineola to the junction of N. C. Highway 194.

OFF-ROUTE OPERATION from N. C. Highway 194 over N. C. Highway 26 to Sevier to Woodlawn over U. S. Highway 221 and from Woodlawn over U. S. Highway 221 north by Ashford to the intersection of U. S. Highway 221 and N. C. Highway 194; (13) from Marshall to Hot Springs via Walnut, on and over U. S. Highway 25-70, serving Barnard as an off-route point; (14) from Asheville to Marshall over U. S. Highways 25 and 70 via Alexander, and alternate route from Asheville to Marshall over N. C. Highway 191 via Woodfin and Elk Mountain to junction with U. S. Highways 25 and 70 one mile south of Alexander, thence U. S. Highway 25 and 70 to Marshall; (15) from Morganton to Newland over N. C. Highway 181. From Morganton to Marion over U. S. Highway 70; (16) from Marion to Pineola over U. S. Highway 221. From Woodlawn to the N. C.-Tenn. State line over N. C. Highway 26. From the intersection of N. C. Highway 26 and N. C. Highway 80 over N. C. Highway 80 to its intersection with U. S. Highway 19-E; (17) from the N. C.-Tenn. State line to the N. C.-Tenn. State line, viz: From the N. C.-Tenn. State line at a point 15 miles south of Erwin, Tenn., over U. S. Highway 19-W to King River, thence over U. S. Highway 19-E to the N. C.-Tenn. State line at a point 3 miles northwest of Elk Park. From Pensacola to Red Hill over N. C. Highway 197; (18) from Ingalls to Banner Elk over N. C. Highway 194. Return over the same routes serving all intermediate points; (19) between Waynesville, N. C., and Cruso, N. C., over U. S. Highway 276 serving all intermediate points; and between Canton, N. C., and intersection N. C. Highway 110 and U. S. Highway 276, over N. C. Highway 110, serving all intermediate points, and return over the same routes.

IRREGULAR ROUTES: Between points within 50 miles of Asheville, N. C., including Asheville, on the one hand, and, on the other, points in North Carolina on and west of U. S. Highway 1; caustic soda, from points within a 50-mile radius of Asheville, N. C., including Asheville, to Plymouth, New Bern, and Fayetteville, N. C.

NOTE: By this application, directly related to No. MC-F 6891, published this issue, applicant seeks a Certificate of Public Convenience and Necessity authorizing continuance of interstate operations conducted under the second proviso of section 206 (a) (1) of the Interstate Commerce Act, in lieu of intrastate certificate on file with this Commission.

APPLICATIONS UNDER SECTIONS 5 AND 210a (b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carrier of property or passengers under section 5 (a) and 210a (b) of the Interstate Commerce Act and certain other procedural matters with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F 6890. Authority sought for purchase by SANDERS TRUCK LINE, INC., 301 Forster, Farmington, Mo., of the operating rights of C. D. BENTON AND L. G. BENTON, (C. D. BENTON, EXECUTOR), doing business as SANDERS TRUCK LINES, 301 Forster, Farmington, Mo., and for acquisition by C. D. BENTON AND L. G. BENTON (C. D. BENTON, EXECUTOR), also of Farmington, of control of such rights through the purchase. Applicants' attorney: J. Richard Roberts, Farmers Bank Building, Farmington, Mo. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Fredericktown, Mo., and East St. Louis, Ill., serving certain intermediate and off-route points; *livestock*, from Farmington, Mo., to East St. Louis, Ill., serving no intermediate points. Vendee holds no authority from this Commission, but is affiliated with UNITED VAN LINES, INC., of St. Louis, Mo., which is authorized to operate as a *common carrier* in all States in the United States and the District of Columbia. Application has not been filed for temporary authority under section 210a (b).

No. MC-F 6891. Authority sought for purchase by JAMES C. COPE, doing business as COPE TRUCKING COMPANY, Bryson City, N. C., of the operating rights and property of R. FRANK BUCKNER, doing business as BUCKNER TRANSFER COMPANY, 33 Garfield Street, Asheville, N. C. Applicants' attorney: Albert Edward May, 1625 K Street NW., Washington 6, D. C. Operating rights sought to be transferred: *General commodities*, with certain exceptions including household goods and commodities in bulk, as a *common carrier* over regular routes between Asheville, N. C., and Ramsaytown, N. C., between Marshall, N. C., and junction North Carolina Highway 213 and U. S. Highway 23, between Elk Park, N. C., and junction U. S. Highways 19 (formerly U. S. Highway 23) and 19E, between Red Hill, N. C., and Pensacola, N. C., between Micaville, N. C., and Celo, N. C., between Red Hill, N. C., and Little Switzerland, N. C., between Ramsaytown, N. C., and Day Book, N. C., between Ingalls, N. C., and Vilas, N. C., between Zionville, N. C., and Deep Gap, N. C., between Newland, N. C., and Pineola, N. C., and between Burnsville, N. C., and Johnson City, Tenn., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in the State of North Carolina under the Second Proviso of section 206 (a) (1) of the Interstate Commerce Act. Application has been filed for temporary authority under section 210a (b).

NOTE: No. MC 98404 Sub 3 is a matter directly related.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-3186; Filed, Apr. 29, 1958;
8:46 a. m.]

[Notice 33]

MOTOR CARRIER ALTERNATE ROUTE
DEVIATION NOTICES

APRIL 25, 1958.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with no service at intermediate points have been filed with the Interstate Commerce Commission, under the Commission's Deviation Rules Revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1 (d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1 (e)) at any time but will not operate to stay commencement of the proposed operation unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's Deviation Rules Revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC-3598 (Deviation No. 2). WOOSTER EXPRESS, INC., 2939 Main Street, Hartford, Conn., filed April 16, 1958. Attorney for said carrier, Louis B. Warren, 410 Asylum Street, Hartford 3, Conn. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Eastern Terminus of the Massachusetts Turnpike at or near Weston, Mass. (Interchange No. 14) and Interchange No. 3 of the said Turnpike in the Town of Westfield, Mass., as follows: From the Eastern Terminus of the Massachusetts Turnpike over the Massachusetts Turnpike and access routes to Interchange No. 3 of the said Turnpike and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: From Northampton, Mass., over U. S. Highway 5 to New Haven, Conn., thence over U. S. Highway 1 to Newark, N. J.; from Northampton over U. S. Highway 5 to Springfield, Mass., thence over Alternate U. S. Highway 5 to Hartford, Conn., thence over Connecticut Highway 9 to Middletown, Conn., thence over Connecticut Highway 15 to New Haven, Conn., and thence over U. S. Highway 1 to Newark; from Northampton to Hartford as specified above, thence over U. S. Highway 6 to Thomaston, Conn., thence over Connecticut Highway 8 to Stratford, Conn., and thence over U. S. Highway 1 to Newark; from Southbridge, Mass., over Massachusetts Highway 131 to Sturbridge, Mass., thence over Massachusetts Highway 15 to the Massachusetts-Connecticut State line, and thence over Connecticut Highway 15 to Hartford, Conn.; from Boston, Mass., over U. S. Highway 20 to Springfield, Mass.; from

Northampton over Massachusetts Highway 10 to the Massachusetts-Connecticut State line, thence over Connecticut Highway 10 to New Haven; from Boston over U. S. Highway 20 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Northampton; and from Boston over U. S. Highway 20 to Marlboro, Mass., thence over Massachusetts Highway 85 to junction Massachusetts Highway 16 at a point approximately two miles east of Milford, Mass., thence over Massachusetts Highway 16 to Douglas, Mass., thence over unnumbered highway to junction Massachusetts Highway 197 at a point approximately two miles northeast of Webster, Mass., thence over Massachusetts Highway 197 to junction Massachusetts Highway 131, and thence over Massachusetts Highway 131 to Southbridge, Mass.; and return over the same routes.

No. MC-3598 (Deviation No. 3). WOOSTER EXPRESS, INC., 2939 Main Street, Hartford, Conn., filed April 21, 1958. Attorney for said carrier, Louis B. Warren, 410 Asylum Street, Hartford 3, Conn. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Boston, Mass., and the junction of U. S. Highway 20 and Massachusetts Highway 9 east of Worcester, Mass., as follows: From Boston over Massachusetts Highway 9 to junction U. S. Highway 20 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: From Boston, Mass., over U. S. Highway 20 to Springfield, Mass.; and from Boston over U. S. Highway 20 to junction Massachusetts Highway 9, thence over Massachusetts Highway 9 to Northampton, Mass.; and return over the same routes.

No. MC-9876 (Deviation No. 2). THE NATIONAL TRANSPORTATION COMPANY, 251 State Street, Extension, Bridgeport 5, Conn., filed April 17, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route between the Eastern Terminus of the Massachusetts Turnpike at Weston, Mass., and East Lee, Mass., as follows: From the Eastern Terminus of the Massachusetts Turnpike over the Massachusetts Turnpike and access routes to East Lee, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: from Springfield, Mass., over U. S. Highway 20 to Albany, N. Y., thence over New York Highway 5 to Schenectady, N. Y.; from Greenfield, Mass., over Massachusetts Highway 2 to junction unnumbered highway (formerly Massachusetts Highway 2) near Westminster, Mass., thence over unnumbered highway to junction Massachusetts Highway 31 (formerly Massachusetts Highway 2), thence over Massachusetts Highway 31 to Fitchburg,

Mass., thence over Massachusetts Highway 2A (formerly Massachusetts Highway 2) to junction Massachusetts Highway 2 near East Acton, Mass., thence over Massachusetts Highway 2 to Boston, Mass.; and return over the same routes.

No. MC-9876 (Deviation No. 3), THE NATIONAL TRANSPORTATION COMPANY, 251 State Street, Extension, Bridgeport 5, Conn., filed April 17, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between the Eastern Terminus of the Trenton Freeway in Trenton, N. J., and the Western Terminus of said Freeway in Morrisville, Pa., as follows: From the Eastern Terminus of the Trenton Freeway over the Trenton Freeway to the Western Terminus, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over the following pertinent routes: From New Freedom, Pa., over Pennsylvania Highway 516 to junction U. S. Highway 111, thence over U. S. Highway 111 to York, Pa., thence over U. S. Highway 30 to Philadelphia, Pa., and thence over U. S. Highway 1 to junction U. S. Highway 9; and from junction Pennsylvania Highway 516 and U. S. Highway 111 over U. S. Highway 111 to Baltimore, Md., thence over U. S. Highway 40 to New Castle, Del., thence by ferry across the Delaware River to Pennsville, N. J., thence over U. S. Highway 130 to junction U. S. Highway 1 thence over U. S. Highway 1 to junction U. S. Highway 9; and return over the same routes.

No. MC-40858 (Deviation No. 1), THE SILVER FLEET MOTOR EXPRESS, INC., 216 Pearl Street, Louisville 2, Ky., filed April 17, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route between Nashville, Tenn., and Birmingham, Ala., as follows: From Nashville over U. S. Highway 31A to Lewisburg, Tenn., thence over U. S. Highway 431 to Fayetteville, Tenn., thence over U. S. Highway 231 to junction Alabama Highway 79 near Cleveland, Ala., thence over Alabama Highway 79 to Birmingham, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Nashville, Tenn., and Birmingham, Ala., over U. S. Highway 31.

No. MC-74721 (Deviation No. 2), MOTOR CARGO, INC., 1540 West Market Street, Akron 13, Ohio, filed April 21, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over two deviation routes, (A) between junction U. S. Highway 66 and unnumbered highway (approximately 4 miles south of White City, Ill.), and junction U. S. Highway 66 and Illinois Highway 4, as follows: From junction U. S. Highway 66 and unnumbered highway over U. S. Highway 66 to junction

Illinois Highway 4; and (B) between junction U. S. Highway 66 and Illinois Highway 4 (approximately 2 miles north of Hamel, Ill.), and St. Louis, Mo., as follows: From Junction U. S. Highway 66 and Illinois Highway 4 over U. S. Highway 66 to St. Louis, Mo.; and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between St. Louis, Mo., and Onarga, Ill., over the following pertinent route: From St. Louis over City U. S. Highway 66 to junction U. S. Highway 66, thence over U. S. Highway 66 to junction Illinois Highway 4, approximately two miles north of Hamel, Ill., thence over Illinois Highway 4 to Staunton, Ill., thence over unnumbered highway to junction U. S. Highway 66, south of Mount Olive, Ill., thence over U. S. Highway 66 to junction Illinois Highway 48, thence over Illinois Highway 48 to Fullerton, Ill., and thence over U. S. Highway 54 to Onarga.

No. MC-76032 (Deviation No. 2), NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo., filed April 18, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Chicago, Ill., and South Bend, Ind., as follows: From Chicago over Indiana East-West Toll Road using all interchange points to and from said Toll Road within the Chicago Commercial Zone as defined by this Commission, to the point of interchange with U. S. Highway 31, thence over U. S. Highway 31 to South Bend and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Chicago, Ill., and South Bend, Ind., over the following pertinent routes: from Chicago over U. S. Highway 41 to junction U. S. Highway 30, thence over U. S. Highway 30 to Valparaiso, Ind., thence over Indiana Highway 2 to South Bend (also from Chicago over U. S. Highway 20 to Elkhart, Ind.).

No. MC-105225 (Deviation No. 2), SERVICE, INCORPORATED, 617 Waughtown Street, P. O. Box 213, Winston-Salem, N. C., filed April 21, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Strasburg, Va., and junction U. S. Highway 340 and Virginia Highway 277, as follows: From Strasburg over Virginia Highway 55 to junction U. S. Highway 340, thence over U. S. Highway 340 to junction Virginia Highway 277 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Strasburg, Va., and junction Virginia Highway 277 and U. S. Highway 50 near Boyce, Va., over the following pertinent route: from Strasburg over U. S. Highway 11 to junction

tion Virginia Highway 277 at Stephens City, Va., thence over Virginia Highway 277 to junction U. S. Highway 50.

No. MC-106977 (Deviation No. 2), T. S. C. MOTOR FREIGHT LINES, INC., 400 Pinckney Street, P. O. Box 2625, Houston 1, Tex., filed April 22, 1958. Carrier proposes to operate as a *common carrier* by motor vehicle of *general commodities*, with certain exceptions, over a deviation route, between Houston, Tex., and Virginia Point, Tex., as follows: From Houston over U. S. Highway 75 to Virginia Point and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities between Houston, Tex., and Virginia Point, Tex., over Texas Highway 3.

MOTOR CARRIERS OF PASSENGERS

No. MC-13300 (Deviation No. 2), CAROLINA COACH COMPANY, 1201 South Blount Street, P. O. Box 1591, Raleigh, N. C., filed April 18, 1958. Attorney for said carrier, Robert E. Quirk, Investment Building, Washington 5, D. C. Carrier proposes to operate as a *common carrier* by motor vehicle of *passengers*, over a deviation route, between Richmond, Va., and Petersburg, Va., as follows: from Richmond over the new Richmond-Petersburg Turnpike and access routes to Petersburg and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers between Richmond, Va., and Petersburg, Va., over combined U. S. Highways 1 and 301.

No. MC-13300 (Deviation No. 3), CAROLINA COACH COMPANY, P. O. Box 1591, Raleigh, N. C., filed April 21, 1958. Attorney for said carrier, Robert E. Quirk, Investment Building, Washington 5, D. C. Carrier proposes to operate as a *common carrier* by motor vehicle of *passengers* over a deviation route, between Petersburg, Va., and junction U. S. Highways 1 and 401 approximately 6 miles north of Raleigh, N. C., as follows: From Petersburg over U. S. Highway 1 to its junction with U. S. Highway 401 and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers between Petersburg, Va., and the junction of U. S. Highways 1 and 401 approximately 6 miles north of Raleigh, N. C., over the following pertinent route: From Petersburg, over U. S. Highway 301 to Pleasant Hill, N. C., thence over North Carolina Highway 48 to Brinkleyville, N. C., thence over North Carolina Highway 561 to Louisburg, N. C., thence over U. S. Highway 401 to its junction with U. S. Highway 1.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58-3187; Filed, Apr. 29, 1958; 8:47 a. m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

APRIL 25, 1958.

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. 34625: *Anti-knock compound—Dowling, Tex., to Illinois points.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B7265), for interested rail carriers. Rates on motor fuel anti-knock compound, carloads from Dowling, Tex., to Lemont and Lockport, Ill.

Grounds for relief: Market competition with Baton Rouge, La.

Tariff: Supplement 454 to Southwestern Freight Bureau tariff I. C. C. 4139.

FSA No. 34626: *Cement and related articles—El Paso, Tex., to New Mexico.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7264), for interested rail carriers. Rates on cement and related articles, carloads, as described in the application from El Paso, Tex., to specified points in New Mexico.

Grounds for relief: Truck competition.

Tariff: Supplement 30 to Southwestern Freight Bureau, Agent, tariff I. C. C. 4186.

FSA No. 34627: *Caustic soda—Plaquemine, La., to Tennessee points.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7271), for interested rail carriers. Rates on caustic soda, in solution, tank-car loads from Plaquemine, La., to Boyce, Calhoun, Chattanooga, Lowland, and North Chattanooga, Tenn.

Grounds for relief: Market competition with Baton Rouge, La.

Tariff: Supplement 300 to Southwestern Freight Bureau, Agent, tariff I. C. C. 4087.

FSA No. 34628: *Fertilizer and materials from and to points in southern territory.* Filed by O. W. South, Jr., Agent (SFA No. A3650), for interested rail carriers. Rates on fertilizers and fertilizer materials, liquid, as described in the application, tank-car loads (a) between points in southern territory, also between points in southern territory, on the one hand, and Ohio and Mississippi River crossings and related points, and points in Virginia and West Virginia, on the other, and (b) from South Points, Ohio, to points in southern territory.

Grounds for relief: Short-line distance formula, grouping, and maintenance of rates including relief line arbitraries.

Tariffs: Supplement 51 to Southern Freight Association, Agent, tariff, I. C. C. 1267. Supplement 120 to Southern Freight Association, Agent, tariff, I. C. C. 1510.

FSA No. 34629: *Fertilizer and materials—South Point, Ohio, to southern points.* Filed by O. W. South, Jr., Agent (SFA No. A-3651), for interested rail carriers. Rates on fertilizers and fertilizer materials, carloads from South Point, Ohio, to specified points in Kentucky, North Carolina, Tennessee and Virginia.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 120 to Southern Freight Association, Agent, tariff I. C. C. 1510.

FSA No. 34630: *Rubber between points in official territory.* Filed by O. E. Schultz, Agent (ER No. 2435), for interested rail carriers. Rates on rubber (artificial, guale, natural, neoprene or synthetic), reclaimed, carloads, as described in the application between points in official territory, on the one hand, and points on the Chicago, Burlington and Quincy Railroad Company in Illinois territory, on the other.

Grounds for relief: Short-line distance formula and grouping.

Tariff: Supplement 71 to Traffic Executive Association—Eastern Railroads, Agent, tariff I. C. C. A-1059.

FSA No. 34631: *Bituminous fine coal to Rock Rapids, Iowa.* Filed by R. G. Raasch, Agent (I. F. A. No. 2), for interested rail carriers. Rates on bituminous fine coal, carloads from Mines in Illinois, Indiana, and western Kentucky to Rock Rapids, Iowa.

Grounds for relief: Gas competition.

Tariffs: Supplement 2 to Illinois Freight Association, Agent, tariff I. C. C. 890; supplement 16 to Southern Freight Association, Agent, tariff I. C. C. 1603, and supplements to individual lines tariffs listed in the application.

FSA No. 34632: *Vegetables from Alabama, Louisiana and Mississippi points.* Filed by O. W. South, Jr., Agent (SFA No. A3652), for interested rail carriers. Rates on vegetables, fresh or green (not cold-packed nor frozen), straight or mixed carloads from specified base points in Alabama, Louisiana (east of the Mississippi River), and Mississippi, and points grouped with and taking base point rates to specified points in southern territory.

Grounds for relief: Rate relationship formula, grouping, and competition with motor trucks.

Tariff: Supplement 26 to Southern Freight Association, Agent, tariff I. C. C. 1558.

FSA No. 34633: *Vegetables—Alabama, Mississippi, and Louisiana points to official territory.* Filed by O. W. South, Jr., Agent (SFA No. A3653), for interested rail carriers. Rates on vegetables, fresh or green (not cold-packed nor frozen), straight or mixed carloads from specified base points in Alabama, Louisiana (east of the Mississippi River), and Mississippi and points grouped with and taking base point rates to specified points in official (including Illinois territory).

Grounds for relief: Rate relationship formula, grouping, and competition with motor trucks.

Tariff: Supplement 55 to Southern Freight Association, Agent, tariff I. C. C. 1277.

FSA No. 34634: *Sand—Missouri points to Jamestown, N. Y.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7267), for interested rail carriers. Rates on sand, noibn, carloads, and sand, ground or pulverized, carloads from

North Jefferson and Jefferson City, Mo., to Jamestown, N. Y.

Grounds for relief: Modified short-line distance formula.

Tariff: Supplement 153 to Southwestern Lines Freight tariff I. C. C. 4135.

FSA No. 34635: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 319), for interested rail carriers. Rates on anhydrous ammonia, carloads, and other commodities described in the application, between points in Texas as described in the application.

Grounds for relief: Short-line distance formula, and Texas intrastate competition.

Tariff: Supplement 57 to Texas-Louisiana Freight Bureau, Agent, tariff I. C. C. 865.

FSA No. 34637: *Liquid caustic soda—Arkansas, Louisiana, and Texas, to Natchez, Miss.* Filed by Southwestern Freight Bureau, Agent (SWFB No. B-7273), for interested rail carriers. Rates on liquid caustic soda, tank-car loads from Arkansas, Louisiana, and Texas points named in the application to Natchez, Miss.

Grounds for relief: Market competition with Baton Rouge, La.

Tariffs: Supplement 301 to Southwestern Freight Bureau, Agent, tariff I. C. C. 4087 and two other schedules.

FSA No. 34638: *Cement—Hydrac, Kans., to southern, western, and eastern points.* Filed by Western Trunk Line Committee, Agent (No. A-1973), for interested rail carriers. Rates on cement, and related commodities, carloads from Hydrac, Kans., to specified points in southern, southwestern, official, and western trunk line territories.

Grounds for relief: Short-line distance formula.

Tariffs: Supplement 19 to Western Trunk Line Committee, Agent, tariff I. C. C. A-4137 and two other schedules.

FSA No. 34639: *Coal—Tennessee mines to South Carolina points.* Filed by O. W. South, Jr., Agent (SFA No. A3654), for interested rail carriers. Rates on coal, carloads from mines in Tennessee on the Louisville and Nashville Railroad in groups 1 and 2 to stations in South Carolina on the Columbia, Newberry and Laurens Railroad Company.

Grounds for relief: Maintenance of origin group relations with cross-country destinations on Southern Railway Company.

Tariff: Supplement 54 to Southern Freight Bureau tariff I. C. C. 1499.

AGGREGATE-OF-INTERMEDIATES

FSA No. 34636: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 318), for interested rail carriers. Rates on anhydrous ammonia, carloads, and other commodities, as described in the application, carloads between points in Texas as described in the application.

Grounds for relief: Maintenance of depressed rates established to meet intrastate competition not applicable in constructing combination rates from or to points beyond the named points in Texas.

Tariff: Supplement 57 to Texas-Louisiana Freight Bureau, Agent, tariff I. C. C. 865.

By the Commission.

(SEAL) HAROLD D. MCCOY,
Secretary.

[P. R. Doc. 58-3185; Filed, Apr. 29, 1958; 8:46 a. m.]

DEPARTMENT OF JUSTICE

Office of Alien Property

ANNETTE COHEN

NOTICE OF INTENTION TO RETURN VESTED PROPERTY

Pursuant to section 32 (f) of the Trading With the Enemy Act, as amended, notice is hereby given of intention to return, on or after 30 days from the date of publication hereof, the following property, subject to any increase or decrease resulting from the administration thereof prior to return, and after adequate provision for taxes and conservatory expenses:

Claimant, Claim No., Property, and Location

Annette Cohen nee Aleng; Antwerp, Belgium; \$16,280.55 in the Treasury of the United States; Vesting Orders Nos. 17913, 17947, 17950, 17914, 17945 and 17897; Claims Nos. 61803, 61804, 61805 and 61806.

Executed at Washington, D. C., on April 23, 1958.

For the Attorney General.

(SEAL) DALLAS S. TOWNSEND,
Assistant Attorney General,
Director, Office of Alien Property.

[P. R. Doc. 58-3194; Filed, Apr. 29, 1958; 8:48 a. m.]

DEPARTMENT OF LABOR

Wage and Hour Division

LEARNER EMPLOYMENT CERTIFICATES

ISSUANCE TO VARIOUS INDUSTRIES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended; 29 U. S. C. 201 et seq.), the regulations on employment of learners (29 CFR Part 522), and Administrative Order No. 485 (23 F. R. 200), the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, occupations, wage rates, number or proportion of learners, learning periods, and the principal product manufactured by the employer for certificates issued under general learner regulations (§§ 522.1 to 522.11) are as indicated below. Conditions provided in certificates issued under special industry regulations are as established in these regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.20 to 522.24, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of fac-

tory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Barnesville Manufacturing Co., Inc., 315-319 South Gardner Street, Barnesville, Ohio; effective 4-18-58 to 4-17-59 (ladies' pajamas).

Blue Bell, Inc., Columbia City, Ind.; effective 5-1-58 to 4-30-59 (men's and boys' dungarees).

Blue Bell, Inc., Prentiss County, Booneville, Miss.; effective 5-1-58 to 4-30-59 (shirts).

Ely & Walker, Inc., Ilmo, Mo.; effective 4-30-58 to 4-29-59 (dungarees, overalls, jeans).

Glen Lyon Bra Co., West Enterprise and Market Streets, Glen Lyon, Pa.; effective 4-18-58 to 4-17-59 (ladies' brassieres).

Linn Manufacturing Co., Linn, Mo.; effective 5-1-58 to 4-30-59 (men's trousers).

McEwen Manufacturing Co., McEwen, Tenn.; effective 4-16-58 to 4-15-59 (overalls, playsuits, dungarees).

Reliance Manufacturing Co., Magnolia Factory, Laurel, Miss.; effective 5-1-58 to 4-30-59 (men's and boys' sport shirts).

Stately Lady Nitewear, Inc., 315 East 12th Street, Charlotte, N. C.; effective 4-24-58 to 4-23-59 (ladies' and children's pajamas and gowns).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Branch Fashions, Inc., 20 Seventh Avenue, Long Branch, N. J.; effective 4-18-58 to 4-17-59; six learners (ladies' blouses).

Loma Manufacturing Co., Inc., 101 South Main Street, Winchester, Ky.; effective 4-18-58 to 4-17-59; 10 learners (ladies' blouses, children's outer garments).

Selro Manufacturing Co., 113 Gay Street, Cambridge, Md.; effective 4-20-58 to 4-19-59; 10 learners (women's sportswear—Capri—pedal pushers, etc.).

Selro Manufacturing Co., Rear 115 Race Street, Cambridge, Md.; effective 4-25-58 to 4-24-59; 10 learners (women's sportswear—Capri—pedal pushers, etc.).

Nelly Don, Inc., Nevada, Mo.; effective 4-15-58 to 10-14-58; 15 learners for plant expansion purposes (women's dresses).

Cigar Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.80 to 522.85, as amended).

Bayuk Cigars, Inc., Second and Washington Streets, Steelton, Pa.; effective 4-16-58 to 4-15-59; authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of: (1) cigar machine operating for a learning period of 320 hours; (2) pecking (cigars retelling for 6 cents or less) for a learning period of 160 hours, and (3) machine stripping for a learning period of 160 hours. All at 80 cents an hour.

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

The Boss Manufacturing Co., 3012 South Adams Street, Peoria, Ill.; effective 5-1-58 to 4-30-59; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.43, as amended).

Atlantic Hosiery, Inc., 948 White Horse Pike, Elwood, N. J.; effective 4-18-58 to 4-17-59; five learners for normal labor turnover purposes (seamless).

Georgia Hosiery Mills, Cave Spring, Ga.; effective 4-16-58 to 10-15-58; 25 learners for plant expansion purposes (seamless).

Hanover Mills, Inc., Carolina Beach Road and Marion Drive, Wilmington, N. C.; effective 4-29-58 to 10-28-58; 60 learners for plant expansion purposes (seamless).

Kale Knitting Mills, Inc., Mebane, N. C.; effective 4-19-58 to 4-18-59; five learners for normal labor turnover purposes (seamless).

Merrimac Knitting Mills, Inc., 235 Central Street, Franklin, N. H.; effective 4-26-58 to 4-25-59; five learners for normal labor turnover purposes (seamless).

Rockford Textile Mills, Inc., McMinnville, Tenn.; effective 4-21-58 to 4-20-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Rockwood Hosiery Co., P. O. Box 60, Rockwood, Tenn.; effective 5-2-58 to 5-1-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Van Raalte Co., Inc., Franklin, N. C.; effective 4-16-58 to 4-15-59; five learners for normal labor turnover purposes (full-fashioned).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Dixie Belle Textiles, Inc., Gibsonville, N. C.; effective 4-14-58 to 4-13-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (women's and children's woven underwear).

Junior Form Lingerie Corp., Atkinson Way, Boswell, Pa.; effective 4-1-58 to 3-31-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear, slips). This certificate was listed in the April 19, 1958, issue of the FEDERAL REGISTER without specifically indicating that the authorized occupations included final inspection of assembled garments for a learning period of 160 hours.

Junior Form Lingerie Corp., 428 Morris Avenue, Boswell, Pa.; effective 4-26-58 to 4-25-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' underwear, slips, nightgowns, panties). This certificate was listed in the April 19, 1958 issue of the FEDERAL REGISTER without specifically indicating that the authorized occupations included final inspection of assembled garments for a learning period of 160 hours.

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55, as amended).

Casey Manufacturing Co., East Main Street, Casey, Ill.; effective 4-14-58 to 4-13-59; 10 percent of the total number of factory production workers for normal labor turnover purposes (children's and misses' shoes).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Anvil Metal Products, Inc., P. O. Box 324, Barranquitas, P. R.; effective 3-31-58 to 9-30-58; authorizing the employment of 20 learners for plant expansion purposes, in the occupations of metal polisher (buffing); metal spinner (molding); metal stamping; inspection, and assembly, each for a learning period of 480 hours at the rates of 75 cents an hour for the first 240 hours and 88 cents

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an hour for the remaining 240 hours (planters, parts for trophies and parts for electric lamps).

Edro Corp., P. O. Box 355, Anasco, P. R.; effective 3-21-58 to 6-12-58; authorizing the employment of 32 learners for plant expansion purposes, in the occupations of machine stitching, inseam thumbing, inseam closing, half P. K. fitting, and darting, each for a learning period of 480 hours at the rates of 55 cents an hour for the first 240 hours and 64 cents an hour for the remaining 240 hours (replacement certificate) (fabric gloves).

Edro Corp., P. O. Box 355, Anasco, P. R.; effective 4-10-58 to 9-24-58; authorizing the employment of 10 learners for normal labor turnover purposes, in the occupations of sewing machine operators, and laying off, each for a learning period of 480 hours at the rates of 55 cents an hour for the first 240 hours and 64 cents an hour for the remaining 240 hours (replacement certificate) (fabric gloves).

Gordonshire Knitting Mills, Inc., P. O. Box 1127, Cayey, P. R.; effective 4-3-58 to 6-2-58; authorizing the employment of 35 learners

for plant expansion purposes, in the occupations of (1) loopers, and menders, each for a learning period of 960 hours at the rates of 50 cents an hour for the first 480 hours and 57 cents an hour for the remaining 480 hours; (2) examiners, and knitters, each for a learning period of 240 hours at the rate of 50 cents an hour (replacement certificate) (seamless hosiery).

Puerto Rico Hosiery Mills, Inc., P. O. Box 936, Arecibo, P. R.; effective 4-3-58 to 9-4-58; authorizing the employment of 11 learners for normal labor turnover purposes, in the occupations of knitting, and seaming, each for a learning period of 960 hours at the rates of 55 cents an hour for the first 480 hours and 61 cents an hour for the remaining 480 hours (replacement certificate) (ladies' full fashioned hosiery).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at subminimum rates is necessary in order to pre-

vent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9.

Signed at Washington, D. C., this 23d day of April 1958.

MILTON BROOKE,
Authorized Representative
of the Administrator.

[F. R. Doc. 58-3196; Filed, Apr. 29, 1958;
8:49 a. m.]











