THE NATIONAL ARCHIVES
LITTERA SCRIPTA MANET
FEDERAL REGISTER
OF THE UNITED STATES 1934

VOLUME 23 NUMBER 181

Washington, Tuesday, September 16, 1958

TITLE 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

Subchapter B—Farm Ownership Loans

[FHA Instruction 443.1]

PART 331—POLICIES AND AUTHORITIES

LOAN INSURANCE CHARGES

Section 331.9 (d) in Title 6, Code of Federal Regulations (21 F. R. 10446), is hereby amended in regard to loan insurance charges on loans involving the deferment of the initial installment on the note, and to read as follows:

§ 331.9 *Sources of funds and terms of loans.* * * *

(d) *Loan insurance charge.* Each insured loan borrower will pay a loan insurance charge in addition to principal and interest payments on his Farm Ownership loan.

(1) *Initial loan insurance charge.* Each insured loan borrower will pay on the date of loan closing an initial loan insurance charge, computed at the rate of one percent of the principal obligation on the note, covering the period from the date of loan closing to the first January 1 thereafter.

(2) *Annual loan insurance charge.* Each insured loan borrower will pay an annual loan insurance charge of one percent of the actual principal obligation remaining unpaid which will include the balance on the note and any unpaid advances made from the insurance fund on behalf of the borrower. Each annual loan insurance charge will be computed on the basis of the principal obligation remaining unpaid as of the date on which each installment on the note is due, and will be paid on or before the date the next succeeding installment is due. (In addition, for notes with deferred payments, the annual loan insurance charge will be established as of each January 1 during the period of deferment of the note installments and will be paid on or before the next succeeding January 1.) Annual loan insurance charges will continue until the loan is paid in full or the mortgaged property is acquired by the Government or until the contract of insurance is otherwise terminated.

(Sec. 41, 50 Stat. 528, as amended; 7 U. S. C. 1015)

Dated: September 10, 1958.

[SEAL] H. C. SMITH,
Acting Administrator,
Farmers Home Administration.

[F. R. Doc. 58-7539; Filed, Sept. 15, 1958; 8:54 a. m.]

TITLE 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 54682]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

PORT OF ENTRY AND PORT OF DOCUMENTATION; MORGAN CITY, LA.

SEPTEMBER 9, 1958.

By virtue of the authority vested in the President by section 1 of the Act of August 1, 1914, 38 Stat. 623 (19 U. S. C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR 1951 Supp., Ch. II), Morgan City, Louisiana, is hereby designated as a Customs port of entry in Customs Collection District No. 20 (New Orleans) effective 30 days after publication of this Treasury decision in the FEDERAL REGISTER.

The customs port of entry at Morgan City, Louisiana, which is hereby also designated a port of documentation, shall include the territory bounded as follows:

Starting at a point where Deer Island Bayou enters the Lower Atchafalaya River, thence northerly along the St. Mary and Terrebonne Parishes boundary lines to the point of intersection of the boundary lines of the parishes of Terrebonne, St. Mary and Assumption, thence along the east side of the boundary line of St. Mary Parish and Assumption Parish to the intersection of the boundary lines of St. Mary, Assumption, and St. Martin Parishes, thence westerly along the boundary line of the Parishes of St. Mary and St. Martin to the west boundary line of Ward 4, St. Mary Parish, thence southerly on the west bank of the Wax Lake Outlet, Wax Lake and Wax Lake Pass and thence in a southeasterly direction along the meandering shore line of Atchafalaya Bay to the point of beginning.

(Continued on p. 7133)

CONTENTS

FEDERAL REGISTER

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

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

The regulatory material appearing herein is keyed to the CODE OF FEDERAL REGULATIONS, which is published, under 50 titles, pursuant to section 11 of the Federal Register Act, as amended August 5, 1953. The CODE OF FEDERAL REGULATIONS is sold by the Superintendent of Documents. Prices of books and pocket supplements vary.

There are no restrictions on the republication of material appearing in the FEDERAL REGISTER, or the CODE OF FEDERAL REGULATIONS.

CONTENTS—Continued

CONTENTS—Continued

CONTENTS—Continued

CODIFICATION GUIDE

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

CODIFICATION GUIDE—Con.

The customs station and port of documentation at Morgan City, Louisiana, which is within the territory described above, shall become part of the port of entry at Morgan City, Louisiana.

Section 1.1 (c), Customs regulations, is amended as follows:

The first sentence of footnote 4 is amended by inserting "and" immediately preceeding the words "at Biloxi, Miss."; by changing the semicolon immediately following the words "(No. 19)" to a period; and by deleting the remainder of the sentence.

The tabulation of customs districts and ports of entry is amended by adding "*Morgan City, La. (including territory described in T. D. 54682)." in the appropriate place in the column headed "Ports of entry" in District No. 20 (New Orleans).

Section 1.2 (d), Customs regulations, is amended by deleting "Morgan City, La." in the column headed "Customs Stations" and on the same line "New Orleans" in the column headed "Ports of Entry having supervision."

Notice of the proposed designation of Morgan City, La., as a customs port of entry was published in the FEDERAL REGISTER of July 8, 1958 (23 F. R. 5170), pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003). No objections to this action were received. (MC 192-20.1)

(R. S. 161, as amended, Pub. Law 85-619, 251; 5 U. S. C. 22, 19 U. S. C. 66. Interpret or apply sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended, secs. 2, 3, 23 Stat. 118, as amended, 119, as amended; 19 U. S. C. 1, 2, 46 U. S. C. 2, 3)

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-7503; Filed, Sept. 15, 1958; 8:49 a. m.]

[T. D. 54683]

PART 1—CUSTOMS DISTRICTS, PORTS, AND STATIONS

MISCELLANEOUS AMENDMENTS

SEPTEMBER 9, 1958.

By virtue of the authority vested in the President by section 1 of the act of August 1, 1914, 38 Stat. 623 (19 U. S. C. 2), which was delegated to the Secretary of the Treasury by the President by Executive Order No. 10289, September 17, 1951 (3 CFR, 1951 Supp., Ch. II), the designation of Holeb-Jackman, Maine, as a customs port of entry in Customs Collection District No. 1 (Maine and New Hampshire), is hereby revoked and a new customs port of entry to be known as Jackman, Maine, is hereby designated in said District, which port shall include the townships of Jackman, Sandy Bay, Bald Mountain, Holeb, Attean, Lowelltown, Dennistown, and Moose River, all in the State of Maine.

Section 1.1 (c) of the Customs regulations is amended by deleting "Holeb-Jackman, Maine (E. O. 3609, Jan. 9, 1922) (E. O. 4550, Dec. 8, 1926)." and adding "Jackman, Maine (including the townships of Jackman, Sandy Bay, Bald Mountain, Holeb, Attean, Lowelltown, Dennistown, and Moose River) (T. D. 54683)." in the column headed "Ports of entry" in District No. 1 (Maine and New Hampshire).

Section 1.2 (d) of the Customs regulations is amended by substituting the name "Jackman" for "Holeb-Jackman" in the column headed "Port of Entry having supervision" opposite the listing "Coburn Gore, Maine" in the column headed "Customs Station" in District No. 1.

Customs officers are no longer stationed in St. Andrews, New Brunswick, Canada. Accordingly, the listing of customs offices in § 1.3 of the Customs regulations is amended to read as follows:

Customs office	Customs district having supervision	Comptroller having supervision
St. John, New Brunswick (winter).	Maine and New Hampshire.	Boston, Mass.
Montreal, Quebec	Vermont	Boston, Mass.
Toronto, Ontario	Buffalo	New York, N. Y.
Vancouver, British Columbia.	Washington	San Francisco, Calif.
Prince Rupert, British Columbia.	Alaska	San Francisco, Calif.

Notice of the proposed revocation of Holeb-Jackman, and designation of Jackman as a customs port of entry was published in the FEDERAL REGISTER of July 3, 1958 (23 F. R. 5093), pursuant to the provisions of section 4 of the Administrative Procedure Act (5 U. S. C. 1003). No objections to this action were received. Inasmuch as railroad operations have already been transferred from Holeb, Maine, to Jackman Station, Maine, it is considered in the best interest of the public that this action be put in effect as soon as possible. For this reason it is found that compliance with the effective date limitations of section 4 (c) of that Act serves no good purpose. This Treasury decision shall, therefore, be effective upon publication in the FEDERAL REGISTER. (MC 192-1.1)

(R. S. 161, as amended, Pub. Law 85-619, 251; 5 U. S. C. 22, 19 U. S. C. 66. Interpret or apply sec. 1, 37 Stat. 434, sec. 1, 38 Stat. 623, as amended; 19 U. S. C. 1, 2)

[SEAL] A. GILMORE FLUES,
Acting Secretary of the Treasury.

[F. R. Doc. 58-7504; Filed, Sept. 15, 1958; 8:50 a. m.]

TITLE 25—INDIANS

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

Subchapter Q—Oil and Gas

PART 183—LEASING OF OSAGE RESERVATION LANDS FOR OIL AND GAS MINING

PAYMENT OF ANNUAL RENTAL ON OIL AND GAS LEASES AND LOCATION OF LOCAL REPRESENTATIVES OF LESSEES AND ASSIGNEES

On pages 5093 and 5094 of the FEDERAL REGISTER of July 3, 1958, there was published a notice of intention to amend §§ 183.4, 183.16, 183.42, and 183.43 of 25 CFR. The purpose of the amendments is to require that the annual rental in lieu of drilling on oil and gas leases on the Osage Indian Reservation shall be paid annually in advance, and to permit the appointment of a local representative of a lessee or assignee of an Osage oil and gas lease to be located any place within the State of Oklahoma, instead of only within the City of Pawhuska.

Interested persons were given an opportunity to submit their views, data, and arguments concerning the proposed amendment to the Commissioner of Indian Affairs within 30 days of the date of publication of the notice in the FEDERAL REGISTER. No objections were received.

The proposed amendments to §§ 183.4, 183.16, 183.42, and 183.43 are hereby adopted as set forth below. These amendments are effective upon publication in the FEDERAL REGISTER.

ROGER ERNST,
Acting Secretary of the Interior.

SEPTEMBER 9, 1958.

1. The present text of § 183.4 is amended to provide that rental in lieu of drilling shall be paid annually in advance and to read as follows:

§ 183.4 *Drilling obligations.* (a) Lessee shall drill at least one well to the Mississippi Lime, unless oil or gas is found in paying quantities at a lesser depth, on the land covered by his lease, within 12 months from the date of approval of the lease, or the lease may be held for the full five-year primary term without drilling, upon payment to the Superintendent for the lessor of rental at the rate of one dollar per acre per annum, payable annually in advance, beginning one year after the date of approval of the lease. This lease shall terminate as to both parties unless such advance rental shall be received at the Osage Agency or shall have been mailed as indicated by postmark, on or before the due date: *Provided*, That the time within which a well shall be drilled shall not begin to run on any restricted homestead selection until the consent of the Superintendent to drilling on such homestead shall have been given, nor shall advance rental become due until the next anniversary date of the lease following the date of such consent: *Provided further*, That the Superintendent in his discretion may direct the drilling of any undrilled lease, if in his opinion

the interests of the Osage Tribe warrant: *Provided further*, That whenever the Commissioner of Indian Affairs shall consider the marketing facilities inadequate to take care of the production he may direct the suspension of drilling operations on this lease. The completion of a well to the Mississippi Lime, or production of oil or gas in paying quantities from a lesser depth than the Mississippi Lime, for such time as such production shall continue, after the lease has entered a rental status, shall relieve the lessee from any further payment of rentals for the balance of the primary term of the lease for which rental has not been paid. Should such production cease, rental shall commence on the next anniversary date of the lease. Rental shall be paid on the basis of a full year, and no refund will be made of advance rental paid in compliance with the regulations in this part.

(b) Prior to the expiration of a term of a lease, the Osage Tribal Council may, with the approval of the Superintendent, and a finding by him that such action is in the best interest of the Osage Tribe, grant an extension of the term of the lease for a period of not to exceed six months for the purpose of enabling the lessee to drill a well to the Mississippi Lime unless oil or gas is found in paying quantities at a lesser depth.

2. The present text of § 183.16 is amended to conform to the provisions of § 183.4 and to provide that no refund of annual rental will be made if a lease is cancelled during the year, and to read as follows:

§ 183.16 *Surrender of lease.* The oil lessee may at any time, by paying to the Superintendent the sum of one dollar, surrender all or any quarter-section or fractional part of quarter-section where the lease does not cover the full quarter-section, and have the lease cancelled as to the lands, surrendered; and be relieved from all further obligations and liabilities thereunder, as to the part surrendered: *Provided*, That if this lease has been recorded, the lessee shall execute a release and record the same in the proper office. Such surrender shall not entitle the lessee to a refund of the unused portion of rental paid in lieu of development, nor shall it relieve the lessee and his sureties of any obligation incurred prior to such surrender.

3. Section 183.42 is deleted for the reason that its provisions are included in § 183.4, as amended.

4. The present text of § 183.43 is amended to permit a local representative of a lessee or assignee to be located any place within the State of Oklahoma instead of the City of Pawhuska, and to read as follows:

§ 183.43 *Lessee's process agents.* (a) Before actual drilling or development operations are commenced on leased lands, the lessee or assignee shall appoint a local or resident representative within the State of Oklahoma, on whom the Superintendent or other authorized representative of the Department may serve notice, or otherwise communicate with in securing compliance with the regulations in this part, and shall notify the Superintendent of the name and post office address of the representative so appointed.

(b) Where several parties own a lease jointly, only one representative or agent need be designated, whose duties shall be to act for all parties concerned. Designation of such representative should be made by the party in charge of operations.

(c) In the event of the incapacity or absence from the State of such designated local or resident representative, the lessee shall appoint some person to serve in his stead, and in the absence of such representative or of notice of the appointment of a substitute any employee of the lessee upon the leased premises, or the contractor or other person in charge of drilling or related operations thereon, shall be considered the representative of the lessee for the purpose of service of orders or notices as herein provided and service upon any such employee, contractor, or other person shall be deemed service upon the lessee.

(Sec. 3, 34 Stat. 543)

[F. R. Doc. 58-7492; Filed, Sept. 15, 1958; 8:47 a. m.]

PROPOSED RULE MAKING

DEPARTMENT OF THE INTERIOR

Fish and Wildlife Service

[50 CFR Part 32]

TISHOMINGO NATIONAL WILDLIFE REFUGE, OKLAHOMA

HUNTING

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to add § 32.169 to Subpart—Tishomingo National Wildlife Refuge, Oklahoma, Title 50, Code of Federal Regulations, to read as set forth in tentative form below. The purpose of this amendment is to provide for the hunting of migratory game birds and resident game birds and mammals on certain lands of the Tishomingo National Wildlife Refuge under certain limitations and subject to compliance with the laws and regulations of the State of Oklahoma.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 10, 1958.

D. H. JANZEN,
Director,
Bureau of Sport Fisheries and Wildlife.

§ 32.169 *Hunting permitted.* Subject to compliance with the provisions of Parts 6, 18, and 21 of this chapter, the hunting of migratory game birds and resident game birds and mammals is permitted on the hereinafter described lands of the Tishomingo National Wildlife Refuge, Oklahoma, subject to the following conditions, restrictions, and requirements:

(a) *Hunting area.* The following described area is open to hunting:

All of the lands of the Tishomingo National Wildlife Refuge lying west of old State Highway No. 99.

(b) *State laws.* Strict compliance with all State laws and regulations is required.

(c) *Hunting dogs.* Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

(d) *Use of boats.* Subject to the provisions of Part 6 of this chapter, the use of boats for the purpose of hunting is permitted: *Provided*, That the use of airthrust or scull boats is prohibited.

(e) *Checking stations.* Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for regulating the hunting.

(f) *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting area, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are promulgated, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

[F. R. Doc. 58-7489; Filed, Sept. 15, 1958; 8:46 a. m.]

[50 CFR Part 34]

CHASSAHOWITZKA NATIONAL WILDLIFE REFUGE, FLORIDA

HUNTING

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to add to

Chapter I, Title 50, Code of Federal Regulations, a new subpart entitled Chassahowitzka National Wildlife Refuge, Florida, and § 34.46 as set forth in tentative form below. The purpose of the proposed regulation is to permit the hunting of migratory game birds on the hereinafter described lands of the Chassahowitzka National Wildlife Refuge during the 1958–59 season only under certain limitations and subject to compliance with the laws and regulations of the State of Florida.

Interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed amendment to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 10, 1958.

LANSING A. PARKER,
Acting Director,
Bureau of Sport Fisheries
and Wildlife.

SUBPART—CHASSAHOWITZKA NATIONAL WILDLIFE REFUGE, FLORIDA

HUNTING

§ 34.46. *Hunting of migratory game birds permitted.* Subject to compliance with the provisions of Parts 6, 18, and 21 of this chapter, the hunting of migratory game birds is permitted on the hereinafter described lands of the Chassahowitzka National Wildlife Refuge, Florida, during the 1958–59 season only, subject to the following conditions, restrictions, and requirements:

(a) *Hunting area.* The following described area is open to hunting:

Starting at the southwest corner of Section 30, Township 20 South, Range 17 East, Tallahassee meridian, thence north 34 chains to a point, thence west 22 chains to the place of beginning; thence in Township 20 South, Range 16 East, west 320 chains to a point, thence north 80 chains to a point, thence east 320 chains to a point, thence south 80 chains to the place of beginning.

(b) *State laws.* Strict compliance with all State laws and regulations is required.

(c) *Hunting dogs.* Hunting dogs, not to exceed two per hunter, may be used for the purpose of hunting and retrieving, but such dogs shall not be permitted to run at large on the refuge.

(d) *Use of boats.* Subject to the provisions of Part 6 of this chapter, the use of boats for the purpose of hunting is permitted: *Provided,* That any person who enters the public hunting area for the purpose of hunting may operate an airboat on the lands and waters of the United States only as may be authorized by a valid special permit issued by the officer in charge, which permit may limit the period during which such permit is valid and the area in which such airboats may operate; and provided further, that the use of speedboats and racing craft is prohibited except for official purposes.

(e) *Checking stations.* Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for regulating the hunting.

(f) *State cooperation.* State cooperation may be enlisted in the regulation, management, and operation of the public hunting area, and the State may promulgate such special regulations as may be necessary for such regulation, management, and operation. In the event such State regulations are promulgated, compliance therewith shall be a requisite to lawful entry for the purpose of hunting.

[F. R. Doc. 58-7488; Filed, Sept. 15, 1958; 8:46 a. m.]

[50 CFR Part 35]

MISSISQUOI NATIONAL WILDLIFE REFUGE, VERMONT

HUNTING

Notice is hereby given that pursuant to the authority contained in section 10 of the Migratory Bird Conservation Act of February 18, 1929 (45 Stat. 1224; 16 U. S. C. 715i), and under authority delegated by Commissioner's Order 4 (22 F. R. 8126), it is proposed to add to Chapter I, Title 50, Code of Federal Regulations, a new subpart entitled Missisquoi National Wildlife Refuge, Vermont, and §§ 35.51 and 35.52 as set forth in tentative form below. The purpose of the proposed regulations is to permit the hunting of migratory game birds and deer on certain lands of the Missisquoi National Wildlife Refuge under certain limitations and subject to compliance with the laws and regulations of the State of Vermont.

Accordingly, interested persons may submit in duplicate written comments, suggestions, or objections with respect to the proposed regulations to the Director, Bureau of Sport Fisheries and Wildlife, Washington 25, D. C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Dated: September 10, 1958.

D. H. JANZEN,
Director,
Bureau of Sport Fisheries
and Wildlife.

SUBPART—MISSISQUOI NATIONAL WILDLIFE REFUGE, VERMONT

HUNTING

§ 35.51 *Hunting of migratory game birds permitted.* Subject to compliance with the provisions of Parts 6, 18, and 21 of this chapter, the hunting of migratory game birds is permitted on the hereinafter described lands of the Missisquoi National Wildlife Refuge, Vermont, subject to the following conditions, restrictions, and requirements:

(a) *Hunting area.* The following described area is open to hunting:

A peripheral strip of land varying in width from approximately 50 yards to 200 yards bordering on Gander Bay, Goose Bay, and Missisquoi Bay of Lake Champlain and between the low water mark thereof and the timber line extending from the northwest boundary of Shad Island east and south to the southeast corner of Goose Bay, except the part of the marsh bordering Goose Bay west of the line of the dike now under construction.

(b) *State laws.* Strict compliance with all State laws and regulations is required.

(c) *Dogs.* Hunting dogs, not to exceed two per hunter, may be used for the purpose of retrieving dead or wounded birds, but such dogs shall not be permitted to run at large on the public shooting grounds or elsewhere on the refuge.

(d) *Use of boats permitted.* The use of boats without motors is permitted.

§ 35.52 *Hunting of deer permitted.* Subject to the provisions of Parts 18 and 21 of this chapter, the hunting of deer is permitted on the hereinafter described lands of the Missisquoi National Wildlife Refuge, Vermont, during the period November 17 to December 23, 1958, inclusive, subject to the following conditions, restrictions, and requirements:

(a) *Hunting area.* The hunting of deer is permitted on all of the lands of the refuge, except Big Marsh Slough lying east of a line between the westernmost point of Goose Bay and the northwest boundary of the Julian Clark Tract, and except on posted areas in the immediate vicinity of the headquarters and work center sites of the refuge.

(b) *State laws.* Strict compliance with all State laws and regulations is required.

(c) *Dogs.* The use of dogs for the purpose of hunting is prohibited.

(d) *Checking stations.* Hunters, upon entering or leaving the hunting area, shall report at such checking stations as may be established for regulating the hunt.

[F. R. Doc. 58-7490; Filed, Sept. 15, 1958; 8:46 a. m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 925]

[Docket No. AO-226-A6]

MILK IN PUGET SOUND, WASH., MARKETING AREA

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENT AND TO ORDER

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), notice is hereby given of a public hearing to be held in the Federal Court House Building, Seattle, Washington, beginning at 9:30 a. m., local time, on October 1, 1958, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Puget Sound, Washington, marketing area.

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

The proposals relative to a redefinition of the marketing area raise the issue whether the provisions of the present order would tend to effectuate the declared policy of the Act, if they are applied to the marketing area as proposed to be redefined and, if not, what modifications of the provisions of the order would be appropriate.

The proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by the United Dairymen's Association:

Proposal No. 1. Revise provisions relating to producer-handlers so as (i) preferably to regulate their handling operations in the same manner as other handlers and to treat their producing operations in the same manner as other producers, or (ii) to do so at least with respect to those producer-handlers whose operations are larger than a family sized operation with production and processing conducted on a farm with direct sales to consumers, without intervention of wholesalers, retailers and/or jobbers.

Proposal No. 2. Revise provisions relating to location adjustments to both handlers and producers to provide the following adjustment rates:

	Per hundredweight
District 2 and Kittitas County	$0.25
District 3	.20
District 4	.15

Other areas, unchanged.

Proposal No. 3. Delete § 925.13 (a) and (b), to provide that diverted milk be priced on the basis of the location of the plant of actual physical receipt.

Proposal No. 4. Amend § 925.60 (b) to adjust the new producer schedule of base percentages to conform to the changed seasonal pattern of production in the market.

Proposal No. 5. Amend the definition of "country plant" at the first proviso (§ 925.9) to include milk received from other pool plants with milk received from dairy farmers in arriving at the total to which shipping percentages shall apply.

Proposal No. 6. Revise § 925.7 to define reload stations as "plants" for pricing purposes where no processing is done.

Proposal No. 7. Revise § 925.61 (a) by renumbering subparagraph (3) to subparagraph (4) and inserting a new subparagraph (3) to provide for no restriction on transfers of base within the immediate family and, in case of death, between members of the immediate family, the estate, and one outside party.

Proposal No. 8. Revise the method of computing producer prices and producer payrolls by using a uniform bonus for base milk and a uniform price with a singly weighted average butterfat differential for producer milk instead of using base and excess prices with a butterfat differential for each.

Proposed by the Carnation Company:

Proposal No. 9. Revise the transfer and diversion provisions to permit the transfer or diversion of milk at the Class II price from a fluid milk plant or country plant to a nonpool plant regulated by another Federal milk order.

Proposal No. 10. Amend § 925.6 to include Kitsap County within the Puget Sound, Washington, marketing area.

Proposed by Arden Farms Co.:

Proposal No. 11. Amend § 925.6 to include in District No. 1 of the Puget Sound, Washington, marketing area all the territory lying within the counties of Kitsap and Mason.

Proposal No. 12. Amend § 925.41 (b) (2) to include cocoa mixes, thereby classifying this product as Class II milk rather than Class I milk as it is now classified.

Proposed by Foremost Dairies, Inc.:

Proposal No. 13. Amend § 925.41 (a) (1) as follows:

In subparagraph (1): Delete the words "not sterilized" after flavored milk and flavored milk drinks.

In subparagraph (1) (ii): Delete present wording and substitute: "(ii) all milk and milk products sterilized and packaged in hermetically sealed containers; and"

Amend § 925.41 (b) as follows by adding the following:

(6) Disposed of as milk or milk products sterilized and packaged in hermetically sealed containers.

Proposed by Medosweet Dairies:

Proposal No. 14. Amend § 925.41 (b) so as to enable any handler, with the prior approval or in the presence of the market administrator or his authorized representative, to dispose of or dump any skim and/or butterfat unsuitable for human consumption and not otherwise able to be used for Class II utilization, whether degraded or not degraded by any local health authority, such disposition or dumpage to be defined as a Class II utilization not subject to the 25 cent location adjustment imposed by § 925.54.

Proposed by Producer Dairymen's Association of Grays Harbor:

Proposal No. 15. Amend § 925.41 to provide for three classes of milk instead of two classes, as follows:

1. Class I milk to be as previously defined.

2. Class II milk shall be all skim milk and butterfat used to produce cottage cheese, ice cream and all other perishable dairy products that cannot be shipped long distances.

3. Class III milk shall be all skim milk and butterfat used to produce butter, hard cheeses, powdered milk and for purposes other than human consumption.

Proposal No. 16. Amend the base milk provisions so that the determination of the base building period shall be any nine months during the year in place of five months as presently provided.

Proposed by the Dairy Division, Agricultural Marketing Service:

Proposal No. 17. Amend § 925.45 (a) by revising the phrase "any other product condensed from skim milk" to read "any other product condensed from milk or skim milk".

Proposal No. 18. Amend § 925.45 (a) (1) to read as follows: "(1) to fortify (or as an additive to) fluid milk, flavored milk, skim milk or any other Class I milk product, or"

Proposal No. 19. Amend § 925.50 (a) to include the following list of plants in lieu of those set forth therein:

Present Operator and Location
Borden Co., Mt. Pleasant, Mich.
Borden Co., New London, Wis.
Borden Co., Orfordville, Wis.
Carnation Co., Oconomowoc, Wis.
Carnation Co., Richland Center, Wis.
Carnation Co., Sparta, Mich.
Pet Milk Co., Coopersville, Mich.
Pet Milk Co., Belleville, Wis.
Pet Milk Co., New Glarus, Wis.
Pet Milk Co., Wayland, Mich.
White House Milk Co., Manitowoc, Wis.
White House Milk Co., West Bend, Wis.

Proposal No. 20. Amend § 925.54 (a) (2) by deleting the phrase "located in District No. 1 or in the counties of Kitsap and Mason".

Proposal No. 21. Give consideration to the redrafting and reissuance of the entire order with its several amendments previously issued and any amendments resulting from the current hearings particularly if the marketing area should be expanded as the result of this hearing.

Proposal No. 22. Make such changes as may be necessary to make the entire marketing agreement and the order conform with any amendments thereto that may result from this hearing.

Proposed by Watson Dairy Farms:

Proposal No. 23. Give consideration to revocation of the entire order.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 200 Bigelow Building, 4th and Pike Streets, Seattle 1, Washington, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 11th day of September 1958.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 58-7541; Filed, Sept. 15, 1958; 8:55 a. m.]

[7 CFR Parts 925, 1008]

[Docket Nos. AO-226-A5, AO-275-A4]

MILK IN INLAND EMPIRE AND PUGET SOUND, WASH., MARKETING AREAS

NOTICE OF HEARING ON PROPOSED AMENDMENTS TO TENTATIVE MARKETING AGREEMENTS AND TO ORDERS

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), notice is hereby given of a joint public hearing to be held in the Federal Court House Building, Seattle, Washington, beginning at 10:00 a. m., local time, on September 30, 1958, with respect to proposed amendments to the tentative marketing agreements and orders regulating the handling of milk in the Puget Sound, Washington, and Inland Empire marketing areas.

The public hearing is for the purpose of receiving evidence with respect to economic and emergency conditions which relate to the proposed amendments, hereinafter set forth, and any appro-

priate modifications thereof, to the tentative marketing agreements and orders.

The proposed amendments set forth below have not received the approval of the Secretary of Agriculture.

The following amendments to the order regulating the handling of milk in the Inland Empire marketing area are proposed by the Inland Empire Dairy Association and the Spokane Milk Producers Association:

Proposal No. 1. (a) Amend those provisions of Federal Order No. 108, as amended, as are necessary to provide that all nonpool plants be placed on a comparable basis, particularly by deleting all references to and exemptions given to "Other Order Milk"; and

(b) Broaden the credits to handlers now set forth in § 1008.70 (a) (7) to apply to all transfers of milk under conditions of § 1008.44 (c) (2) and to payments made to the producer-settlement fund of Federal Order No. 25 because of sales on routes in the defined marketing area of Federal Order No. 25, except that (1) such credits shall not apply if either marketing area is short of milk according to the standards for defining when either area is short of milk, and (2) such credits shall be limited to the lesser of the following: (i) The amount actually paid by such handler to the producer-settlement fund of Federal Order No. 25, or (ii) the applicable difference between the Class I and Class II values under Federal Order No. 108, as amended.

(c) Make such other changes as will make the two Federal milk orders comparable in the solving of this problem.

Proposal No. 2. Amend § 1008.51 (d) (2) to include in the total pounds of Class I dispositions the total pounds of Class I milk disposed of in the marketing area by nonpool plants.

Proposal No. 3. In § 1008.41 (b) (2) delete the phrase "during the months of April, May, June or July".

The following amendment to the order regulating the handling of milk in the Inland Empire marketing area is proposed by the Inland Empire Dairy Association:

Proposal No. 4. In the proviso in § 1008.8 (a) delete the words "50 percent" and substitute therefor the words "40 percent".

The following amendment to the order regulating the handling of milk in the Puget Sound, Washington, marketing area is proposed by the United Dairymen's Association:

Proposal No. 5. Add such provisions as are necessary to accomplish the following:

(a) Providing for a credit to handlers for payments made by them into the producer's settlement fund of any federal milk marketing order regulating the handling of milk in the following area:

That part of Bonner County, Idaho, lying south of Township 60 and west of Range 2 East Boise Meridian; all of Kootenai County, Idaho, except that portion lying east of Range 3 West Boise Meridian and south of Township 53; Boundary County, Idaho; Benewah County, Idaho; Spokane County, Washington; that portion of Pend Oreille County, Washington, lying south of Township 35, and that portion of Stevens County, Washington, lying south of Township 37.

(b) Limiting the amount of the credit to the lesser of the following: (i) The amount actually paid by such handler to the producer settlement fund of such other milk marketing order; (ii) the then difference between Class I and Class II values of the milk under the Puget Sound Federal Milk Order (Order 25).

(c) Providing for the elimination of such credit when either or both of the following milk marketing areas are short of milk:

(i) The area defined at (a) above;

(ii) The area defined in the Puget Sound Marketing Order at § 925.6, and providing standards for defining when said areas are so short of milk.

(d) Making such amendment only if contemporaneously a reciprocal amendment of the Inland Empire Marketing Order is made.

The following amendments to the order regulating the handling of milk in the Inland Empire marketing area are proposed by the Dairy Division:

Proposal No. 6. Review § 1008.51 (d) in connection with the proposals set forth above in this notice.

Proposal No. 7. Make such changes as may be required to make the marketing agreements and orders in their entirety conform with any amendments thereto which may result from this hearing and consider any other suggestions for changes in order language which are related to the issues dealt with by the above industry proposals.

Copies of this notice of hearing, and of the Puget Sound, Washington, order, now in effect, may be obtained from the Market Administrator, 200 Bigelow Building, 4th and Pike Streets, Seattle 1, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Copies of this notice of hearing, and of the Inland Empire order, now in effect, may be obtained from the Market Administrator, West 933 Third Avenue, Room 212, Spokane 4, Washington; or from the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., or may be there inspected.

Dated: September 11, 1958, Washington, D. C.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 58-7540; Filed, Sept. 15, 1958; 8:55 a. m.]

[7 CFR Part 953]

[Docket No. AO-144-A8]

LEMONS GROWN IN CALIFORNIA AND ARIZONA

NOTICE OF RECOMMENDED DECISION AND OPPORTUNITY TO FILE WRITTEN EXCEPTIONS WITH RESPECT TO PROPOSED AMENDMENT OF AMENDED MARKETING AGREEMENT AND ORDER

Pursuant to the rules of practice and procedure, as amended, governing proceedings to formulate marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given of the filing with the Hearing Clerk of the recommended decision of the Deputy Administrator, Agricultural Marketing Service, United States Department of Agriculture, with respect to the proposed amendment of the marketing agreement, as amended, and Order No. 53, as amended (7 CFR Part 953), hereinafter referred to collectively as the "order," regulating the handling of lemons grown in California and Arizona, to be made effective pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (48 Stat. 31, as amended; 7 U. S. C. 601 et seq.), hereinafter referred to as the "act." Interested parties may file written exceptions to this recommended decision with the Hearing Clerk, United States Department of Agriculture, Room 112, Administration Building, Washington 25, D. C., not later than the close of business of the tenth day after publication thereof in the FEDERAL REGISTER. Exceptions should be filed in quadruplicate.

Preliminary statement. The public hearing, on the record of which the proposed amendment of the order is formulated, was initiated by the Agricultural Marketing Service as a result of proposals submitted by the California Citrus League and Pure Gold, Incorporated. In accordance with the applicable provisions of the aforesaid rules of practice and procedure, a notice that such public hearing would be held on June 30, 1958, in Room 229, Federal Building, 312 North Spring Street, Los Angeles, California, was published in the FEDERAL REGISTER (23 F. R. 4085) on June 11, 1958.

Material Issues. The material issues presented on the record of the hearing were concerned with amending the order to:

(1) Increase the membership of the Lemon Administrative Committee, include handler members, and provide for reapportionment of committee membership;

(2) Authorize limitation of the sizes of lemons handled;

(3) Change the method of computing the prorate bases of handlers;

(4) Authorize exemption from regulation of lemons handled in specified minimum quantities and types of shipments;

(5) Delete the provision authorizing transfer of allotment with an equivalent quantity of lemons;

(6) Make the production area of California cover only that portion of the State that is south of the 37th Parallel;

(7) Clarify the current definition of the term "handle;"

(8) Revise the provisions relating to adoption of a marketing policy;

(9) Provide for an annual report; and

(10) Specify a time period for the retention of records pertaining to allotment transactions of central marketing organizations.

Findings and conclusions. The findings and conclusions on the material issues, all of which are based upon the evidence adduced at the hearing and the record thereof, are as follows:

(1) The Administrative Committee established under the order currently is composed of 6 grower members and 1

member who is neither a grower, handler, employee of a grower or handler, nor is in any other way associated directly with the lemon industry. The latter generally is referred to as the "non-industry" member.

The production of lemons in Central California (District 1) and in Arizona (District 3) is increasing and plantings of lemon trees in these areas indicate such increases will become substantial in the next few years. The number of grower members on the committee should, therefore, be increased to provide a basis for the selection of sufficient grower members to adequately present sectional views as to desirable regulations. Also provision should be made in the order for handler members on the committee. The grower members have, of course, consulted with their respective marketing agencies for marketing information. However, it would be desirable, and would contribute to the formulation of sound recommendations for regulation, for handlers or representatives of handlers personally to present, as members of the committee, the marketing information which they possess.

The current administrative committee is organized in a manner to give recognition to the organizational structure, and the relative volume of lemons handled by the marketing organizations, of the lemon industry; and the members of the committee should continue to be nominated and selected in the manner presently provided in the order. Increasing the number of grower members of the committee from 6 to 8 should be sufficient to permit nomination and selection of such members in conformance with the organizational structure of the industry and also to provide the basis for grower representation from the major producing areas.

Four handler members of the committee also should be sufficient to provide fair and equitable representation to the several handler organizations of the lemon industry and to supply the committee with handler views as to the marketing situation in all lemon producing areas. The handler organizations generally handle lemons produced in all portions of the production area and, therefore, geographical representation by handler members is not necessary.

Since it may be necessary, from time to time, to change the membership of the committee to reflect the current marketing affiliations of the growers and handlers of lemons, the order should provide that the committee, with the approval of the Secretary, may reapportion the membership of the committee. Any such reapportionment would be for the purpose of giving recognition to shifts in the relative magnitude of the marketing organizations handling lemons and should be based, insofar as practicable, upon the proportionate amount of lemons handled by the respective marketing organizations. However, the committee membership should, at all times, be such that at least one grower and one handler member should represent each marketing group.

It was advanced at the hearing that adequate geographical grower representation on the committee could be provided by specifying in the order provisions that, of the grower members or alternate members nominated and selected to represent the cooperative marketing organization handling more than 60 percent of total volume of lemons handled, at least one member or alternate member should be from and represent District 1 and at least one member or alternate member should be from and represent District 3. It was stated that the Board of Directors of this cooperative had taken action to assure that such representatives would serve on the committee at all committee meetings during all periods when lemons are being marketed from these districts; and that this was the practical manner to assure geographical grower representation since lemons produced in Districts 1 and 3 are marketed during a 4 to 5 month period while District 2 lemons are marketed during all months of the year. However, it was contended by others that such action could be changed at any time and that the order provisions should contain a requirement that, insofar as practical, whenever lemons are being marketed from a district at least one grower representative from such district should serve on the committee at all committee meetings held during that time. It is believed such contention has merit and the order should so provide.

The present provisions of the order specify that 5 members of the committee shall constitute a quorum and any action of the committee shall require at least 4 concurring votes. To maintain relatively equal requirements for the committee which, as heretofore discussed, should have 13 members, the provisions of the order should require that 7 members shall constitute a quorum and the same number of concurring votes should be required for each action of the committee.

The language of the provisions specifying the term of office of committee members should be changed for the purpose of clarity. Some of such language relates to the initial term of office. Also provision was made for the Secretary, by order issued not later than September 1 of any year, to terminate the term of office of members and alternate members then serving on October 31 following the issuance of such order. This termination authority has never been used and other provisions of the order give the Secretary ample authority in this connection.

(2) The order should be amended to include provisions authorizing the committee to recommend, and the Secretary to issue, regulations limiting the sizes of lemons that may be handled. The demand for particular sizes of lemons varies depending upon the size composition of the supplies of lemons that are shipped to fresh market outlets. Generally, however, lemons of the smallest and largest sizes bring lower returns to producers than lemons of other sizes. When supplies of lemons in fresh market channels are heavy and the general price level is lowered, the smaller and larger sizes of lemons often do not command prices which will return to growers the direct cost of harvesting and marketing such lemons. Moreover, it was testified that sales of such discounted sizes of lemons tend to lower the prices at which other sizes of lemons may be sold. Therefore, regulations which would prohibit the shipment of undesirable sizes of lemons to the fresh markets will tend to improve returns to producers of lemons.

The nature of the fresh market demand for sizes of lemons is such that a certain quantity of a particular size may be sold to advantage but the sale of a greater quantity of such size may be accomplished only at distress prices. Therefore, the committee should have authority to recommend, and the Secretary the authority to fix, size limitations which would restrict the handling of all or a portion of a particular size or sizes of lemons whenever such limitation would tend to effectuate the declared policy of the act.

Recommendations for regulation by size, and the issuance of such regulations, should be made on a prorate district basis since the composition of the sizes of lemons grown in the several districts varies. Consequently, size regulations may be desirable for the lemons grown in one district but be of no importance in another district since little, or none, of such size may be available in the latter district during the particular time that the regulation is effective. Also, the marketing season for lemons produced in the respective districts is not identical so size regulation would not always be required in all districts at the same time.

Regulation by size should be independent of the volume regulations now authorized by the order as each of these types of regulation seeks to promote marketing conditions by a different method. However, when both size and volume regulations are effective, all handling of lemons should conform to both regulations.

In conjunction with the provision for size regulation, the committee should be authorized to issue exemption certificates to any grower who furnishes evidence satisfactory to the committee that, because of the size regulation in effect, he will be prevented from having as large a proportion of his crop of lemons handled as the average proportion which may be handled by all other growers in the same prorate district. Evidence presented at the hearing indicated that 50 percent, or less, of the crops of lemons produced during recent years have been marketed in fresh channels. Hence, it is unlikely that any size regulations imposed would be so restrictive that a grower would be prevented, because of such regulation, from having as large a proportion of his lemons marketed as that which may be marketed by other growers. However, it is known the crops of lemons produced on certain groves have a larger proportion of small sized lemons than is the case for other groves and, to insure that the burden of size regulation would not impose inequities among growers, the exemption provision should be included in the order. Such exemption certificates, when warranted, should permit the shipment of an appropriate quantity of lemons which fails to meet the size requirement of the regulation so as to enable the grower to have handled as large a proportion of his

lemons as the proportion that may be handled for all other growers in the prorate district. Such exemption certificates should be limited to exemption from the size regulation in effect and any lemons handled pursuant to such exemption should be subject to any limitations as to the volume of lemon shipments the same as the lemons of other producers.

(3) The provisions of the order should be amended to provide a new method for the computation of the prorate bases and allotments of handlers. Currently, the prorate bases and allotments of handlers are computed primarily from a count of the quantities of lemons which have been picked from the trees and are in storages or on the floor of packinghouses. However, there are two other factors that are used in such computations. These generally are referred to as "advance count" and "tree count." The advance count is a determination of the storage life of a lot of lemons and the carrying of such lemons as a part of the count of lemons in storage or on packinghouse floors, for the determined storage life period, even though such lot is diverted to processing or export outlets. It is used to permit handlers to move to processing and export outlets lemons which are in excess of domestic fresh market demands rather than requiring them to be held in storage until deteriorated in order to add to the prorate base. The tree count is a determination of the quantity of lemons which a handler would have picked if he had available facilities to hold such lemons. It is used when the handler either does not have any storage for lemons or his storage space is full and he controls lemons on the trees which could be picked if storage facilties were available to him.

The evidence presented at the hearing shows that, in general, the computation of the prorate bases of handlers, in the manner described, and the determination therefrom of each handler's proportionate share of the total volume of lemon shipments, have been equitable. Handlers in each prorate district have received total allotments to ship lemons in reasonable relationship to the total quantities of lemons which each controls. However, there are certain disadvantages to the use of the current method of computing the prorate bases and allotments of handlers. In some areas, the practice of storing lemons has not been followed to any great extent. Consequently, the prorate bases and allotments of handlers in such instances have been based upon "tree count." With the larger volume of lemon production in prospect, particularly in the areas where the "tree count" has been used, the possibility of inequities occurring through the establishment of the prorate bases and allotments of handlers from "tree count" will be greatly increased.

In cases where the prorate bases and allotments of handlers are computed primarily from a count of the lemons in storage, a handler naturally is inclined to build up as large an inventory of lemons as possible since such procedure will result in the handler receiving a greater share of total volume of lemon shipments. As a result lemons often are held in storage beyond the normal life of the fruit. The shipment of such fruit of poor keeping quality and appearance to the fresh market outlets tends to reduce the demand for lemons and lower returns to the growers. The increasing production of lemons makes it necessary and desirable for the industry to institute all practical procedures which may reasonably be expected to place better quality lemons in the fresh markets and to expand such market outlets.

The order should provide for the computation of the prorate bases and allotments of handlers from "lemons available for current shipment." Such term should be defined to mean the tree crop of lemons produced in the case of Districts 1 and 3, and deliveries of lemons to handlers during a prescribed 20-week period in the case of District 2. Tree crop is the quantity of lemons on the trees as determined by the committee. It should be calculated by the committee at the beginning of a particular crop year as an estimate of the lemons on the tree. However, to offset errors which may be made in such estimate, and to assure that allotments based thereon issued to handlers are equitable, the final determination of the tree crop should be based upon the number of boxes of lemons delivered to handlers.

The record of the hearing shows that it is possible accurately to determine the quantity of lemons which each handler in Districts 1 and 3 currently controls on the tree. The annual lemon crops produced in Districts 1 and 3 are from one bloom and are harvested and marketed during approximately a 5-month period in the fall and early winter seasons. Thus it is possible, prior to the marketing of the crops produced in Districts 1 and 3, to make a reasonably accurate determination of the volume of production that will be available for market from each such district during the ensuing months and the portion of such production which each handler has available for current shipment. The equity or share of each handler in the limited quantity of lemons that may be shipped from the particular prorate district during any week should be the same percentage as the portion of the total quantity of lemons available for current shipment in such prorate district which such handler controls.

With respect to District 2, the annual lemon production results from multiple blooms. While the major portion of the crop is produced from the spring bloom, the trees continue to bloom and set and produce lemons throughout the year. A sufficiently accurate determination of the total crop and the portion thereof controlled by each handler apparently cannot be made for the purpose of equitably establishing the individual handler's share of the limited quantity of lemons that may be shipped each week from such district. It was shown, however, that an equitable and orderly basis for establishing each individual handler's share of such shipments can be derived from the records of deliveries of lemons to each handler during the preceding 20-week period. Hence it is concluded that the equity or share of each handler in District 2 of the limited quantity of lemons that may be shipped from such district during a given week should be the same percentage as the ratio between the quantity of lemons delivered to the particular handler during the preceding 20-week period and the total deliveries of lemons to all handlers in such district during the same period.

One handler testified at the hearing in opposition to the proposal to change the method of computing the prorate base of handlers in District 2. The primary basis of such objection was that records of deliveries of lemons to handlers in District 2 indicated this handler would have received, under the proposed provision, a smaller share of the total permitted shipments of lemons than was actually the case under the current provision. It was asserted that the lemons controlled by this handler have a longer storage life than many of the lemons produced in District 2, that its facilities had been developed to take advantage of this fact, and that the proposed change from the proration of the permitted shipments of lemons on the basis of storage life of the fruit, as reflected by the current provision, would be inequitable to those growers having lemons of long keeping quality. All of the witnesses testifying at the hearing in this connection indicated that one of the problems of the industry was the shipment of lemons which have been stored so long that their keeping qualities largely had been depleted and the fruit could not be moved into consumption in good condition; and that the "storage count" method of computing the prorate base of handlers had contributed to this condition. The data presented at the hearing relating to the allotment handlers in District 2 actually received during the 1954–55 season, and the allotment that would have accrued to such handlers if the proposed provision then had been effective, show that, in some instances, the allotments received by certain handlers would have been reduced under the proposed provision. However, a comparison of the actual allotment of such handlers with the total quantities of lemons each controlled shows that they were permitted to move in fresh market channels a larger proportion of their lemons than the average handled by all handlers in such district. Also, such handlers would have received allotment under the proposed method at least equal to the average handled by all handlers.

The order should provide that each handler who has lemons available for current shipment should make application to the committee for prorate bases and allotments so as to provide an orderly basis for operation of the regulation of shipments of lemons. The applications for prorate base and allotments should contain the information hereinafter set forth. Such information is necessary to substantiate the quantity of lemons available for current shipment by each handler and to insure that the determination of the allotments issued to such handler is correct. Such applications should include only such lemons as the handler has title to, possession of, or a bona fide contract or

agreement to handle or purchase, because only the lemons which the handler has actual control over the marketing should be considered as the lemons which such handler has available for current shipment.

The order should provide for adjusting the quantity of lemons controlled by individual handlers in Districts 1 and 3 as such handlers may gain or lose control of the marketing of such lemons during the marketing season. Producers should be given the opportunity to transfer the marketing of their crops from one handler to another. A handler who thus has gained or lost control of the handling of lemons should have the quantity of his lemons available for current shipment adjusted to reflect such change. In addition, if it is determined that a handler who has lost control of lemons has not handled a quantity of such lemons equal to the quantity that could have been handled under the allotments issued thereon, such handler's lemons available for current shipment should be reduced, over a reasonable period of time, to the extent necessary to place such handler in the relative position that he would have occupied had he not received the allotments earned by, but not used for the handling of, such lemons. However, the order should discourage widespread transfers by producers as such transfers would make the operation of the program, and the maintenance of equities among handlers, difficult. Accordingly, when a producer transfers the marketing of his lemons to a new handler, such handler should not be given any allotments that had been earned by such lemons prior to the time of the transfer. Handlers should be required to report to the committee any change in the respective quantities of lemons they control in order to assist the committee in making adjustments and to simplify administration of this provision.

The order should provide for the adjustment of the quantity of any handler's lemons available for current shipment whenever it is determined that, through error, omission, or other inaccuracy, such quantity has been established at too high or too low an amount. Such adjustment is necessary to insure that the equities of handlers are maintained, and should increase or reduce, by such amount and for such period of time as is necessary and reasonable, such handler's quantity of lemons available for current shipment so that the total allotment received by such handler will equal what his total allotments would have been if his lemons available for current shipment had been established at the correct quantity.

(4) The order should provide authority for the exemption from regulation of lemons handled in such minimum quantities and types of shipments as it is not necessary to regulate in order to effectuate the declared policy of the act. The handling of lemons in small quantities by express as gifts and to county fairs for display in exhibits are examples of the type of shipments which would not materially affect marketing conditions in commercial channels. Such authorization is needed also to permit the exemption of such handling of lemons as it is found not to be feasible administratively to regulate. In some instances, a grower with only a few trees of lemons may not be able to get a packinghouse to market his lemons because the quantities involved are too small. Similarly, for such grower to handle his own fruit under the volume and other restrictions of the order would present administrative difficulties and costs which are unwarranted in relation to the effect that the marketing of such fruit would have on marketing conditions for lemons generally.

In order to insure that the allowance of such exemptions would not result in avenues of escape from regulation contrary to the purposes of the exemptions and which would tend to defeat the objective of the program, the committee should prescribe, with the approval of the Secretary, such rules, regulations, and safeguards as may be reasonable and necessary.

(5) The current provisions of the order authorize, in § 953.60, transfers of allotment with a quantity of lemons equal to the allotment that is transferred. This provision has not been used to any great extent. When used, the lemons which accompany the allotment transferred customarily have been of "products" quality; and the handler receiving the allotment used it to ship lemons he controlled which were of fresh market quality. The sales price of the lemons involved in the transfer would be somewhat higher than the existing market price for product quality lemons, however, so the transferring handler, in effect, sold the allotment transferred to the recipient of it. The evidence presented at the hearing was to the effect that this practice was not desirable and that there was considerable feeling on the part of handlers that the provision was inequitable since all handlers were not in a position to participate in the transfer. There are ample provisions in the order for flexibility of operation on the part of handlers through the overshipment, undershipment, and loan provisions; and the provision for transfer of allotment should be deleted.

(6) The commercial production of lemons in California is confined almost entirely to the portion of the State which is situated south of the 37th Parallel. There are a few scattered plantings of lemon trees in California north of the 37th Parallel but because of weather hazards production is uncertain and there is little likelihood that lemon production will be expanded materially in this area. Because of the scattered and light production in such area, the growers generally do not market these lemons through established packinghouses and regulations under the order cannot be imposed feasibly, from an administrative standpoint, upon such lemons. Moreover, the volume of such lemons is so small that its regulation would not appreciably affect the level of grower returns for lemons produced elsewhere in California and in Arizona. The order should, therefore, provide for regulation thereunder only of the lemons that are grown in Arizona and that part of California situated south of the 37th Parallel. Corresponding changes should be made in the definitions of the districts, as currently set forth in the order, and such definitions should also be revised and clarified. The common boundary between Districts 1 and 2 currently is described as a line drawn due east and west through the Tehachapi Mountains. This is an inexact boundary and the line could be so drawn to include in District 2 a small area of the San Joaquin Valley. Any lemons that were grown in such area would mature at the time as, and have other characteristics of, the lemons grown in District 1. The boundary between Districts 1 and 2 should, therefore, be described as a line drawn due east and west through Gorman, California, but excluding that portion of San Bernardino County which is east of the 115th Meridian. Lemons grown in such portion of San Bernardino County have characteristics similar to those grown in other desert areas and currently is included and should remain in District 3. Such a line locates the boundary between Districts 1 and 2 through a specific point and also places in District 1 all lemons having similar characteristics.

Similarly, the common boundary between Districts 2 and 3 currently is described as a line drawn due north and south through the San Gorgonio Pass except that all of San Diego County is included in District 2. A more specific location of such boundary could be provided by drawing such line due north and south through White Water, California. Also, by extending such boundary southward through San Diego County and placing the desert areas in the eastern portion of such county in District 3, any lemons grown in this area will be included in the district having lemons with similar characteristics. The districts should, therefore, be defined as hereinafter set forth.

(7) The current definition in the order of the term "handle" should be revised and clarified. Such term currently is defined to include all transactions which place lemons "in the current of interstate commerce or commerce with Canada or so as directly to burden, obstruct, of affect" such commerce. All activities which place lemons in commercial markets within the States of California and Arizona directly burden, obstruct, or affect interstate commerce in lemons and the order should specifically so provide.

Any handling of lemons in fresh fruit channels exerts an influence upon all other handling of lemons in fresh fruit form. The production of lemons in California and Arizona constitutes practically the entire fresh market supplies of lemons in the United States, Canada, and Alaska. Markets within the States of California and Arizona provide opportunities to dispose of fresh lemons in the same fashion as do markets in other States, Canada, and Alaska. Any change in the quantity and price of fresh lemons marketed within the States of California and Arizona directly influences all other sales of such lemons.

The prices received for sales of lemons in markets within the States of California and Arizona and in other markets follow a parallel pattern. This behavior of fresh market prices of lemons follows from the manner in which handlers

transact their business in response to conditions of supply and demand, and illustrates the interdependence of such markets. If returns from lemon sales in any particular market, whether it is situated within California, Arizona, or any other State, rise above comparable prices in other markets, supplies of lemons are diverted to that market. Conversely, relatively low prices in any particular market will result in supplies being diverted away from such market. The diversion of carloads of lemons, while in transit, from the original destination to another is a common practice and indicates the rapid response of handlers to changes in demand conditions as between markets.

If shipments of lemons to market outside the States of California and Arizona were regulated while at the same time shipments of lemons to markets within such States were not regulated, prices received by growers for lemons sold within such States would tend to be lower than those prevailing in the regulated markets. With no limitation on the volume of lemons that could be marketed within California and Arizona, there naturally would be a tendency for handlers to ship lemons to markets within such States so long as returns exceed those from processing outlets. Such lower prices for intrastate shipments of lemons would have a serious effect upon total grower returns as a substantial portion of the lemons marketed in fresh form is sold in such intrastate markets. Under such conditions, in order for growers to receive returns at the level, as expressed in the act, which it is the policy of Congress to establish, prices for lemons in the interstate markets would have to be higher than otherwise would be the case if the intrastate shipments were regulated.

Lemons sold in the commercial markets, whether they are located within the States of California and Arizona or outside thereof, are prepared for market prior to packing in exactly the same fashion. For lemons that are packed in containers, the preparation for market is identical regardless of the destination. In most cases, the ultimate destination of the lemons is not known at the time the fruit is packed. Lemons shipped to the terminal markets within the production area often are diverted from such markets to markets outside the production area; and usually it is not known at the time of the initial shipment that such lemons will be reshipped to interstate markets. Thus lemons destined for the intrastate markets are so inextricably intermingled with lemons destined to interstate markets that it would be extremely difficult effectively to regulate the interstate lemon shipments only.

The redefinition of the term "handle" should include the purchasing, selling, consigning, transporting, or shipping of lemons as each of such activities is a handling function which should be subject to regulation under the order. All purchases, sales, consignment, transportation, and shipment of lemons which place such lemons in commerce in fresh market channels within the United States, Canada, and Alaska necessarily must be confined to lemons which conform to the requirements of the order and the regulations effective thereunder if the objectives of such order is to be attained.

In order to make the application of definition of the term "handle" specific, however, there should be excluded the types of sales, purchases, and other transactions in lemons which do not place such lemons in commerce. The sale of lemons on the tree should be excluded because the handling of the lemons does not actually begin until after the lemons have been picked. The transportation of lemons to a packinghouse within the production area for the purpose of having such lemons prepared for market should be excluded from the definition of handle as, when a packinghouse is utilized, it is not until after the lemons are prepared for market that they begin their actual movement into commerce.

Often lemons are stored prior to being prepared for market and lemons which have been prepared for market are stored in the packinghouse or transported to nearby storages before being offered for sale by the first handler. Since the actual movement into commerce of these stored lemons does not begin until such lemons have been prepared for market and they are sold or shipped from storage, the regulatory provisions of the order should be applied at the time of such sale or shipment. It would be impractical specifically to exclude from the definition of "handle" all lemons stored, however, because lemons often are sold by the first handler and are subsequently stored by the purchaser, sometimes after transportation of the lemons to terminal markets. The order should provide, therefore, for the exemption from handling of such lemons as may be stored in the production area in conformance with rules and regulations as the committee, with the approval of the Secretary, may prescribe. Such rules should permit handlers who desire to store lemons prior to placing them in commerce to do so. However, it is necessary to handle this exception in this manner so that the committee can apply such safeguards as may be necessary to assure that the lemons so stored are not in fact handled without complying with the order requirements.

The term "handle" should relate to transactions involving markets in the United States, Canada, and Alaska because such markets are considered by the sellers of lemons as one "domestic" market. Shipments to other markets should not be regulated because sales of lemons in those markets do not directly compete with, and are considered diversions from, the "domestic" market.

(8) The provisions of the order relating to preparation of a marketing policy (§ 953.50) should be amended to set forth specifically the factors to be considered therein and the manner in which such policy should be formulated. Currently, it is provided merely that the committee shall adopt a marketing policy at the beginning of each marketing season and submit it to the Secretary. Changes shall be made in such policy in the event it becomes necessary to do so because of changed supply and demand conditions. Such marketing policy would be much more useful to growers and handlers if it were formulated each season on a district basis and in conjunction with meetings of growers and handlers held prior to recommending regulations for Districts 1 and 3 and on or before November 15 in the case of District 2. The policy so formulated would serve to inform persons in the industry, in advance of any substantial marketing of the annual crop in each prorate district, of the committee's plans for regulation and the basis therefor. In order to assure the development of an economically sound and practical marketing policy, the committee, in preparing its marketing policy report, should consider information as hereinafter set forth.

(9) The order should provide for an annual report of operations to bring to the attention of growers and handlers the activities carried on during the particular year. This report should review the regulatory operations for each prorate district and the disposition of lemons during the fiscal year. It should also review the data upon which the prorate bases are determined. The report should deal with the influence of the regulations because an economically sound marketing program requires continuous review of its operations. A discussion of the data upon which the prorate bases are established will serve to provide interested growers and handlers with information which should clarify questions which they may have thereon. The annual report should serve as a record which will be useful to the industry and the Secretary when subsequent activities under the program are being considered.

(10) The order currently provides (§ 953.62) that any central marketing organization which arranges allotment transactions for handlers for whom it markets lemons shall keep records which shall accurately reflect all such transactions. No time period for the retention of such records is specified. Testimony presented at the hearing indicates that a reasonable time period for retention of such records would be 3 years and the order should so provide.

General findings. (1) The marketing agreement, as amended, and as hereby proposed to be amended, and the order, as amended, and as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the act;

(2) The marketing agreement, as amended, and as hereby proposed to be amended, and the order, as amended, and as hereby proposed to be amended, regulate the handling of lemons grown in the designated production area in the same manner as, and are applicable only to persons in the respective classes of industrial or commercial activity specified in, the marketing agreement and order upon which hearings have been held;

(3) The marketing agreement, as amended, and as hereby proposed to be amended, and the order, as amended, and as hereby proposed to be amended, are limited in their application to the smallest regional production area that is practicable consistently with carrying out the declared policy of the act;

(4) The marketing agreement, as amended, and as hereby proposed to be amended, and the order, as amended, and as hereby proposed to be amended, prescribe, so far as practicable, such different terms, applicable to different parts of the production area, as are necessary to give due recognition to differences in the production and marketing of the lemons covered thereby; and

(5) All handling of lemons grown in the designated production area is in the current of interstate or foreign commerce or directly burdens, obstructs, or affects such commerce.

Rulings on findings and conclusions. July 21, 1958, was fixed at the hearing as the latest date for the filing of briefs with respect to facts presented in evidence at the hearing and the conclusions that should be drawn therefrom. A brief was filed within the prescribed time by the College Heights Orange and Lemon Ass'n., Claremont, California. Such brief was considered carefully, along with the evidence in the record, in making the findings and reaching the conclusions herein set forth. To the extent that any suggested findings or conclusions contained in such brief is at variance with the findings and conclusions contained herein, the request to make such findings, or reach such conclusions, is denied on the basis of the facts found and stated in connection with this decision.

Recommended amendment of the amended marketing agreement and order. The following amendment of the amended marketing agreement and order is recommended as the detailed means by which the aforesaid conclusions may be carried out:

1. Amend § 953.4 to read as follows:

§ 953.4 *Lemons.* "Lemons" means all varieties of lemons grown in the production area.

2. Amend § 953.7 to read as follows:

§ 953.7 *Handle.* "Handle" means to buy, sell, consign, transport, or ship lemons (except as a common or contract carrier of lemons owned by another person), or in any other way to place lemons, in the current of commerce between the State of California and any point outside thereof in the continental United States, Alaska, or Canada, or within the State of California, or between the State of Arizona and any point outside thereof in the continental United States, Alaska, or Canada, or within the State of Arizona. The term "handle" does not include (a) the sale of lemons on the tree; (b) the transportation of lemons to a packinghouse within the production area for the purpose of having such lemons prepared for market; or (c) the transportation of lemons to a storage within the production area under such rules and regulations as the committee, with the approval of the Secretary, may prescribe.

3. Amend § 953.12 to read as follows:

§ 953.12 *Lemons available for current shipment.* "Lemons available for current shipment" means (a) with respect to Districts 1 and 3, all lemons as measured by the tree crop, and (b) with respect to District 2, the total quantity of lemons which has been delivered to the handlers in such district during the preceding 20-week period.

4. Add, after § 953.13, the following new sections:

§ 953.14 *Tree crop.* "Tree crop" means the total quantity of lemons on the trees as determined by the committee.

§ 953.15 *Production area.* "Production area" means the State of Arizona and that part of the State of California south of the 37th Parallel.

5. Delete the provisions of §§ 953.20 through 953.23 and substitute therefor the following:

§ 953.20 *Establishment and membership.* There is hereby established a Lemon Administrative Committee consisting of thirteen members, for each of whom there shall be an alternate member who shall have the same qualifications as the member. Eight of the members and their respective alternates shall be growers. Four of the members and their respective alternates shall be handlers, or employees of handlers, or employees of central marketing organizations. One member of the committee and an alternate of such member shall be nominated as provided in § 953.22 (f). The eight members of the committee who shall be growers are referred to in this part as "grower" members of the committee and the four members who shall be handlers, or employees of handlers, or employees of central marketing organizations are referred to in this part as "handler" members of the committee.

§ 953.21 *Term of office.* The term of office of committee members and alternate members shall be a period of two years beginning on November 1 of each even numbered year except that the term ending on October 31, 1960, shall begin on the date designated by the Secretary. Members and alternates shall serve in such capacities for the portion of the term of office for which they are selected and qualify and until their respective successors are selected and have qualified.

§ 953.22 *Nominations.* (a) The time and manner of nominating members and alternate members of the committee shall be prescribed by the Secretary.

(b) Any cooperative marketing organization, or the growers affiliated therewith, which marketed more than 60 percent of the total volume of lemons during the fiscal year in which nominations for members and alternate members of the committee are submitted, shall nominate four grower members, four alternate grower members, two handler members, and two alternate handler members of the committee. At least one of the nominees for member or alternate member shall be a grower in District 1, and at least one of the nominees for member or alternate member shall be a grower in District 3.

(c) All cooperative marketing organizations which market lemons and which are not qualified under paragraph (b) of this section, or the growers affiliated therewith, shall nominate two grower members, two alternate grower members, one handler member, and one alternate handler member.

(d) All growers who are not affiliated with a cooperative marketing organization which markets lemons shall nominate two grower members, two alternate grower members, one handler member, and one alternate handler member.

(e) When voting for nominees, each grower shall be entitled to cast one vote which shall be cast on behalf of himself, his agents, subsidiaries, affiliates, and representatives. The votes of cooperative marketing organizations voting pursuant to paragraph (c) of this section shall be weighted in accordance with the volume of lemons handled during the current fiscal year to the end of the month preceding the month in which such nominations are made.

(f) The members of the committee selected by the Secretary pursuant to § 953.23 shall, by a concurring vote of at least seven members, nominate a member and an alternate member of the committee, which persons shall not be growers or handlers, or employees, agents, or representatives of a grower or handler (other than a charitable or educational institution which is a grower or handler), or of a central marketing organization.

§ 953.23 *Selection.* From the nominations made pursuant to § 953.22 (b) or from other qualified growers and handlers, the Secretary shall select four grower members of the committee and an alternate to each of such grower members; also two handler members of the committee and an alternate to each of such handler members. At least one of the growers so selected shall be a grower of lemons in District 1 and at least one such grower shall be a grower of lemons in District 3. From the nominations made pursuant to § 953.22 (c) or from other qualified growers and handlers, the Secretary shall select two grower members of the committee and an alternate to each of such grower members; also one handler member of the committee and an alternate to such handler member. From the nominations made pursuant to § 953.22 (d) or from other qualified growers and handlers, the Secretary shall select two grower members of the committee and an alternate to such grower members; also one handler member of the committee and an alternate to such handler member. From the nominations made pursuant to § 953.22 (f) or from other qualified persons, the Secretary shall select one member of the committee and an alternate to such member.

6. Delete § 953.28 and substitute therefor the following:

§ 953.28 *Procedure.* (a) Seven members of the committee shall constitute a quorum and any action of the committee shall require seven concurring votes. Insofar as practicable, the growers of lemons in Districts 1 and 3 who were selected to membership on the committee shall attend, and serve as member at, each meeting of the committee to consider regulations applicable to lemons shipped from the respective district.

(b) The committee may vote by telegraph, telephone, or other means of communication, and any votes so cast shall be confirmed promptly in writing. If an assembled meeting is held, all votes shall be cast in person.

7. Delete paragraph (j) of § 953.31 and substitute therefor the following:

(j) To prepare and mail as soon as practicable after the close of each fiscal year an annual report to the Secretary and to each handler and grower of record, which report shall cover the operations of the previous fiscal year and contain at least a complete review by prorate districts of (1) the weekly regulatory operations and lemon movement during the fiscal year as conducted under the marketing policy established pursuant to § 953.50, and (2) the data upon which prorate bases are determined; and

(k) With the approval of the Secretary, to reapportion the number of grower members or handler members on the Lemon Administrative Committee who are nominated pursuant to § 953.22. Any such changes shall be based, insofar as practical, upon the proportionate amount of lemons handled by the respective types of marketing organizations: *Provided*, That each grower group described in § 953.22 shall be entitled to nominate at least one grower and one handler member together with their respective alternates.

8. Amend § 953.50 to read as follows:

§ 953.50 *Marketing policy.* Each year prior to the recommendation for regulation for prorate Districts 1 and 3 and not later than November 15 in the case of District 2, the committee shall hold for each of said districts a marketing policy meeting and shall thereafter submit to the Secretary its marketing policy for such district. Such marketing policy shall contain the following information: (a) The available supplies of lemons in the prorate district, including estimated quality and composition of sizes; (b) the estimated utilization of the crop, showing the quantity and percentages of the crop that will be marketed in domestic, export, and by-product channels, together with quantities otherwise to be disposed of; (c) a schedule of estimated weekly shipments to be recommended to the Secretary during the ensuing season; (d) level and trend of consumer income; (e) estimated supplies of competitive citrus commodities; and (f) any other pertinent factors bearing on the marketing of lemons. In the event that it becomes advisable to substantially modify such marketing policy the committee shall submit to the Secretary a revised marketing policy setting forth the information as required in this section.

9. Amend § 953.53 by deleting paragraphs (b) through (g) and substituting therefor the following:

(b) Such application shall be substantiated by such information as the committee may require. With respect to each such application filed by handlers in Districts 1 and 3, it shall include at least (1) the name and address of the grower or duly authorized agent, if any, for each grove or portion thereof, the fruit of which is included in the quantity of lemons available for current shipment by the applicant; (2) an accurate description of the location of each such grove or portion thereof, including the number of acres contained therein, and (3) an estimate of the total quantity of lemons available for current shipment by the applicant in terms of a unit of measure designated by the committee.

(c) Such application shall include only such lemons available for current shipment which the applicant controls (1) by having legal title or possession thereof, or (2) by a bona fide written contract or agreement under which the applicant has authority to handle or has contracted to buy such lemons. If an applicant controls lemons pursuant to subparagraph (2) of this paragraph, he shall submit to the committee a copy of each type of such contract or agreement to the committee, together with a statement that no other types of such contracts or agreements are used, and shall maintain a file of all original contracts or agreements evidencing such control which shall be subject to examination by the committee.

(d) If the quantity of lemons available for current shipment by any handler is increased or decreased by the acquisition or loss of the control required by paragraph (c) of this section, such person shall submit promptly a report thereon to the committee upon forms made available by it, which report shall be verified in such manner as the committee may require.

(e) If any handler gains or loses control of lemons as required by paragraph (c) of this section, there shall be a corresponding increase or decrease in the quantity of lemons available for current shipment by such handler. If it is determined by the committee that any handler who has lost control of lemons as required by paragraph (c) of this section has handled a quantity of such lemons less than the quantity that could have been handled under the allotments issued thereon, the quantity of lemons available for current shipment by such handler shall be adjusted by deducting therefrom, over such period as may be determined by the committee, a quantity of lemons equivalent to the quantity upon which allotments were issued but which were not utilized thereon.

(f) The committee shall determine the accuracy of the information submitted pursuant to this section. Whenever the committee finds that there is an error, omission, or inaccuracy in any such information, it shall correct the same and shall give the handler who submitted such report a reasonable opportunity to discuss with the committee the factors considered in making the correction. If it is determined that an error, omission, or inaccuracy has resulted in the establishment of a smaller or a larger quantity of lemons available for current shipment than that to which a handler was entitled under this part, such quantity shall be increased or decreased, over such period as may be determined by the committee, by an amount necessary to correct the error, omission, or inaccuracy.

(g) Each week during the marketing season when volume regulation is likely to be recommended for a particular district, the committee shall compute the total quantity of lemons available for current shipment by each handler who has applied for a prorate base and for allotment in such district. On the basis of such computation, the committee shall fix a prorate base for each handler who is entitled thereto. Such prorate base shall represent the ratio between the total quantity of lemons available for current shipment by each applicant in the particular district and the total quantity of lemons available for current shipment in such district by all such applicants. The committee shall notify the Secretary of the prorate base fixed for each handler and shall notify each such handler of the prorate base fixed for him.

10. Amend § 953.60 to read as follows:

§ 953.60 *Transfer of allotment.* Allotments may be transferred from one handler to another only in accordance with the provisions of §§ 953.59 and 953.63.

11. Amend the first sentence in paragraph (b) of § 953.62 to read as follows: "Any central marketing organization which, pursuant to paragraph (a) of this section, receives information from the committee regarding the prorate bases and allotments applicable to the handlers for whom it markets lemons, and which arranges allotment transactions for or on behalf of such handlers, shall keep records, for a period of three years, which will accurately reflect all such allotment transactions, and such records shall be subject to examination by the committee and the Secretary."

12. Amend § 953.64 to read as follows:

§ 953.64 *Districts.* The production area shall be divided into three prorate districts, as follows:

(a) "District 1" shall include that part of the State of California which is south of the 37th Parallel and north of a line drawn due east and west through Gorman, California, but shall exclude that part of San Bernardino County located east of the 115th Meridian.

(b) "District 2" shall include that part of the State of California which is south of District 1, and west of a line drawn due north and south through White Water, California.

(c) "District 3" shall include the State of Arizona and that part of the production area not included in Districts 1 and 2.

13. Add, after § 953.64, the following new sections:

§ 953.65 *Recommendations for size regulation.* (a) Whenever the committee finds that the supply and demand conditions for sizes of lemons make it advisable to regulate in any prorate district the handling of lemons during any period, it shall recommend to the Secretary the sizes of lemons grown in such prorate district which it deems advisable to be handled during the said period. The committee shall promptly submit such findings and recommendations, to-

gether with supporting information, to the Secretary.

(b) In making its recommendations the committee shall give due consideration to the factors referred to in § 953.51 (b).

§ 953.66 *Issuance of size regulations.* Whenever the Secretary shall find, from the findings, recommendations, and information submitted by the committee, or from other available information, that to limit the handling of lemons by size in any prorate district would tend to effectuate the declared policy of the act, he shall fix the sizes of lemons grown in each such prorate district which may be handled during the specified period. When any such size regulation restricts the handling of a portion of a specified size, the quantity of such size that may be handled by a handler during a particular week shall be fixed as a percentage of (a) the weekly allotment issued to such handler when volume regulation is in effect, and (b) the total weekly volume handled by such handler when volume regulation is not in effect. The committee shall be informed immediately of any such regulation issued by the Secretary and the committee shall promptly give adequate notice thereof to all handlers.

§ 953.67 *Exemptions from size regulation.* In the event lemons are regulated pursuant to § 953.66, the committee shall issue one or more exemption certificates to any producer who furnishes evidence satisfactory to the committee that he will be prevented by reason of such regulation from having as large a proportion of his lemons handled as the average proportion of lemons which may be handled by all other producers in the same prorate district. Such exemption certificate shall permit the respective producer to whom the certificate is issued to handle or have handled a percentage of his lemons equal to the percentage determined as aforesaid. Handling of lemons under exemption certificates issued pursuant to this section shall be subject to and limited by such regulations as may be effective under § 953.52 at the time of the respective shipment. The committee shall adopt, with the approval of the Secretary, procedural rules by which such exemption certificates will be issued to producers. Such exemption certificates may be transferred to handlers when accompanied by lemons covered by such certificates.

14. Delete the second sentence of § 953.80 and substitute therefor the following: "The committee, with the approval of the Secretary, may establish minimum quantities and types of shipments which shall be free from regulation under this subpart; and may prescribe such safeguards as may be necessary to prevent lemons which are exempt from regulation pursuant to this section from entering channels of trade for other than the specific purposes authorized by this section."

Dated: September 11, 1958.

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

[F. R. Doc. 58-7498; Filed, Sept. 15, 1958; 8:48 a. m.]

[7 CFR Part 961]

[Docket No. AO-160-A20]

MILK IN PHILADELPHIA, PA., MARKETING AREA

SUPPLEMENTAL NOTICE OF HEARING ON PROPOSED AMENDMENT TO TENTATIVE MARKETING AGREEMENT AND ORDER

On August 19, 1958 (23 F. R. 6510, F. R. Doc 58-6782), there was issued by the Deputy Administrator of the Agricultural Marketing Service, a notice of hearing for the purpose of receiving evidence with respect to a proposed amendment to the tentative marketing agreement and to the order regulating the handling of milk in the Philadelphia, Pennsylvania, marketing area. On August 22, 1958 (23 F. R. 6628, F. R. Doc. 58-6940), a notice of postponement of hearing was issued by the Deputy Administrator of the Agricultural Marketing Service, postponing the public hearing and changing the place and time of hearing to the Carlton Room, Sylvania Hotel, Broad and Locust Streets, Philadelphia, Pennsylvania, beginning at 9:30 a. m., e. d. t., September 18, 1958.

Notice is hereby given 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 orders (7 CFR Part 900), that, in addition to the proposal set forth in the said notice of August 19, 1958, evidence will be received with the respect to the additional proposed amendment hereinafter set forth or appropriate modifications thereof, to the tentative marketing agreement and to the order. The proposed amendment set forth below, has not received the approval of the Secretary of Agriculture.

Proposed by the Milk Distributors' Association of the Philadelphia Area, Inc., and by Lehigh Valley Cooperative Farmers:

3. Add or insert the following language in § 961.10: "Milk which is assigned by a cooperative operating a producer milk plant to a noncooperative producer milk plant shall be treated as if physically received at the producer milk plant of the assignee when the assignee and the assignor notify the market administrator, in writing, of the amount of milk to be assigned, prior to the 15th day of the month preceding the month to which the notice applies."

Copies of this supplemental notice of hearing, together with the notice of hearing and the order may be procured from the Market Administrator, Fox Building, 12th Floor, 1612 Market Street, Philadelphia, Pennsylvania, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 11th day of September 1958.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 58-7499; Filed, Sept. 15, 1958; 8:48 a. m.]

[7 CFR Parts 965, 971]

[Docket Nos. AO-166-A23, AO-175-A15]

MILK IN CINCINNATI, OHIO, MARKETING AREA AND IN DAYTON-SPRINGFIELD, OHIO, MARKETING AREA

SUPPLEMENTAL NOTICE OF HEARING AND NOTICE OF HEARING

The original notice of hearing on proposed amendments to the Cincinnati, Ohio, milk Order No. 65, was issued on August 27, 1958 (23 F. R. 6755).

Pursuant to 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), notice is hereby given that the notice heretofore issued for the Cincinnati, Ohio, marketing area (23 F. R. 6755) is hereby amended to include the proposals hereinafter set forth and notice is hereby given of a public hearing to be held, concurrently with such hearing, with respect to proposed amendments to the tentative marketing agreement and Order No. 71 regulating the handling of milk in the Dayton-Springfield, Ohio, marketing area.

The hearing will be held in the Metropole Hotel, 609 Walnut Street, Cincinnati, Ohio, beginning at 10:00 a. m., September 23, 1958.

The hearing as it relates to the order regulating the handling of milk in the Dayton-Springfield marketing area is for the purpose of receiving evidence with respect to the economic and marketing conditions which relate to the proposed amendments, hereinafter set forth, or appropriate modifications thereof, to the tentative marketing agreement and to such order and particularly to those conditions which relate to the alignment of prices between such marketing area and the Cincinnati marketing area as it is proposed to be expanded on the basis of the testimony at this hearing.

The proposed amendments, set forth below have not received the approval of the Secretary of Agriculture.

Proposed by the Miami Valley Milk Producers Association:

1. Consider a closer alignment in the level of the Class I price under Order No. 71 to that of Order No. 65 by amending § 971.51 of Order No. 71 and consider changes in any other pricing provisions related thereto, including but not limited to, a revision of § 971.51 (a) (1), (2) and (3) and appropriate changes in § 971.53.

Proposed by the Dairy Division, Agricultural Marketing Service, United States Department of Agriculture:

2. Make such other changes in Part 971 as may be required to make the marketing agreement and order in their entirety conform with any amendments thereto which may result from this hearing.

Copies of this notice of hearing and the order may be procured from the Market Administrator, P. O. Box 1195, Cincinnati 1, Ohio; 434 Third National Bank Building, Dayton 2, Ohio, or from the Hearing Clerk, Room 112, Administration Building, United States Department of Agriculture, Washington 25, D. C., or may be there inspected.

Issued at Washington, D. C., this 11th day of September 1958.

[SEAL] ROY W. LENNARTSON,
Deputy Administrator.

[F. R. Doc. 58-7542; Filed, Sept. 15, 1958; 8:55 a. m.]

ATOMIC ENERGY COMMISSION

[10 CFR Part 140]

FINANCIAL PROTECTION REQUIREMENTS AND INDEMNITY AGREEMENTS

NOTICE OF PROPOSED RULEMAKING

This notice is to correct the proposed amendment to 10 CFR Part 140, "Financial Protection Requirements and Indemnity Agreements," published in the FEDERAL REGISTER on Thursday, August 28, 1958 (23 F. R. 6681, 6682).

Section 140.76 of the proposed amendment is corrected by deleting the following words from paragraph 3 of article I: "* * * causing bodily injury, sickness, disease, or death, or loss of or damage to property, or loss of use of property, arising out of or resulting from the radioactive, toxic, explosive, or other hazardous properties of the radioactive material being transported. * * *"

As corrected, the proposed paragraph 3 would read as follows:

3. "In the course of transportation" means in the course of transportation within the United States, including handling or temporary storage incidental thereto, of the radioactive material to the location or from the location; provided, however, with respect to transportation of the radioactive material to the location that such transportation is not by predetermination to be interrupted by the removal of such material from the transporting conveyance for any purpose other than the continuation of such transportation to the location or temporary storage incidental thereto; provided, further, that the transportation of the radioactive material from the location shall be deemed to end when the radioactive material is removed from the transporting conveyance for any purpose other than the continuation of such transportation or temporary storage incidental thereto.

Dated at Germantown, Maryland, this 9th day of September 1958.

For the Atomic Energy Commission.

H. L. PRICE,
Director,
Division of Licensing and Regulation.

[F. R. Doc. 58-7485; Filed, Sept. 15, 1958; 8:45 a. m.]

NOTICES

DEPARTMENT OF DEFENSE

Department of the Army

OFFICE OF THE CHIEF SIGNAL OFFICER

STATEMENT OF ORGANIZATION AND FUNCTIONS OF AGENCIES DEALING WITH THE PUBLIC

Paragraph (j) (7) of section 2, statement of organization and functions, published in 16 F. R. 7775, August 8, 1951, amended in 18 F. R. 859, February 12, 1953, and amended in 21 F. R. 1370, March 1, 1956, is further amended by revising subdivision (x) as follows:

SEC. 2 *Organization and functions of agencies dealing with the public.* * * *

(j) *Office of the Chief Signal Officer.* * * *

(7) *Organization.* * * *

(x) Procurement of the items of Signal Corps equipment and services mentioned below is handled by the U. S. Army Signal Supply Agency and its branches at the following locations:

(*a*) U. S. Army Signal Supply Agency, 225 South 18th Street, Philadelphia 3, Pennsylvania (Telephone: KIngsley 6-3200); Mid-Western Regional Office, USASSA, 615 West Van Buren Street, Chicago 7, Illinois (Telephone: ANdover 3-0234); Western Regional Office, USASSA, 125 South Grand Avenue, Pasadena 2, California (Telephone: SYcamore 6-0471); U. S. Army Electronic Proving Ground Procurement Office, USASSA, Fort Huachuca, Arizona (Telephone: GLadstone 8-3311); Washington Procurement Office, USASSA, Main Navy Building, Washington 25, D. C. (Telephone: LIberty 5-6700).

COMMUNICATION EQUIPMENT

Cryptographic Equipment
Intercommunication Equipment
Radar Equipment
Radiac Equipment
Radio and Television Communication Equipment
Telephone and Telegraph Equipment, Military
Teletype and Facsimile Equipment

ELECTRICAL AND ELECTRONIC EQUIPMENT COMPONENTS

Antennae, Waveguides and Related Equipment
Capacitors
Circuit Breakers
Coils and Transformers
Connectors, Electrical
Electrical Hardware and Supplies
Electrical Insulators and Insulating Materials
Electron Tubes, Transistors, Rectifying Crystals
Fuses and Lightning Arresters
Headsets, Microphones, and Speakers
Lugs, Terminals, and Terminal Strips
Piezo-Electric Crystals
Relays, Contactors, and Solenoids
Resistors
Switches

ELECTRIC WIRE AND POWER AND DISTRIBUTION EQUIPMENT

Batteries, Dry Cell (JAN Type)
Batteries, Secondary
Electrical Control Equipment
Electrical Motors
Generators, and Generator Sets, Electrical
Transformers; Distribution and Power Station
Wire and Cable, Electrical

INSTRUMENTS AND LABORATORY EQUIPMENT

Amplifiers (Test Instrument)
Antenna Testers
Bolometers
Bridges, Impedance
Calibrators
Capacitor Testers
Coil Testers
Galvanometers
Meteorological Instruments and Apparatus
Meters, Other
Oscillographs, Oscilloscopes
Physical Properties Testing Equipment
Radiological Instruments

TRAINING AIDS AND DEVICES

Trainers, Electronic Circuit
Trainers, Radar and Radio
Trainers, Telegraphic Code

OTHER

Automatic Data Procuring Equipment
Flashlights and Lanterns
Reels and Spools (Wire)

(*b*) The U. S. Army Signal Supply Agency, Laboratory Procurement Support Office, Fort Monmouth, New Jersey (Telephone: EAtontown 3-1000). (Contracts for basic research on Signal Corps Equipment and for developmental items.)

(*c*) The Procurement Office of the Army Pictorial Center, 35-11 35th Avenue, Long Island City 1, New York (Telephone: RAvenswood 6-2000). (Production of Motion Pictures, including hiring of actors, narrators, directors, and similar personnel, and photographic equipment and supplies, except film and photographic paper.)

[SEAL] HERBERT M. JONES,
Major General, U. S. Army,
The Adjutant General.

[F. R. Doc. 58-7486; Filed, Sept. 15, 1958; 8:45 a. m.]

DEPARTMENT OF COMMERCE

Bureau of Foreign Commerce

[File 23-530]

WILLI FARNER ET AL.

ORDER EXTENDING AS TO SOME RESPONDENTS TEMPORARY ORDER DENYING EXPORT PRIVILEGES

In the matter of Willi Farner also known as Willi Farner Moser, Grenchen, Switzerland, and Sagrera 44-58, Barcelona, Spain; Farner-Werke A. G., Grenchen, Switzerland; Alexander Botez, also known as A. B. Gamboa, and as Alexander Botez Gamboa, and as Allessandro Donici Botez, 11 Rue Emile Yung, and 22 Ave. Pierre Odier, Geneva, Switzerland; Respondents; File 23-530.

An order was issued on August 11, 1958, temporarily denying for a period of thirty days all United States export privileges to respondents Willi Farner also known as Willi Farner Moser, the firm Farner-Werke A. G., Alexander Botez also known as A. B. Gamboa and as Alexander Botez Gamboa and as Allessandro Donici Botez, and the firm S. A. De Transports Internationaux Tramarsa (23 F. R. 6270, Aug. 14, 1958). The respondents Willi Farner, Farner-Werke A. G., and Tramarsa have protested the issuance of said order and the Director, Investigation Staff, has applied for an order extending such denial to and including the completion of a proceeding now pending against the respondents for an order permanently re-

voking their export privileges by reason of alleged violations of the Export Control Act of 1949, as amended. The Compliance Commissioner has considered the material relied on in support of and in opposition to the order now in effect and the extension order being sought and has recommended that said order be extended, as respects all respondents other than Tramarsa, until and including the completion of the violation case now pending.

After careful consideration of the entire record herein and the recommendation of the Compliance Commissioner, and being of the opinion and finding that it is reasonably necessary to protect the public interest pending the final disposition of the proceeding now pending,

It is hereby ordered, That the order of August 11, 1958 (23 F. R. 6270, Aug. 14, 1958) be and the same hereby is extended until and including the entry of the order which shall determine finally the violation case now pending against the respondents herein, excepting however that this extension shall not apply to nor shall it be deemed to include among the respondents so denied export privileges the respondent S. A. De Transports Internationaux Tramarsa,

And it is further ordered, That except as so expressly amended and excepted, said order of August 11, 1958, be and continue in effect as respects all other respondents, to wit Willi Farner also known as Willi Farner Moser, the firm Farner-Werke A. G., Alexander Botez also known as A. B. Gamboa and as Alexander Botez Gamboa and as Allessandro Donici Botez, as though here set forth at length.

Dated: September 10, 1958.

JOHN C. BORTON,
Director, Office of Export Supply.

[F. R. Doc. 58-7505; Filed, Sept. 15, 1958; 8:50 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) and Administrative Order No. 507 (23 F. R. 2720), 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 factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated:

Adairsville Garment Co., Inc., Adairsville, Ga.; effective 8-28-58 to 8-27-59; workers engaged in the production of men's sport shirts (sport shirts).

Alabama Textile Products Corp., Crestview, Fla.; effective 9-14-58 to 9-13-59; workers engaged in the production of men's pajamas (men's pajamas).

Anniston Sportswear Corp., 919 West Ninth Street, Anniston, Ala.; effective 9-10-58 to 9-9-59 (men's dress trousers).

Blue Buckle Overall Co., 14th and Kemper Streets, Lynchburg, Va.; effective 8-29-58 to 8-28-59 (men's and boys' dungarees; girls' and women's jeans).

Blue Ridge Manufacturers, Inc., Christiansburg, Va.; effective 8-28-58 to 8-27-59 (men's and boys' dungarees).

Caledonia Manufacturing Co., Inc., Caledonia, Miss.; effective 9-9-58 to 9-8-59 (men's dress and play slacks).

Cardinal Manufacturing Co., Inc., Tennessee Avenue and Twelfth Street, Etowah, Tenn.; effective 8-25-58 to 8-24-59 (men's, women's and children's jackets).

Detroit Slacks, Inc., Detroit, Ala.; effective 9-1-58 to 8-31-59 (boys' play slacks).

Kaylor Manufacturing Inc., 822 Anderson Street, New Kensington, Pa.; effective 9-16-58 to 9-15-59; learners may not be employed at special minimum wage rates in the production of separate skirts (women's blouses, etc.).

Lowenstein Dress Corp., 425 Pleasant Street, Fall River, Mass.; effective 8-30-58 to 8-29-59 (women's house dresses).

Mart Manufacturing Co., Inc., Marked Tree, Ark.; effective 8-28-58 to 8-27-59 (men's sport shirts).

Sunbury Dress Co., Inc., 125 Providence Street, West Warwick, R. I.; effective 8-30-58 to 8-29-59 (dresses).

Vernon Manufacturing Co., Inc., Vernon, Ala.; effective 9-1-58 to 8-31-59 (men's dress pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Campy's Frocks, 227 Kelly Street, Luzerne, Pa.; effective 8-29-58 to 8-28-59; 5 learners (dresses).

Dantan Co., Inc., Rankin Street, Dumas, Ark.; effective 9-1-58 to 8-31-59; 10 learners. Learners may not be employed at special minimum wage rates in the production of separate skirts (ladies' sportswear: slim jeans, pedal pushers, etc.).

Mohawk Dress Inc., 29 Chuctananda Street, Amsterdam, N. Y.; effective 8-28-58 to 8-27-59; 5 learners (ladies' dresses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Allen Garment Co., College Street, Franklin, Ky.; effective 8-27-58 to 2-26-59; 25 learners (men's and boys' sport shirts).

Cardinal Manufacturing Co., Inc., Tennessee Avenue and 12th Street, Etowah, Tenn.; effective 8-25-58 to 2-24-59; 40 learners (men's, women's and children's jackets).

International Latex Corp., La Grange, Ga.; effective 8-27-58 to 2-26-59; 35 learners (brassieres).

Manhattan Shirt Co., Ashburn, Ga.; effective 8-28-58 to 2-27-59; 50 learners (men's pajamas).

Monticello Manufacturing Co., Inc., Monticello, Ky.; effective 8-29-58 to 2-28-59; 30 learners (men's and boys' sport shirts).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.60 to 522.65, as amended).

Wells Lamont Corp., Waynesboro, Miss., effective 9-5-58 to 9-4-59; 10 percent of the total number of factory production workers engaged in the authorized learner occupations (leather palm 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).

Diamond Mills Corp., Hanover Div., 3402 South Front Street, Wilmington, N. C.; effective 9-1-58 to 2-28-59; 60 learners for plant expansion purposes (seamless).

Ellen Knitting Mills, Inc., Spruce Pine, N. C.; effective 9-1-58 to 8-31-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Manford Hosiery Mills, Inc., 711 Spring Mill Avenue, Conshohocken, Pa.; effective 9-2-58 to 9-1-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Silver Knit Hosiery Mills, Inc., 401 South Hamilton Street, High Point, N. C.; effective 8-28-58 to 8-27-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Hickory Grove Manufacturing Co., Hickory Grove, S. C.; effective 9-2-58 to 9-1-59; 5 learners for normal labor turnover purposes (infants' and children's underwear; boys' polo shirts).

Junior Form Lingerie Corp., Cairnbrook, Pa.; effective 9-1-58 to 8-31-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (slips, petticoats, gowns).

Movie Star of Poplarville, Poplarville, Miss.; effective 8-28-58 to 8-10-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (replacement certificate) (ladies' slips, petticoats, bouffants).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Advertisers Manufacturing Co., Fond Du Lac County, Ripon, Wis.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 240 hours at the rate of 90 cents an hour (advertising caps, aprons, newsbags).

J. Capps and Sons, Ltd., 500 West Lafayette Avenue, Jacksonville, Ill.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's topcoats, suits, sport coats and slacks).

Carroll Manufacturing Co., Westminster, Md.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing

operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours, and not less than 95 cents an hour for the remaining 200 hours (men's sack coats and pants).

Friedman-Marks Clothing Co., Inc., 1400 West Marshall Street, Richmond, Va.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final pressing, hand sewing, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's suits, sport coats, and slacks).

Lion Manufacturing Co., Everett, Pa.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours, and not less than 95 cents an hour for the remaining 200 hours (men's sack coats).

Middleburg Manufacturing Co., Hanover, Pa.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's pants, slacks and vests).

Mount Union Manufacturing Co., Mount Union, Pa.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours, and not less than 95 cents an hour for the remaining 200 hours (men's sack coats).

Palm Beach Co., Talladega, Ala.; effective 9-1-58 to 2-28-59; 100 learners for plant expansion purposes, in the occupations of, sewing machine operator, and final presser, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's wash pants, suit pants, shorts).

Staunton Manufacturing Co., Staunton, Va.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's sack coats).

Stewartstown Manufacturing Co., Stewartstown, Pa.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes, in the occupations of, sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of 480 hours, at the rates of at least 90 cents an hour for the first 280 hours, and not less than 95 cents an hour for the remaining 200 hours (men's sack and topcoats).

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.

Alfra Bra, Inc., P. O. Box 807, Bayamon, P. R., effective 8-8-58 to 2-7-59; authorizing the employment of 25 learners for plant expansion purposes in the occupation of sewing machine operators, for a learning period of 480 hours at the rates of 60 cents an hour for the first 320 hours and 70 cents an hour for the remaining 160 hours (brassieres).

Coral Industries, Inc., 211 Font Nartelo Street, P. O. Box 1116, Humacao, P. R.; effective 7-30-58 to 1-29-59; authorizing the employment of 40 learners for plant expansion purposes in the occupations of: (1) press operators for a learning period of 480 hours at the rates of 66 cents an hour for the first 240 hours and 77 cents an hour for the remaining 240 hours; (2) springers, assemblers for a learning period of 240 hours at the rate of 66 cents an hour (expansion watch bracelets).

Electronics Corp. Pan America, P. O. Box 266, San Juan, P. R.; effective 7-30-58 to 1-29-59; authorizing the employment of 40 learners for plant expansion purposes in the occupations of, coil winding, assembly and soldering, inspection and testing, each for a learning period of 480 hours at the rates of 70 cents an hour for the first 240 hours and 80 cents an hour for the remaining 240 hours (electronic control apparatus).

Miller Dress Factory of P. R., Inc., P. O. Box 1657, Barceloneta, P. R.; effective 8-5-58 to 2-4-59; authorizing the employment of 60 learners for plant expansion purposes in the occupations of: (1) sewing machine operators, final pressing, each for a learning period of 480 hours at the rates of 45 cents an hour for the first 240 hours and 50 cents an hour for the remaining 240 hours; (2) final inspection of fully assembled garments, for a learning period of 160 hours at the rate of 45 cents an hour (dolls' dresses).

Uniforms, Inc., P. O. Box 1217, Cayey, P. R.; effective 7-31-58 to 7-30-59; authorizing the employment of 10 learners for normal labor turnover purposes in the occupation of sewing machine operators for a learning period of 480 hours at the rates of 54 cents an hour for the first 240 hours and 63 cents an hour for the remaining 240 hours (nurses' and maids' uniforms).

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 prevent 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.

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U. S. C. 201 et seq.), and Part 527 of the regulations issued thereunder (29 CFR Part 527) special certificates authorizing the employment of student-workers at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act has been issued to the firms listed below. Effective and expiration dates, occupations, wage rates, number or proportion of student-workers as learners, and learning periods for the certificates issued under Part 527 are as indicated below.

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9).

Adelphian Academy, 820 Academy Road, Holly, Michigan; effective 9-1-58 to 8-31-59; authorizing the employment of 40 student-workers in the woodworking shop industry (manufacturing trellises, bird houses, etc.) in the occupations of woodworking machines operator, assembler and related skilled and semiskilled occupations including incidental clerical work in the shop for a learning period of 240 hours each at the rates of 85 cents an hour for the first 120 hours and 90 cents an hour for the remaining 120 hours.

Atlantic Union College, Main Street, South Lancaster, Mass.; effective 9-1-58 to 8-31-59; authorizing the employment of (1) 15 student-workers in the print shop industry, in the occupations of compositor, pressman, bindery worker, and related skilled and semiskilled occupations, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours; (2) 20 student-workers in the bookbindery industry, in the occupations of bookbinder, bindery workers and related skilled and semiskilled occupations for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Cedar Lake Academy, Cedar Lake, Mich.; effective 9-1-58 to 8-31-59; authorizing the employment of 20 student-workers in the woodworking (redwood lawn furniture) industry, in the occupations of woodworking machines operator, assembler, and related skilled and semiskilled occupations including incidental clerical work in shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Columbia Academy, Battle Ground, Wash.; effective 9-1-58 to 8-31-59; authorizing the employment of (1) 4 student-workers in the Ridge shingle manufacturing industry, in the occupations of woodworking machines operating and related skilled and semiskilled occupations, including incidental clerical work in the shop for a learning period of 240 hours each at the rates of 85 cents an hour for the first 120 hours and 90 cents an hour for the remaining 120 hours; (2) 5 student-workers in the woodworking (folding doors) industry, in the occupations of woodworking machines operator, assembler, finisher and related skilled and semiskilled occupations including incidental clerical work in the shop for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Monterey Bay Academy, P. O. Box 191, Watsonville, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of 50 student-workers in the furniture manufacturing (rustic redwood) industry, in the occupations of millman, woodworking machine operator, assembler, painter and related skilled and semiskilled occupations including incidental clerical work in the shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Southwestern Junior College, Keene, Texas; effective 9-1-58 to 8-31-59; authorizing the employment of (1) 6 student-workers in the print shop industry, in the occupations of compositor, pressman, bindery worker and related skilled and semiskilled occupations, for a learning period of 1,000

hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours; (2) 2 student-workers in clerical industry, in the occupations of typist, file clerk, bookkeeper, stenographer, timekeeper and related skilled and semiskilled occupations, for a learning period of 480 hours each at the rates of 85 cents an hour for the first 240 hours and 90 cents an hour for the remaining 240 hours.

Upper Columbia Academy, Spangle, Wash.; effective 9-1-58 to 8-31-58; authorizing the employment of 58 student-workers in the Furniture shop (upholstered) industry, in the occupations of woodworking machines operator, springer, sewer, upholsterer, assembler, furniture finisher and related skilled and semiskilled occupations, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Walla Walla College, Drawer 1, College Place, Wash.; effective 9-1-58 to 8-31-59; authorizing the employment of (1) 8 student-workers in the printing industry, in the occupations of compositor, pressman, bindery worker and related skilled and semiskilled occupations, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours; (2) 30 student-workers in the bookbindery industry, in the occupations of bookbinder, bindery worker, and related skilled and semiskilled occupations, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Wisconsin Academy, Columbus, Wis.; effective 9-1-58 to 8-31-59; authorizing the employment of 27 student-workers in the furniture manufacturing (outdoor redwood) industry, in the occupations of woodworking machine operator, assembler, furniture finisher, and related skilled and semiskilled occupations, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

These student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificates, as interpreted and applied by Part 527.

Signed at Washington, D. C., this 4th day of September 1958.

MILTON BROOKE,
Authorized Representative of the Administrator.

[F. R. Doc. 58-7493; Filed, Sept. 15, 1958; 8:47 a. m.]

EMPLOYMENT OF LEARNERS

ISSUANCE OF SPECIAL CERTIFICATES

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 factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Ashland Shirt Corp., Ashland, Pa.; effective 8-25-58 to 8-24-59 (sport and dress shirts).

D & D Shirt Co., 1801 Newport Avenue, Northampton, Pa.; effective 8-25-58 to 8-24-59 (ladies' shirt waist blouses, men's sport, dress, and army shirts for post exchanges).

Dauphin Shirt Manufacturing Co., Elizabethville, Pa.; effective 8-22-58 to 8-21-59; including the production of men's shirts (ladies' blouses, men's shirts).

Fleetline Industries, Inc., Garland, N. C.; effective 8-23-58 to 8-22-59 (men's sport shirts).

Horton Garment Co., Inc., Horton, Kans.; effective 8-25-58 to 8-24-59 (junior dresses).

Inland Manufacturing Co., Jasper, Ga.; effective 8-22-58 to 8-21-59 (outerwear jackets).

McCoy Manufacturing Co., Inc., Sulligent, Ala.; effective 9-1-58 to 8-31-59 (dress pants, play slacks).

Quaker Manufacturing Co., 19-21 St. Louis Street, Lewisburg, Pa.; effective 8-25-58 to 8-24-59 (women's nightwear).

Royal Manufacturing Co., Inc., Sandersville, Ga.; effective 8-30-58 to 8-29-59 (sport shirts).

Salem Garment Co., Inc., Salem, S. C.; effective 8-22-58 to 8-21-59 (women's wash dresses).

Southern Foundations, Inc., Alamo, Tenn.; effective 8-24-58 to 8-23-59 (foundation garments for women).

Whiteville Garment Manufacturing Co., Wilmington Road, Whiteville, N. C.; effective 8-25-58 to 8-24-59 (men's and boys' denim jeans).

Wright Manufacturing Co., 626 West Currahee Street, Toccoa, Ga.; effective 8-20-58 to 8-19-59 (men's and boys' cotton pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

C. R. Dix, Inc., 7 Augusta Street, Greenville, S. C.; effective 8-27-58 to 8-26-59; 10 learners (dresses).

J. and B. Sportswear Co., Maple Street, Tresckow, Pa.; effective 8-25-58 to 8-24-59; five learners (blouses).

Kane Manufacturing Co., Inc., Leitchfield, Ky.; effective 8-25-58 to 8-24-59; 10 learners (sport jackets).

Mortensen Apron Co., 40 West Main Street, St. Anthony, Idaho; effective 8-18-58 to 8-7-59; five learners (replacement certificate) (women's aprons).

Mode O'Day Corp., 607 Main Street, Osawatomie, Kans.; effective 8-27-58 to 8-26-59; 10 learners (blouses).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Inland Manufacturing Co., Jasper, Ga.; effective 8-22-58 to 2-21-59; 20 learners (outerwear jackets).

Mode O'Day Corp., 607 Main Street, Osawatomie, Kans.; effective 8-27-58 to 2-26-59; 10 learners (blouses).

Movie Star of Magnolia, Magnolia, Miss.; effective 8-22-58 to 2-21-59; 35 learners (ladies' gowns, bed jackets and peignoirs).

Reidbord Bros., Co., Gulland-Clark Building, Livingston Street, Elkins, W. Va.; effective 8-25-58 to 2-24-59; 25 learners (men's work shirts and trousers).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.40 to 522.43, as amended).

Fidelity Hosiery Mills, Inc., Third and Walnut Streets, Shamokin, Pa.; effective 8-21-58 to 8-20-59; 5 learners for normal labor turnover purposes (seamless).

C. D. Jessup & Co., Claremont, N. C.; effective 8-20-58 to 8-19-59; 5 learners for normal labor turnover purposes (seamless).

Locust Hosiery Mills, Inc., Locust, N. C.; effective 8-25-58 to 8-24-59; 5 learners for normal labor turnover purposes (seamless).

Unique Knitting Co., Acworth, Ga.; effective 8-22-58 to 8-21-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (seamless).

Whitmire Hosiery Mills, Inc., Whitmire, S. C.; effective 8-22-58 to 2-21-59; 12 learners for plant expansion purposes (seamless).

Independent Telephone Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.70 to 522.74, as amended).

Monroe Telephone Co., Inc., Monroeville, Ala.; effective 8-25-58 to 8-24-59.

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.30 to 522.35, as amended).

Carmi-Ainsbrooke Corp., Carmi, Ill.; effective 8-25-58 to 8-24-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (men's woven underwear).

Davidson Brothers Corp., 125 Providence Street, West Warwick, R. I.; effective 8-25-58 to 8-24-59; 5 percent of the total number of factory production workers for normal labor turnover purposes (ladies' lingerie).

Seamprufe, Inc., Paris, Ark.; effective 8-25-58 to 2-24-59; 35 learners for plant expansion purposes (slips and lingerie).

Seamprufe, Inc., Paris, Ark.; effective 8-25-58 to 8-24-59; 5 learners for normal labor turnover purposes (slips and lingerie).

Shoe Industry Learner Regulations (29 CFR 522.1 to 522.11, as amended, and 29 CFR 522.50 to 522.55).

Crown Footwear Manufacturing Co., Inc., New Athens, Ill.; effective 8-28-58 to 8-27-59; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's shoes—cement process).

Livermore Shoe Co., Livermore Falls, Me.; effective 8-22-58 to 8-21-59; 10 percent of the total number of factory production workers for normal labor turnover purposes (women's novelty shoes).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.11, as amended).

Famous-Sternberg, Inc., 950 Poeyfarre Street, New Orleans, La.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupations of: sewing machine operator, final presser, hand sewer, and finishing operations involving hand sewing, each for a learning period of

480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours (men's wool, cotton and synthetic fiber suits, jackets and trousers).

Hardwick Clothes, Cleveland, Tenn.; effective 9-1-58 to 2-28-59; 5 percent of the total number of factory production workers for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours, and not less than 95 cents an hour for the remaining 200 hours (men's and boys' tailored garments).

Kewanee Headwear Co., 410 West Second Street, Kewanee, Ill.; effective 9-1-58 to 2-28-59; 5 learners for normal labor turnover purposes in the occupation of sewing machine operator for a learning period of 240 hours at the rate of 90 cents an hour (caps).

Monarch-Comer Co., Comer, Ga.; effective 8-25-58 to 8-24-59; 10 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours; (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 90 cents an hour (separate trousers, ladies' shorts, boys' suits).

Monarch-Fitzgerald Co., Fitzgerald, Ga.; effective 8-25-58 to 8-24-59; 10 learners for normal labor turnover purposes in the occupations of: (1) sewing machine operators, final pressers, each for a learning period of 480 hours at the rates of at least 90 cents an hour for the first 280 hours and not less than 95 cents an hour for the remaining 200 hours; (2) final inspection of assembled garment for a learning period of 160 hours at the rate of at least 90 cents an hour (separate trousers, ladies' shorts, boys' suits).

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 prevent 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.

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U. S. C. 201 et seq.), and Part 527 of the regulations issued thereunder (29 CFR Part 527) special certificates authorizing the employment of student-workers at hourly wage rates lower than the minimum wage rates applicable under section 6 of the act have been issued to the firms listed below. Effective and expiration dates, occupations, wage rates, number of proportion of student-workers as learners, and learning periods for the certificates issued under Part 527 are as indicated below.

Regulations Applicable to the Employment of Student-Workers (29 CFR 527.1 to 527.9).

Auburn Academy, Auburn, Wash.; effective 9-1-58 to 8-31-59; authorizing the employment of 90 student-workers in the woodworking shop (furniture) industry, in the occupations of woodworking machine operator, assembler, furniture finisher, and related skilled and semi-skilled occupations for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Campbellsville College, Campbellsville, Ky.; effective 9-1-58 to 8-31-59; authorizing the employment of: (1) 15 student-workers for a learning period of 600 hours each in the occupations of woodworking machine operator, veneer machine operator including glue reel, assembler, furniture finisher and related skilled and semi-skilled occupations, in the furniture and handiwork "do-it-yourself" kits industry, at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours; (2) 15 student-workers for a learning period of 850 hours each in the occupations of machine tools operator: lathe, milling, planer, shaper, drill press, die casting and related semi-skilled and skilled occupations, in the metalworking industry, at the rates of 85 cents an hour for the first 425 hours and 90 cents an hour for the remaining 425 hours.

Campion Academy, Loveland, Colorado; effective 9-1-58 to 8-31-59; authorizing the employment of 15 student-workers in the broom manufacturing industry, in the occupations of broom maker, stitcher, sorter, winder, and related skilled and semi-skilled occupations for a learning period of 360 hours each at the rates of 85 cents an hour for the first 180 hours and 90 cents an hour for the remaining 180 hours.

Clear Creek Baptist School, Pineville, Ky.; effective 9-1-58 to 8-31-59; authorizing the employment of 45 student-workers in the furniture manufacturing industry, in the occupations of woodworking machine operator, assembler, furniture finisher, and related skilled and semi-skilled occupations, including incidental clerical work in furniture shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Glendale Union Academy, 700 Kimlin Drive, Glendale, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of 3 student workers in the printing industry, in the occupations of compositor, pressman and related skilled and semi-skilled occupations for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours.

Hawaiian Mission Academy, 1438 Pensacola St., P. O. Box 421, Honolulu, T. H.; effective 9-1-58 to 8-31-59; authorizing the employment of: (1) 5 student-workers in the print shop industry, in the occupations of compositor, pressman, bindery worker, and related skilled and semi-skilled occupations, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours; (2) 1 student-worker in the clerical industry in the occupations of typist, bookkeeper, and related skilled and semi-skilled occupations for a learning period of 480 hours each at the rates of 85 cents an hour for the first 240 hours and 90 cents an hour for the remaining 480 hours.

Indiana Academy, Cicero, Ind.; effective 9-1-58 to 8-31-59; authorizing the employment of 20 student-workers in the furniture (wood) industry, in the occupations of woodworking machine operator, assembler, furniture finisher helper and related skilled and semi-skilled occupations, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

La Sierra College, Arlington, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of 5 student-workers in the print shop industry, in the occupations of pressman, compositor, linotype operator, bindery worker, and related skilled and semi-skilled occupations, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours.

Laurelwood Academy (Laurelcraft Industries) Rt. No. 2, Box 97-8-1, Gaston, Oreg.; effective 9-1-58 to 8-31-59; authorizing the employment of 60 student-workers in the woodworking (folding doors) industry, in the occupations of woodworking machines operator, assembler, finisher and related skilled and semi-skilled occupations, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Linfield Research Institute, Linfield College, McMinnville, Oreg.; effective 9-1-58 to 8-31-59; authorizing the employment of 17 student-workers in the scientific research on U. S. Government contracts, in the occupation of research technician for a learning period of 300 hours at the rates of 85 cents an hour for the first 150 hours and 90 cents an hour for the remaining 150 hours.

Lodi Academy, 1215 S. Garfield St., Lodi, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of 6 student-workers in the printing industry, in the occupations of compositor, pressman, linotype operator, bindery worker, and related skilled and semi-skilled occupations, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours.

Newbury Park Academy, P. O. Box 77, Newbury Park, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of 20 student-workers in the broom industry, in the occupations of broom maker, sorter, winder, stitcher and related skilled and semi-skilled occupations, for a learning period of 360 hours each at the rates of 85 cents an hour for the first 180 hours and 90 cents an hour for the remaining 180 hours.

Pacific Union College, Angwin, Calif.; effective 9-1-58 to 8-31-59; authorizing the employment of: (1) 8 student-workers in the print shop industry, in the occupations of compositor, pressman, lithographer, bindery worker and related skilled and semi-skilled occupations including incidental clerical work in shop, for a learning period of 1000 hours each at the rates of 85 cents an hour for the first 500 hours and 90 cents an hour for the remaining 500 hours; (2) 20 student-workers in the bookbindery industry, in the occupations of bookbinder, sewer, stamper, trimmer, cutter, backer, case-maker, and related skilled and semi-skilled occupations including incidental clerical work in shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

Shenandoah Valley Academy, New Market, Va.; effective 9-1-58 to 8-31-59; authorizing the employment of: (1) 20 student-workers in the bookbindery industry, in the occupations of bookbinder, bindery worker, sewer, trimmer, backer, cutter, case-maker, letterer, and related skilled and semi-skilled occupations including incidental clerical work in shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours; (2) 20 student-workers in the broom and mop manufacturing industry, in the occupations of broom maker, stitcher, seeding, sorting, winding, dyeing, and related skilled and semi-skilled occupations, for a learning period of 360 hours each at the rates of 85 cents an hour for the first 180 hours and 90 cents an hour for the remaining 180 hours.

Thunderbird Academy (Academy Wood Products), Box 967, Scottsdale, Ariz.; effective 9-1-58 to 8-31-59; authorizing the employ-

ment of 60 student-workers in the woodworking shop (furniture) industry, in the occupations of woodworking machine operator, assembler, furniture finisher helper, and related skilled and semi-skilled occupations including incidental clerical work in shop, for a learning period of 600 hours each at the rates of 85 cents an hour for the first 300 hours and 90 cents an hour for the remaining 300 hours.

These student-worker certificates were issued upon the applicant's representations and supporting material fulfilling the statutory requirements for the issuance of such certificates, as interpreted and applied by Part 527.

Signed at Washington, D. C., this 28th day of August 1958.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F. R. Doc. 58-7465; Filed, Sept. 12, 1958; 8:46 a. m.]

DEPARTMENT OF THE INTERIOR

Geological Survey

CERTAIN STATES

DEFINITION OF KNOWN GEOLOGIC STRUCTURES OF PRODUCING OIL AND GAS FIELDS

Former paragraph (c) of § 227.0, Part 227, Title 30, Chapter II, Code of Federal Regulations (1947 Supp.), codification of which has been discontinued by a document published in Part II of the FEDERAL REGISTER dated December 31, 1948, is hereby supplemented by the addition of the following list of structures defined effective as of the dates shown.

Name of field	*Effective date*	*Acreage*
(2) COLORADO		
Hiawatha (revision)	Aug. 29, 1958	81,905
(5) NEW MEXICO		
Artesia-Maljamar (revision and consolidation)	May 28, 1958	176,258
Bell Lake	June 4, 1958	7,661
Dos Hermanos	June 4, 1958	920
East Turkey Track	June 4, 1958	754
Gladiola	June 4, 1958	6,200
High-Lonesome (revision)	June 25, 1958	1,880
Leo (revision)	May 28, 1958	2,360
Teas	May 28, 1958	1,320
(8) UTAH		
Bar-X	Aug. 22, 1958	17,849
(9) WYOMING		
Big Muddy (revision)	Aug. 22, 1958	10,921
Big Piney-La Barge (revision and consolidation)	June 24, 1958	126,024
Byron (revision)	June 23, 1958	4,603
Elk Basin (revision)	July 3, 1958	11,048
Lake Creek (revision)	July 9, 1958	4,847
North Fork (revision)	Aug. 8, 1958	1,841
Sage Spring Creek (D)	Aug. 7, 1958	1,000
Walker Dome	Aug. 7, 1958	1,080
Water Creek	Aug. 7, 1958	3,810
Waugh Dome	Aug. 7, 1958	1,094

THOMAS B. NOLAN,
Director.

[F. R. Doc. 58-7491; Filed, Sept. 15, 1958; 8:47 a. m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Social Security Administration

STATE ASSISTANCE EXPENDITURES

FEDERAL PERCENTAGE

Promulgation of Federal percentage under Title XI of the Social Security Act for purposes of State assistance expenditures under Titles I, IV, X, and XIV.

Pursuant to section 1101 (a) (8) of the Social Security Act, as amended (sec. 505, Social Security Amendments of 1958, Public Law 85-840),

And it having been found that the three most recent calendar years for which satisfactory data are available from the Department of Commerce as to the per capita income of each State and of the continental United States are the years 1955, 1956, and 1957.

The Federal percentage, as indicated below, for purposes of Federal financial participation in State assistance expenditures under Titles I, IV, X, or XIV of said Act, for each of the forty-eight States, Alaska, Hawaii, and the District of Columbia, as specified in said Act, or as determined pursuant thereto and on the basis of said income data, are hereby promulgated for each of the eleven quarters in the period beginning October 1, 1958, and ending with the close of June 30, 1961:

State:	*Federal percentage*
Alabama	65.00
Arizona	63.23
Arkansas	65.00
California	50.00
Colorado	53.42
Connecticut	50.00
Delaware	50.00
District of Columbia	50.00
Florida	59.68
Georgia	65.00
Idaho	65.00
Illinois	50.00
Indiana	50.00
Iowa	63.23
Kansas	60.78
Kentucky	65.00
Louisiana	65.00
Maine	65.00
Maryland	50.00
Massachusetts	50.00
Michigan	50.00
Minnesota	58.57
Mississippi	65.00
Missouri	53.42
Montana	54.07
Nebraska	63.41
Nevada	50.00
New Hampshire	57.91
New Jersey	50.00
New Mexico	65.00
New York	50.00
North Carolina	65.00
North Dakota	65.00
Ohio	50.00
Oklahoma	65.00
Oregon	52.58
Pennsylvania	50.00
Rhode Island	50.00
South Carolina	65.00
South Dakota	65.00
Tennessee	65.00
Texas	61.36
Utah	65.00
Vermont	65.00
Virginia	65.00
Washington	50.00
West Virginia	65.00
Wisconsin	54.60
Wyoming	50.92
Alaska	50.00
Hawaii	50.00

Dated: August 29, 1958.

[SEAL] W. L. MITCHELL,
Acting Commissioner of Social Security.

Approved: September 10, 1958.

ARTHUR S. FLEMMING,
Secretary.

[F. R. Doc. 58-7487; Filed, Sept. 15, 1958; 8:45 a. m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 11788 etc.; FCC 58M-952]

JAMES W. MILLER ET AL.

ORDER CONTINUING HEARING

In re applications of James W. Miller, Milford, Connecticut, Docket No. 11788, File No. BP-10500; Orange County Broadcasting Corporation (WGNY), Newburgh, New York, Docket No. 12411, File No. BP-11365; Vincent de Laurentis, Hamden, Connecticut, Docket No. 12412, File No. BP-11607; Albert L. Capstaff, tr/as Eastern States Broadcasting Co., Hamden, Connecticut, Docket No. 12413, File No. BP-11760; for construction permits.

It is ordered, This 9th day of September 1958, that hearing in the above-entitled proceeding, which is presently scheduled to commence September 17, 1958, is continued to a date which will be specified by the Hearing Examiner assigned to the proceeding.

Released: September 10, 1958.

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

[F. R. Doc. 58-7522; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket No. 12463; FCC 58M-951]

JAMES S. RIVERS, INC. (WJAZ)

ORDER CONTINUING HEARING

In re application of James S. Rivers, Inc. (WJAZ), Albany, Georgia, Docket No. 12463, File No. BP-11220; for construction permit.

It is ordered, This 9th day of September 1958, that hearing in the above-entitled proceeding, which is presently scheduled to commence September 24, 1958, is continued to a date which will be specified by the Hearing Examiner assigned to the proceeding.

Released: September 10, 1958.

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

[F. R. Doc. 58-7523; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket Nos. 12481, 12482; FCC 58M-954]

FARMINGTON BROADCASTING CO. AND FOUR CORNERS BROADCASTING CO.

ORDER CONTINUING HEARING CONFERENCE

In re applications of Farmington Broadcasting Company, Farmington, New Mexico, Docket No. 12481, File No. BPCT-2369; Four Corners Broadcasting Company, Farmington, New Mexico, Docket No. 12482, File No. BPCT-2417; for construction permits for new television broadcast stations.

The Hearing Examiner having under consideration a motion filed September 5, 1958, by Four Corners Broadcasting Company, requesting that the prehearing conference in the above-entitled proceeding presently scheduled for September 15, 1958, be continued until September 23, 1958;

It appearing, that counsel for the other parties to this proceeding have indicated their consent to the immediate consideration and grant of the motion and good cause has been shown therefor;

It is ordered, This 9th day of September 1958, that the motion be and it is hereby granted and the prehearing conference in the above-entitled proceeding be and it is hereby continued from September 15, 1958 to September 23, 1958, at 10 a. m.

Released: September 10, 1958.

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

[F. R. Doc. 58-7524; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket No. 12530; FCC 58M-955]

MUSICAL HEIGHTS, INC.

ORDER SCHEDULING PREHEARING CONFERENCE

In re application of Musical Heights, Inc., Braddock Heights, Maryland, Docket No. 12530, File No. BP-10918; for construction permit.

It is ordered, This 9th day of September 1958, that, pursuant to the provisions of § 1.111 of the rules of the Commission, and in accordance with the agreement of counsel, all parties to the above-entitled proceeding or their legal counsel are directed to appear for a prehearing conference at the offices of the Commission in Washington, D. C., at 10:00 a. m., October 3, 1958.

Released: September 10, 1958.

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

[F. R. Doc. 58-7525; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket Nos. 12535, 12536; FCC 58M-953]

ARNOLD J. STONE ET AL.

ORDER CONTINUING HEARING

In re applications of Arnold J. Stone, Alameda, California, Docket No. 12535, File No. BPH-2414; Patrick Henry and David D. Larsen, a Partnership, Alameda, California, Docket No. 12536, File No. BPH-2437; for construction permits.

It is ordered, This 9th day of September 1958, that hearing conference in the above-entitled proceeding, which is presently scheduled for October 1, 1958, is continued to a date which will be specified by the Hearing Examiner assigned to the proceeding.

Released: September 10, 1958.

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

[F. R. Doc. 58-7526; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket Nos. 12544, 12545; FCC 58M-964]

BAY AREA ELECTRONIC ASSOCIATES AND SONOMA COUNTY BROADCASTERS

ORDER SETTING PREHEARING CONFERENCE

In re applications of John F. Egan and Robert Sherman, d/b as Bay Area Electronic Associates, Santa Rosa, California, Docket No. 12544, File No. BP-11319; Alfred M. Pettler, Samuel Elkins, Herbert Stiller, Martin D. Rockey and Sanford Spillman, d/b as Sonoma County Broadcasters, Santa Rosa, California, Docket No. 12545, File No. BP-11809; for construction permits.

It is ordered, This 9th day of September 1958, that, pursuant to the provisions of § 1.111 of the Commission's rules, all parties to the above-entitled proceeding or their counsel are directed to appear for a prehearing conference at the offices of the Commission in Washington, D. C., at 9:00 a. m., on September 25, 1958, for the purpose of considering the following:

(1) The necessity or desirability of simplification, clarification, amplification, or limitation of the issues;

(2) The possibility of stipulating with respect to facts;

(3) The procedure at the hearing;

(4) The limitation of the number of witnesses;

(5) Such other matters applicable to comparative broadcast application proceeding as will be conducive to an expeditious conduct of the hearing.

Released: September 10, 1958.

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

[F. R. Doc. 58-7527; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket No. 12586 etc.; FCC 58M-958]

M. V. W. RADIO CORP. ET AL.

ORDER SCHEDULING HEARING

In re applications of M. V. W. Radio Corporation, San Fernando, California, Docket No. 12586, File No. BP-10888; KGB, Incorporated (KGB), San Diego, California, Docket No. 12587, File No. BP-11103; Robert S. Marshall, Newhall, California, Docket No. 12588, File No. BP-11705; William H. Wilson and Shirley Ann Wilson, d/b as Wilson Broadcasting Company, Oxnard, California, Docket No. 12589, File No. BP-11911; for construction permits.

It is ordered, This 8th day of September 1958, that Thomas H. Donahue will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on November 4, 1958, in Washington, D. C.

Released: September 10, 1958.

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

[F. R. Doc. 58-7528; Filed, Sept. 15, 1958; 8:53 a. m.]

[Docket No. 12569]

AMERICAN TELEPHONE AND TELEGRAPH CO.

MEMORANDUM OPINION AND ORDER; CORRECTION

In the Matter of the applications of American Telephone and Telegraph Company, (Long Lines Department), for modification of its point-to-point microwave radio station licenses in Portland, Maine; Brunswick, Maine; Liberty, Maine; Kings Mountain, Maine; Franklin, Maine; and Cooper Hill, Maine, for facilities connecting with the trans-Atlantic telephone cable system, to authorize the furnishing of an alternate voice and digital data transmission service to the United States Air Force; Docket No. 12569;

Call sign:	*File No.*
KCB 81	2943-C1-ML-58
KCB 82	2944-C1-ML-58
KCB 83	2945-C1-ML-58
KCC 92	2948-C1-ML-58
KCC 85	2946-C1-ML-58
KCC 86	2947-C1-ML-58

The "In the matter of" paragraph in Commission's Memorandum Opinion and Order adopted July 31, 1958 and released August 6, 1958 (FCC 58 783, Mimeo #61767) is corrected to read as above.

Released: September 11, 1958.

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

[F. R. Doc. 58-7529; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket No. 12578; FCC 58M-967]

JAMES A. SAUNDERS AND WILLIAM F. JOHNS, JR.

ORDER SCHEDULING PREHEARING CONFERENCE

In re application of James A. Saunders (Transferor) and William F. Johns, Jr. (Transferee), Docket No. 12578, File No. BTC-2792; for transfer of control of Sioux Empire Broadcasting Company, Inc., licensee of Station KIHO, Sioux Falls, South Dakota.

It is ordered, This 10th day of September 1958, that all parties, or their counsel, in the above-entitled proceeding are di-

rected to appear for a prehearing conference pursuant to the provisions § 1.111 of the Commission's rules, at the offices of the Commission in Washington, D. C., at 9 o'clock a. m., September 17, 1958.

Released: September 10, 1958.

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

[F. R. Doc. 58-7530; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket No. 12581; FCC 58M-956]

WESTMINSTER BROADCASTING CO. (WCME)

ORDER SCHEDULING HEARING

In re application of Westminster Broadcasting Company (WCME), Brunswick, Maine, Docket No. 12581, File No. BP-11402; for construction permit.

It is ordered, This 8th day of September 1958, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 30, 1958, in Washington, D. C.

Released: September 10, 1958.

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

[F. R. Doc. 58-7531; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket Nos. 12582, 12583; FCC 58M-959]

TWIN CITY BROADCASTING CO., INC., AND TOOMBS BROADCASTING CO.

ORDER SCHEDULING HEARING

In re applications of Twin City Broadcasting Co., Inc., Lyons, Georgia, Docket No. 12582, File No. BP-11398; R. L. Horne, Jr., tr/as Toombs County Broadcasting Company, Lyons, Georgia, Docket No. 12583, File No. BP-12089; for construction permits.

It is ordered, This 8th day of September 1958, that Elizabeth C. Smith will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 31, 1958, in Washington, D. C.

Released: September 10, 1958.

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

[F. R. Doc. 58-7532; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket Nos. 12584, 12585; FCC 58M-960]

COLUMBIA RIVER BROADCASTERS AND L. BERENICE BROWNLOW

ORDER SCHEDULING HEARING

In re applications of David L. Hubert, Edward F. Kelly & Marion S. Olney d/b as Columbia River Broadcasters, St. Helens, Oregon, Docket No. 12584, File No. BP-11437; L. Berenice Brownlow, St. Helens, Oregon, Docket No. 12585, File No. BP-11882; for construction permits.

It is ordered, This 8th day of September 1958, that Charles J. Frederick will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on November 4, 1958, in Washington, D. C.

Released: September 10, 1958.

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

[F. R. Doc. 58-7533; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket No. 12590; FCC 58M-957]

BRUCE MCCULLOUGH

ORDER SCHEDULING HEARING

In the matter of Bruce McCullough, Homestead, Florida, Docket No. 12590; order to show cause why the license for station KIG305 in the Domestic Public Land Mobile Radio Service should not be revoked.

It is ordered, This 8th day of September 1958, that Isadore A. Honig will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on October 27, 1958, in Washington, D. C.

Released: September 10, 1958.

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

[F. R. Doc. 58-7534; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket No. 12596; FCC 58-865]

KWEW, INC.

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of KWEW, Inc. (KWEW), Hobbs, New Mexico, Docket No. 12596, File No. BP-11322; for construction permit.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of September 1958;

The Commission having under consideration (1) the above-captioned application of KWEW, Inc., for a construction permit to increase the daytime power of Station KWEW, Hobbs, New Mexico, from 1 kilowatt to 5 kilowatts and to continue operation on the presently assigned frequency of 1480 kilocycles utilizing a directional antenna and a power of one kilowatt for nighttime operation, unlimited time; and (2) a Petition of Waiver of § 3.24 (b) (7) of the Commission's rules (Blanket Area Rule) filed simultaneously with the above-captioned application and requesting, in addition to a waiver of § 3.24 (b) (7) of the Rules, a grant of the application without hearing;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically, financially and otherwise qualified to operate Station KWEW as proposed but that the applicant estimates that the population residing within the proposed 1 v/m contour is approximately 3.45 percent of the population within the proposed 25 mv/m contour and that, therefore, the proposed operation of Station KWEW would not be in compliance with § 3.24 (b) (7) of the Commission's rules on "blanketing" which provides, in pertinent part, that the population within the 1 v/m contour shall not exceed 1.0 percent of the population within the 25 mv/m contour; that the applicant's population estimates are based on a house count of the dwellings within the 1000 mv/m contour and on a population survey conducted by the City of Hobbs in 1956 and estimates by the electric utility company and the city school system of the population within the City of Hobbs, all of which is encompassed within the proposed 25 mv/m contour; and

It further appearing, that, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the applicant was advised by letter dated May 21, 1958, that the Commission was unable to conclude that a grant of the application would be in the public interest in view of the noncompliance with § 3.24 (b) (7) of the rules; and

It further appearing, that the applicant filed a reply dated June 27, 1958, to the Commission's letter setting forth additional data in support of the request for a waiver of § 3.24 (b) (7) of the rules and for a grant of the application without hearing; and

It further appearing, that the Commission is unable to make a determination in this matter on the basis of the data before it and is of the opinion that a hearing is necessary to obtain complete information as to whether grounds advanced by KWEW, Inc., are sufficient to constitute a valid basis for waiver of § 3.24 (b) (7) of the Commission's rules;

It is ordered, That, pursuant to section 309 (b) of the Communications Act of 1934, as amended, the above-captioned application is designated for hearing at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine the areas and populations which may be expected to gain or lose primary service from the operation of Station KWEW as proposed and the availability of other primary service to such areas and populations.

2. To determine whether the proposed operation of Station KWEW would be in compliance with § 3.24 (b) (7) of the Commission's rules; and if compliance with § 3.24 (b) (7) is not achieved, whether circumstances exist which would warrant a waiver of said section of the rules.

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That, to avail itself of the opportunity to be heard, the applicant, pursuant to § 1.140 of the Commission's rules, by attorney, or appropriate corporate officer, shall within 20 days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: September 11, 1958.

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

[F. R. Doc. 58-7535; Filed, Sept. 15, 1958; 8:54 a. m.]

[Change List 124]

CANADIAN BROADCAST STATIONS

LIST OF CHANGES, PROPOSED CHANGES, AND CORRECTIONS IN ASSIGNMENTS

AUGUST 29, 1958.

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

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

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
		680 kilocycles				
CJOB	Winnipeg, Manitoba	5 kw D/2.5 kw N	DA-N	U	II	Now in operation on new freq.
		800 kilocycles				
CJAD	Montreal, P. Q.	10 kw	DA-1	U	II	Now in operation with revised pattern.
CHAB	Moose Jaw, Saskatchewan.	10 kw D/5 kw N	DA-N	U	II	Now in operation with increased daytime power.
		850 kilocycles				
CKVL	Verdun, P. Q.	50 kw D/10 kw N	DA-2	U	II	Now in operation with increased daytime power.
		910 kilocycles				
CJDV	Drumheller, Alta.	1 kw	DA-1	U	III	Assignment of call letters.
		1050 kilocycles				
CHUM	Toronto, Ontario	5 kw D/2.5 kw N	DA-1	U	II	Now in operation with increased daytime power.
		1090 kilocycles				
New	Lethbridge, Alta.	5 kw	DA-2	U	II	EIO 8-20-59.
		1230 kilocycles				
CFKL	Schefferville, P. Q.	0.25 kw	ND	U	IV	Assign. of call letters. Now in operation.
		1300 kilocycles				
CJRH	Richmond Hill, Ont.	0.5 kw	ND	D	III	Now in operation.
		1340 kilocycles				
CJOB	Winnipeg, Manitoba	0.25 kw	ND	D	IV	Delete assign.—vide 680 kc.
		1450 kilocycles				
CFJR	Brockville, Ontario	1 kw D/0.25 kw N	ND	U	IV	EIO 8-20-59 (PO 1450 kc 0.25 kw ND).
		1470 kilocycles				
CHOW	Welland-Port Colborne, Ontario.	0.5 kw	DA	D	III	Now in operation.

FCC NOTE. At the time this change list was received, Change List No. 123 had not been received.

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

[F. R. Doc. 58-7537; Filed, Sept. 15, 1958; 8:54 a. m.]

[Docket No. 12597; FCC 58-868]

JANE A. ROBERTS (KCFI)

ORDER DESIGNATING APPLICATION FOR HEARING ON STATED ISSUES

In re application of Jane A. Roberts (KCFI), Cedar Falls, Iowa, Docket No. 12597, File No. BL-7011; for station license.

At a session of the Federal Communications Commission held at its offices in Washington, D. C., on the 10th day of September 1958;

The Commission having under consideration the above-captioned application of Jane A. Roberts for license to cover the construction permit for a new standard broadcast station at Cedar Falls, Iowa, to operate on 1250 kilocycles with a power of 500 watts, directional antenna, daytime only;

It appearing, that, except as indicated by the issues specified below, the applicant is legally, technically and financially qualified to operate Station KCFI as proposed but that Mass Communicators, Inc., of Richmond Heights, Missouri, filed a letter and affidavit on January 3, 1958, alleging, inter alia, that the signature of "Jane A. Roberts" appearing in the original application for Cedar Falls (BP-10787) is not her genuine signature; that the signatures of "Jane A. Roberts" in other applications with the Commission are not genuine; and

It further appearing, that, by letter of January 17, 1958, the applicant was advised of the aforementioned allegations; and

It further appearing, that, by a sworn statement of January 28, 1958, Mrs. Roberts replied to these allegations stating, in substance, that the signature appearing in the original application for Cedar Falls (BP-10787) is her true signature, made before a notary public; that to the best of her knowledge and belief all other notarized signatures submitted to the Commission by her are her true signatures; that it may be possible that at sometime in the past, as a matter of convenience, she has instructed her husband to sign her name on what she considered a simple and unimportant communication, but that she cannot recall any specific instance; that if such were done, it was as a matter of convenience and not with the intent to defraud or mislead the Commission; and

It further appearing, that, by letter dated July 16, 1958, the applicant was advised that upon consideration of the aforementioned allegations and her reply, the Commission was unable to conclude that a grant of the license application would be in the public interest; and

It further appearing, that, by letter of July 23, 1958, applicant's counsel stated that she would participate in a hearing; and

It further appearing, that, section 319 (a) of the Communications Act of 1934, as amended, requires that an application for a construction permit "shall be signed by the applicant under oath or affirmation," and that section 308 (b) of the Act requires that applications for station licenses, modifications or renewals thereof "shall be signed by the applicant and/or licensee under oath or affirmation"; and

It further appearing, that, questions obtain as to whether Mrs. Roberts fulfilled the statutory requirement of signing her individual applications under oath or affirmation and whether therefore Mrs. Roberts possesses the basic qualifications to be a broadcast licensee; and

It further appearing, that, in view of the foregoing, the Commission is of the opinion that a hearing on the instant application is necessary;

It is ordered, That, the above-captioned application is designated for hearing, at a time and place to be specified in a subsequent order, upon the following issues:

1. To determine whether the signature appearing in the original application (BP–10787) for Cedar Falls is the genuine signature of Jane A. Roberts, and whether the signature "Jane A. Roberts" appearing in other applications with the Commission is genuine.

2. To determine whether, in light of the evidence adduced under Issue No. 1, Jane A. Roberts, permittee of Station KCFI, possesses the basic qualifications to be a broadcast licensee;

3. To determine, in the light of the evidence adduced pursuant to the foregoing issues, whether a grant of the instant application would serve the public interest, convenience and necessity.

It is further ordered, That, the burden of proceeding with the introduction of evidence, and the burden of proof as to each of the issues shall be on the applicant; and

It is further ordered, That, to avail herself of the opportunity to be heard, the applicant herein, pursuant to § 1.140 of the Commission's rules, in person or by an attorney, shall within twenty (20) days of the mailing of this order, file with the Commission, in triplicate, a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

Released: September 11, 1958.

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

[F. R. Doc. 58–7536; Filed, Sept. 15, 1958; 8:54 a. m.]

FEDERAL POWER COMMISSION

Docket No. G–16181

NORMAN V. KINSEY, JR., ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

SEPTEMBER 10, 1958.

Norman V. Kinsey, Jr., et al., (Kinsey), on August 20, 1958, tendered for filing a proposed change in his presently effective rate schedule [1] for the sale of natural gas subject to the jurisidiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, dated August 15, 1958.
Purchaser: Mississippi River Fuel Corporation.
Rate schedule designation: Supplement No. 2 to Kinsey's FPC Gas Rate Schedule No. 1.
Effective date: October 11, 1958 (effective date is the effective date proposed by Kinsey.)

In support of the proposed three-step periodic rate increase, Kinsey cites the contract provision therefor and states that without such provision he would not have committed the gas for the 20-year term of the contract. Kinsey also cites increases in producer costs and states that the schedule of periodic price increases tends to offset such increases and provide a relatively uniform net income over the term of the contract.

The increased rate and charge so proposed is intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refund in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rate and charge.

This suspension, however, is based solely on the possibility of the additional tax being invalidated and that only such tax reimbursement shall be made effective subject to refund.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Naural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed change, and that Supplement No. 2 to Kinsey'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. 2 to Kinsey'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 October 12, 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.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58–7506; Filed, Sept. 15, 1958; 8:50 a. m.]

[1] Supplement No. 1 to Kinsey's FPC Gas Rate Schedule No. 1, (Louisiana gathering tax increase), was suspended for 1 day until August 2, 1958, in Docket No. G–15742, and is now in effect subject to refund.

[Docket No. G–14872]

NATURAL GAS STORAGE COMPANY OF ILLINOIS

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 10, 1958.

Take notice that Natural Gas Storage Company of Illinois (Applicant), an Illinois corporation, having its principal place of business at 122 South Michigan Avenue, Chicago, Illinois, filed on April 14, 1958, an application, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing it to construct and operate certain natural gas facilities as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the application, which is on file with the Commission and open for public inspection.

Applicant owns and operates an aquifer-type underground storage reservoir near Herscher, Kankakee County, Illinois, which has an authorized maximum daily withdrawal rate of 430,000 Mcf. Applicant also owns and operates as a supplement to said Herscher storage field, a gas field known as Cooks Mills in Coles and Douglas Counties, Illinois. Applicant transports and stores natural gas in the Herscher and Cooks Mills storage fields for the account of customers of Natural Gas Pipe Line Company of America (Natural) and Texas Illinois Gas Pipeline Company (Texas Illinois). Applicant alleges that the natural gas delivered to it for storage is received from Texas Illinois at points of interconnection of facilities of Applicant and Texas Illinois in Kankakee and Coles Counties, Illinois, and is transported thence to the storage fields of Herscher and Cooks Mills, respectively, where said gas is injected into the storage reservoirs. Upon request of the customer owning gas so stored, Applicant withdraws the quantity of gas so requested and redelivers it to Texas Illinois.

Applicant alleges that it has gathered information through geological surveys and tests which predicts a second formation some 600 feet below the Galesville sand (Herscher storage), referred to as Mount Simon, which is adaptable for use as a gas storage reservoir. Applicant proposes to construct and operate the following described facilities for the purpose of injecting natural gas into said formation to ascertain and evaluate more precisely the characteristics of said formation as a storage reservoir:

(a) Twelve injection-withdrawal wells and appurtenances thereto;

(b) A gathering system consisting of:

0.02 mile of 4-inch pipeline,
0.41 mile of 8-inch pipeline, and
1.99 miles of 12-inch pipeline;

(c) One 1330-B. H. P. compressor plant for injection and withdrawal of gas;

(d) Three observation wells; and

(e) Cushion gas now estimated to be approximately three billion cubic feet.

Applicant plans to inject during 1958 about five billion cubic feet of natural gas, of which it estimates three billion

cubic feet will be required as cushion gas. The maximum storage capacity is estimated to be 70,000,000 Mcf, of which 35,000,000 Mcf is to be top storage gas.

The total estimated cost of said facilities is $2,560,133, including the sum of $557,553 as the cost of existing facilities, which Applicant proposes to finance by the sale of common stock and from funds on hand.

This matter is one that should be disposed of as soon as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisidiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 14, 1958, at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 2, 1958. Failure of any party to appear at and participate in the hearing shall be construed as a waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-7507; Filed, Sept. 15, 1958; 8:50 a. m.]

[Docket No. G-14899 etc.]

G. STRATTON ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 10, 1958.

In the matters of G. Stratton,[1] Docket No. G-14899; Southern Union Gas Company,[2] Docket No. G-15004; Southern Union Gathering Company,[3] Docket No. G-15005; Colorado Western Exploration, Inc., Operator,[4] Docket No. G-15036; Phillips Petroleum Company,[5] Docket No. G-15057; Tidewater Oil Company (Formerly Tidewater Associated Oil Co.),[6] Docket No. G-15099; Charles F. Buckwalter,[7] Docket No. G-15101.

Take notice that each of the above Applicants has filed an application for a certificate of public convenience and necessity, pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications, which are on file with the Commission and open to public inspection. Each Applicant has submitted a related rate schedule for such service.

The respective Applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below:

Docket No.; Field and location; and Purchaser

G-14899; Noelke Northeast Queen Field, Crockett County, Tex.; El Paso Natural Gas Company.

G-15004; Aztec Field (Pictured Cliffs), Blanco Field (Mesaverde), San Juan and Rio Arriba Counties, N. Mex.; El Paso Natural Gas Company.

G-15005; Aztec Field (Mesaverde), San Juan County, N. Mex.; El Paso Natural Gas Company.

G-15036; Blanco Field (Mesaverde), San Juan County, N. Mex.; El Paso Natural Gas Company.

G-15057; Bear Field, Beauregard Parish, La.; Transcontinental Gas Pipe Line Company.

G-15099; Justis Field, Lea County, N. Mex.; El Paso Natural Gas Company.

G-15101; Maxie-Pistol Ridge Field, Pearl River County, Miss.; United Gas Pipe Line Company.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 14, 1958 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however*, That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided, for unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 30, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

Co-owners	Nonunitized Acreage	Government Hancock No. 1 Well	Percentage of Working Interest		
			Jaquez No. 1 Well	Montoya No. 1 Well	Tafoya No. 1 Well
	Percent	*Percent*	*Percent*	*Percent*	*Percent*
Colorado Western Exploration, Inc., Operator	62.50	21.52	31.25	21.19	35.93
Mike Abraham		25.04			
Alexander M. Arnstein	6.25	2.14	25.0	7.57	6.25
J. A. Pierce, et ux		3.19			
Seymour Gruss	6.25	2.14	12.5	4.54	4.69
Stanley S. Laugendorf	25.00	8.61			15.63
Hargrove Oil & Gas Co		6.25	3.03		
N. V. Kinsey		25.0	12.11		
Texas National Petroleum Co			51.56	37.5	

[1] Application covers a proposed sale of natural gas pursuant to an amendatory agreement dated July 11, 1955, which adds additional acreage (5 tracts) to a basic contract dated November 2, 1954. Applicant received authorization in Docket No. G-7356 covering the sale of gas under said basic contract. Production from three tracts is limited to depth of 3,000 feet below surface.

[2] Southern Union Gas Company, nonoperator, is filing for its working interests in four wells dedicated under three amendatory agreements which add additional acreages to two separate basic gas sales contracts; for which authorization was granted in Docket No. G-4612.

[3] Southern Union Gathering Company is filing for authorization to sell to El Paso 50 percent of production from the Colorado Western-Government-Owen No. 1-7 Well, which gas is purchased from Colorado Western Exploration, Inc. Applicant proposes to sell the subject gas pursuant to an amendatory agreement dated January 2, 1958, which adds additional gas supply from a new formation to a basic gas sales contract dated September 1, 1953, as amended. Amendment filed June 10, 1958, is a request to amend application to show subject well as producing from the Mesaverde formation rather than the Pictured Cliffs formation.

[4] Colorado Western Exploration, Inc., Operator, is filing for itself and on behalf of the following nonoperating owners of working interests in four wells: El Paso (Purchaser) owns the remaining 37.36 percent interest in the Government-Hancock No. 1 Well. Production from above-named wells is proposed to be sold pursuant to three amendatory agreements dated March 5, 1957 (Government-Hancock No. 1 Well), April 15, 1957 (Jacquez No. 1 Well), and November 27, 1957 (Montoya and Tafoya No. 1 Wells), which cancels an amendatory agreement dated May 10, 1957. The above-mentioned amendatory agreements add additional acreages to a basic contract dated October 29, 1956. Colorado Western, Operator, received authorization in Docket No. G-11896 covering the sale of gas under said basic contract. Applicant is the only signatory seller party to the basic contract and the subject amendatory agreements.

[5] Phillips Petroleum Company is filing for its working interest in 160 acres, production from which is proposed to be sold pursuant to an amendatory agreement dated March 5, 1958, which adds additional acreage to a basic contract dated August 16, 1954, as amended. Phillips received authorization in Docket No. G-4178 covering the sale of gas under said basic contract.

[6] Application covers a proposed sale of natural gas pursuant to an amendatory agreement dated November 1, 1957, which adds additional acreage to a basic contract dated August 15, 1949, as amended. Applicant received authorization in Docket No. G-6272

covering the sale of gas under said basic contract.

[1] Charles F. Buckwalter, nonoperator, is filing for its 1.312 percent interest (1.5 mineral acres) in the Gulf Refining Co., et al., Southern Minerals Corp., et al., Units D & DA, production from which is proposed to be sold pursuant to an amendatory agreement dated October 15, 1957, which adds additional producing horizons to the basic contract dated April 14, 1955. Applicant received authorization in Docket No. G-13688 covering the sale of gas under said basic contract.

[F. R. Doc. 58-7508; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G-16184]

J. I. ROBERTS

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

SEPTEMBER 10, 1958.

J. I. Roberts (Roberts) on August 18, 1958, tendered for filing a proposed change in his presently effective rate schedule [1] 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: Mississippi River Fuel Corporation.
Rate schedule designation: Supplement No. 6 to Roberts' FPC Gas Rate Schedule No. 1.
Effective Date: October 1, 1958 (effective date is the effective date proposed by Roberts).

In support of the proposed periodic rate increase, Roberts merely cites the pertinent pricing provision of the contract.

The increased rate and charge so proposed is intended to reflect (in whole or in part) the additional excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refund in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rate and charge.

This suspension, however, is based solely on the possibility of the additional tax being invalidated and that only such tax reimbursement shall be made effective subject to refund.

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. 6 to Roberts' 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. 6 to Roberts' 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 October 2, 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.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-7509; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G-16185]

J. I. ROBERTS

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

SEPTEMBER 10, 1958.

J. I. Roberts (Roberts) on August 18, 1958, tendered for filing a proposed change in his presently effective rate schedule [1] 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: Arkansas Louisiana Gas Company.
Rate schedule designation: Supplement No. 4 to Roberts' FPC Gas Rate Schedule No. 2.
Effective date: October 1, 1958 (effective date is the effective date proposed by Roberts).

In support of the proposed periodic rate increase, Roberts merely cites the pertinent pricing provision of the contract.

The increased rate and charge so proposed is intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refund in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rate and charge.

This suspension, however, is based solely on the possibility of the additional tax being invalidated and that only such tax reimbursement shall be made effective subject to refund.

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. 4 to Roberts' FPC Gas Rate Schedule No. 2 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 Suplement No. 4 to Roberts' FPC Gas Rate Schedule No. 2.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until October 2, 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.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-7510; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G-16186]

ROBERTS AND MURPHY

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATES

SEPTEMBER 10, 1958.

J. I. Roberts and C. H. Murphy, Jr., d/b/a Roberts and Murphy, (Roberts and Murphy), on August 18, 1958, ten-

---

[1] Supplement No. 5 to Roberts' FPC Gas Rate Schedule No. 1, (Louisiana gathering tax increase), was suspended for 1 day until August 2, 1958, in Docket No. G-15875, and is now in effect subject to refund.

[1] Supplement No. 3 to Roberts' FPC Gas Rate Schedule No. 1 (Louisiana's gathering tax increase), was suspended for 1 day until August 2, 1958, in Docket No. G-15725, and is now in effect subject to refund.

dered for filing a proposed change in their presently effective rate schedule[1] 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: Mississippi River Fuel Corporation.
Rate schedule designation: Supplement No. 6 to Roberts and Murphy's FPC Gas Rate Schedule No. 3.
Effective date: October 1, 1958 (effective date is the effective date proposed by Roberts and Murphy).

In support of the proposed periodic rate increase, Roberts and Murphy merely cite the pertinent pricing provisions of the contract.

The increased rate and charge so proposed is intended to reflect (in whole or in part) the additional "excise, license, or privilege tax" of one cent per Mcf levied by the State of Louisiana pursuant to Act No. 8 of 1958 (House Bill No. 303), as approved on June 16, 1958, amending Title 47 of the Louisiana Revised Statutes of 1950. The Commission is advised that litigation is being instituted to challenge the constitutionality of the said Act No. 8 of 1958. In consideration of this fact, and in order to assure appropriate refund in the event said Act No. 8 of 1958 should be declared unconstitutional or otherwise held invalid by final judicial decision, it is deemed advisable to suspend the said proposed increased rate and charge.

This suspension, however, is based solely on the possibility of the additional tax being invalidated and that only such tax reimbursement shall be made effective subject to refund.

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. 6 to Roberts and Murphy's FPC Gas Rate Schedule No. 3 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. 6 to Roberts and Murphy's FPC Gas Rate Schedule No. 3

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until October 2, 1958, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

[1] Supplement No. 5 to Roberts and Murphy's FPC Gas Rate Schedule No. 3 (Louisiana gathering tax increase), was suspended for 1 day until August 2, 1958, in Docket No. G-15037, and is now in effect subject to refund.

(C) Neither the supplement hereby suspended nor the rate schedule sought to be altered thereby shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-7511; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G-14371]

PANHANDLE EASTERN PIPE LINE CO.

NOTICE OF APPLICATION AND DATE OF HEARING

SEPTEMBER 2, 1958.

Take notice that Panhandle Eastern Pipe Line Company (Applicant), a Delaware corporation, having its principal offices at 1221 Baltimore Avenue, Kansas City, Missouri, and 120 Broadway, New York, New York, filed on January 31, 1958 an application and on April 22, 1958 and May 27, 1958 supplements thereto, pursuant to section 7 of the Natural Gas Act, for a certificate of public convenience and necessity authorizing the acquisition and operation of certain natural gas transmission facilities, as hereinafter described, all as more fully represented in the application which is on file with the Commission and open for public inspection.

Panhandle proposes to acquire by purchase from the Town of Lapel, Indiana (Town) 4.9 miles of natural gas pipeline and other appurtenant facilities, more particularly described as follows: Twenty-six thousand three hundred thirty-four feet, more or less, of steel pipeline 4½ inches in outside diameter running from the connection of said line with the Panhandle Eastern Pipe Line Company's Anderson 18-inch Lateral to the point downstream of the measuring and regulating devices housed in the town border station of the Town of Lapel where the gas enters the distribution system of the Town of Lapel, Indiana; such portion of the farm tap connection service lines which are located along and connected to said 4½ inch steel pipeline as may be owned by the Town or the Municipal Gas Company thereof; all meters, regulators, valves and other equipment and fixtures attached and appurtenant to said line and to the farm tap service lines, including the building housing the town border station and all measuring and regulating devices therein contained; all land owned by the Town or the Municipal Gas Company thereof which is a part of the tract on which the town border station stands; and any and all rights-of-way, easements, permits, licenses and agreements under or pursuant to which the Town has constructed and now maintains said line and appurtant property.

Applicant alleges that the facilities proposed to be acquired comprise all of the gas transportation facilities owned by the Town, but do not include the lines and other facilities which the Town owns and uses for the distribution of gas at low pressures to the public in the Town of Lapel.

The consideration proposed to be paid for the said facilities is $15,814.78 from funds on hand.

Applicant alleges that it delivers gas through the pipeline and facilities proposed to be purchased to the Town of Lapel for resale to the public and to Brockway Glass Company (Brockway), a direct industrial customer. There are also approximately twenty farm service tap customers served from said pipeline, which Applicant will continue to serve.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations, and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 14, 1958, at 9:30 a. m., e. d. s. t., in a hearing room of the Federal Power Commission, 441 G Street, NW., Washington, D. C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before October 1, 1958. Failure of any party to appear at and participate in the hearing will be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-7512; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G-13257 etc.]

ATLANTIC REFINING CO. ET AL.

NOTICE OF APPLICATIONS AND DATE OF HEARING

SEPTEMBER 10, 1958.

In the matters of the Atlantic Refining Company,[1] Docket No. G-13257; Northern Pump Company, Operator, et al.,[2] Docket No. G-13266; H. L. Hawkins and H. L. Hawkins, Jr., Docket No. G-13267; Magnolia Petroleum Company,[3] Docket No. G-13275; R. P. Karll, Operator, et al.,[4] Docket No. G-13277; H. L. Hawkins, H. L. Hawkins, Jr. and Frank

See footnotes at end of document.

S. Kelly, Jr.,[8] Docket No. G–13279; Victor Hale,[9] Docket No. G–13280; Amerada Petroleum Corporation,[7] Docket No. G–13284; J. M. Huber Corporation,[8] Docket No. G–13291; Union Oil Company of California,[9] Docket No. G–13292; Amerada Petroleum Corporation,[10] Docket No. G–13303; Cities Service Oil Company, Docket No. G–13304.

Take notice that each of the above applicants has filed an application for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, authorizing each to render service as hereinafter described, subject to the jurisdiction of the Commission, all as more fully represented in the respective applications which are on file with the Commission and open to public inspection. Each applicant has submitted a related rate schedule for such service.

The respective applicants produce and propose to sell natural gas for transportation in interstate commerce for resale as indicated below.

Docket No.; Field and Location; and Purchaser

G–13257; Hico-Knowles, Lincoln and Claiborne Parishes, La.; Texas Gas Transmission Corp.

G–13266; Cabeza Creek Area, Goliad and DeWitt Counties, Tex.; United Gas Pipe Line Co.

G–13267; Valentine, Lafourche Parish, La.; United Fuel Gas Co.

G–13275; Fremont, Jim Wells Co., Tex.; Coastal States Gas Producing Co. for resale to Trunkline Gas Co.

G–13277; Rodessa (Jefferson Area), Marion County, Tex.; Arkansas Louisiana Gas Co.

G–13279; Hayes, Jefferson Davis and Calcasieu Parishes, La.; United Gas Pipe Line Co.

G–13280; Trace Fork, Magoffin Co., Ky.; Kentucky West Virginia Gas Co.

G–13284; Bagley, Lea County, N. Mex.; El Paso Natural Gas Co.

G–13291; Acreage in Hansford and Ochiltree Counties, Tex.; Northern Natural Gas Co.

G–13292; Lips, Roberts County, Tex.; Natural Gas Pipe Line Co. of America.

G–13303; Elwood, Barber County, Kans.; Cities Service Gas Co.

G–13304; Northwest Cherokee, Alfalfa Co., Okla.; Cities Service Gas Co.

These related matters should be heard on a consolidated record and disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on October 14, 1958 at 9:30 a. m., e. d. s. t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D. C., concerning the matters involved in and the issues presented by such applications: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30 (c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D. C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before September 30, 1958. Failure of any party to appear at and participate in the hearing shall be construed as waive of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

---

[1] The Atlantic Refining Company, nonoperator, will sell its gas pursuant to a ratification agreement dated July 26, 1957 of a basic contract dated November 23, 1956, between Southwest Gas Producing Company, Inc., et al., sellers, and Texas Gas Transmission Corporation, buyer. Both Atlantic and Texas Gas are signatory parties to said ratification agreement, which agreement adds Atlantic's interest in certain leases to the basic contract. Southwest Gas, Operator, et al., were authorized in Docket No. G–11745 for the sale of gas under the basic contract.

[2] Northern Pump Company, Operator, is filing for itself and on behalf of following nonoperators: John B. Hawley, Jr., J. B. Moore and E. J. Carlson. All are signatory seller parties to the gas sales contract dated August 27, 1957.

[3] Magnolia Petroleum Company is filing for its 50 percent interest in the A. A. Seeligson and Seeligson No. 2 Units and is the only signatory seller party to gas sales contract dated February 15, 1957, which contract limits production to the Singer Sand and provides that Magnolia receive 75 percent of any price increase received by Coastal States from resale of the subject gas to Trunkline Gas Company.

[4] R. P. Karll, Operator, is filing for himself and on behalf of the following nonoperators: Doris Day Melcher, Martin Melcher and Jerome B. Rosenthal. All above-named coowners are signatory seller parties to the gas sales contract dated August 7, 1957. Operator will receive none of the revenues to be derived from the sale of the subject gas until the costs of lease acquisition and well development have been paid out, at which time 50 percent net working interest reverts to Operator.

[5] H. L. Hawkins, H. L. Hawkins, Jr., and Frank S. Kelly, Jr., are filing jointly for their working interests in the H. L. Hawkins-Atkinson No. 1 Well and all are signatory seller parties to gas sales contract dated September 3, 1957, which limits production to horizons between surface and base of the Hayes Sand.

[6] Production is limited to one well drilled to and through the Big Lime Formation.

[7] Application covers proposed sale of natural gas pursuant to amendatory agreement dated August 30, 1957, which adds additional acreage to basic contract dated February 11, 1957. Applicant was authorized in Docket No. G–12133 for sale of gas under the basic contract.

[8] J. M. Huber Corporation is filing for its working interest in the subject acreages and is the only signatory seller party to gas sales contract dated August 8, 1957, which limits production to horizons between sea level and top of the Mississippian Formation. Amendment filed February 24, 1958 is request to include in certificate application amendatory agreement dated January 3, 1958, which dedicates additional acreage at a depth from top of Mississippian Formation to 100 feet below top of said formation to the basic contract.

[9] Production is limited to formations above the St. Louis Group of the Mississippian Age.

[10] Application covers proposed sale of natural gas under an amendatory agreement dated September 10, 1957, which adds additional acreage to a basic gas sales contract dated October 7, 1955. Applicant received authorization in Docket No. G–9488 covering sale of gas under the basic contract.

[F. R. Doc. 58–7513; Filed, Sept. 15, 1958; 8:51 a. m.]

[Docket No. G–16177]

TEXAS GULF PRODUCING CO.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGE IN RATE

SEPTEMBER 10, 1958.

Texas Gulf Producing Company (Texas Gulf) on August 11, 1958, tendered for filing a proposed change in its presently filed rate schedule for the sale of natural gas subject to the jurisdiction of the Commission. The proposed change, which constitutes an increased rate and charge, is contained in the following designated filing:

Description: Notice of Change, August 7, 1958.

Purchaser: Trunkline Gas Company.

Rate schedule designation: Supplement No. 9 to Texas Gulf's FPC Gas Rate Schedule No. 3.

Effective date: September 11, 1958 (effective date is the first day after expiration of required thirty days' notice).

In support of the favored-nation increase Texas Gulf cites the contractual covenants included in the rate schedule and submits a letter dated March 10, 1958 from Trunkline Gas Company advising Texas Gulf that Trunkline had executed a new contract to purchase gas in Bee County, Texas, at a similar price and began taking deliveries thereunder on March 7, 1958. Texas Gulf prays for but has not shown good cause for a shortened suspension period.

The increased rate and charge 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. 9 to Texas Gulf's FPC Gas Rate Schedule No. 3 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. 9 to Texas Gulf's FPC Gas Rate Schedule No. 3.

(B) Pending such hearing and decision thereon, said supplement be and it is hereby suspended and the use thereof deferred until February 11, 1959, and until such further time as it is made effective in the manner prescribed by the Natural Gas Act.

(C) Neither the supplement hereby suspended, nor the rate schedule sought

to be altered thereby, shall be changed until this proceeding has been disposed of or until the period of suspension has expired, unless otherwise ordered by the Commission.

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

By the Commission.

[SEAL] JOSEPH H. GUTRIDE, *Secretary.*

[F. R. Doc. 58-7514; Filed, Sept. 15, 1958; 8:52 a. m.]

[Docket No. G-16180]

CHRISTIE, MITCHELL AND MITCHELL CO. ET AL.

ORDER FOR HEARING AND SUSPENDING PROPOSED CHANGES IN RATES

SEPTEMBER 10, 1958.

Christie, Mitchell and Mitchell Company, et al., (Christie) on August 18, 1958, tendered for filing proposed changes in its presently effective rate schedule [1] for the sale of natural gas subject to the jurisdiction of the Commission. The proposed changes, which constitute increased rates and charges, are contained in the following designated filings:

Description: (1) Notice of Change, dated August 12, 1958. (2) Notice of Change, dated August 14, 1958.

Purchaser: Texas Eastern Transmission Corporation.

Rate schedule designation: (1) Supplement No. 18 to Christie's FPC Gas Rate Schedule No. 9. (2) Supplement No. 19 to Christie's FPC Gas Rate Schedule No. 9.

Effective date: September 18, 1958 (effective date is the first day after expiration of the required thirty days' notice).

In support of the proposed favored-nation rate increases, Christie cites the contract favored-nation provisions and submits copies of Texas Eastern Transmission Corporation's favored-nation letter (accepted by Christie on August 15, 1957) specifying the increased price. Christie also states that without such protective provisions against discrimination it would not have executed the contract, the increased price is just and reasonable in all respects and will afford only a fair return upon investment.

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

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon a hearing concerning the lawfulness of the said proposed changes, and that Supplement Nos. 18 and 19 to Christie's FPC Gas Rate Schedule No. 9 be suspended and the use thereof deferred as hereinafter ordered.

[1] Present rate previously suspended and is in effect subject to refund in Docket No. G-13662.

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 rates and charges contained in Supplement Nos. 18 and 19 to Christie's FPC Gas Rate Schedule No. 9.

(B) Pending such hearing and decision thereon, said supplements be and they are each hereby suspended and the use thereof deferred until February 18, 1959, 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 schedule 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.*

[F. R. Doc. 58-7515; Filed, Sept. 15, 1958; 8:52 a. m.]

[Docket No. G-13177]

OIL PARTICIPATIONS INCORPORATED

ORDER REDESIGNATING RATE SCHEDULE AND TERMINATING PROCEEDING IN PART

SEPTEMBER 5, 1958.

Oil Participations Incorporated (Applicant), on July 21, 1958, filed with the Commission a motion requesting that its FPC Gas Rate Schedule No. 4 be redesignated as Oil Participations Incorporated Rate Schedule No. 8 but only insofar as such rate schedule relates to Applicant's interest in the Benoit leases, Thornwell Field, Jefferson Davis and Cameron Parishes, Louisiana.[1]

Applicant's FPC Gas Rate Schedule No. 4 consists of a contract dated February 8, 1956, entered into by Pan American Petroleum Corporation (Pan-Am) and Applicant with United Fuel Gas Company (United Fuel) for the sale to the latter company of natural gas produced from various leases in the Thornwell Field. The sale is made by Pan-Am and Applicant under certificates of public convenience and necessity issued October 16, 1956, in Docket Nos. G-10022 and G-10027, respectively. Initally, both Pan-Am and Applicant tendered the February 8, 1956, contract for filing and the filings were designated in the records of the Commission as Pan-Am's FPC Gas Rate Schedule No. 190 and Applicant's FPC Gas Rate Schedule No. 4.

Originally, Pan-Am and Applicant each had a 50 percent interest in producing leases in the Thornwell Field. Pan-Am was the operator of the properties; Applicant, the non-operator. Each rate schedule provided an initial price of 17.4 cents per Mcf (inclusive of tax reimbursement). Subsequently, Pan-Am tendered proposed rate changes increasing the proposed rate to 17.8 cents per Mcf, effective April 15, 1957, subject to refund, in Docket No. G-11446, and later to 18.2 cents per Mcf, effective April 1, 1958, subject to refund, in Docket No. G-13442. In its tenders, Pan-Am indicated that the first increase applied only to its 50 percent interest; but that the second increase was filed to cover its interest as well as the non-operator, in accordance with the Commission's Order No. 190, issued September 27, 1956 (18 CFR 154.91; 21 F. R. 7616). Applicant, on July 31, 1957, tendered a proposed rate change increasing the rate from 17.4 cents to 17.8 cents per Mcf relating to its 50 percent interest. Such rate change was suspended in the instant proceeding until January 31, 1958, when it became effective subject to refund.[2]

In support of its motion, Applicant states that late in 1957 a dispute arose between it and the operator with respect to conducting certain operations in connection with the Benoit No. 1 well in the so-called Benoit leases in the field. As a result of the dispute, Pan-Am assigned to Applicant its one-half interest in that portion of the Benoit leases containing the Benoit No. 1 well; hence, Applicant is the 100 percent owner and operator of such leases, and it requests us to redesignate its FPC Gas Rate Schedule No. 4 as its FPC Gas Rate Schedule No. 8 insofar as it relates to such leases.

Previously, by letter dated August 27, 1958, Applicant was advised that its interest as non-operator in the Thornwell Field was deemed to be covered by the filings of Pan-Am from and after May 20, 1958, and that it was permitted to withdraw the filings in Docket No. G-13177 insofar as they did not apply to the Benoit leases. Accordingly, this proceeding now is solely concerned with the lawfulness of the 17.8¢ rate for the sale to United Fuel of natural gas produced from the Benoit leases. The 17.8¢ rate for such sale is currently effective and has been since January 31, 1958, subject to refund, pursuant to the terms and conditions of the order issued herein May 2, 1958.

The Commission finds:

(1) Good cause exists and has been shown for the Commission to redesignate Applicant's FPC Gas Rate Schedule No. 4 as Applicant's FPC Gas Rate Schedule No. 8 but only insofar as it relates to the sale to United Fuel of natural gas pro-

[1] Concurrently therewith, Applicant tendered a proposed change in rate to reflect reimbursement for a portion of the additional Louisiana Gas Gathering Tax. Such proposed change is the subject of inquiry in Oil Participations Incorporated, Docket No. G-16024, order issued August 20, 1958.

[2] A further tender by Applicant purporting to increase the rate of 17.8 cents per Mcf to 18.2 cents per Mcf was rejected by the Commission by letter dated November 8, 1957.

duced by Applicant from the Benoit leases in the Thornwell Field.

(2) This proceeding should be terminated to the extent that it relates to Applicant's sale to United Fuel of natural gas produced from acreage in the Thornwell Field exclusive of the Benoit leases.

The Commission orders:

(A) Applicant's FPC Gas Rate Schedule No. 4 is hereby redesignated FPC Gas Rate Schedule No. 8 but only insofar as it relates to its interest in the Benoit leases, Thornwell Field, Jefferson Davis and Cameron Parishes, Louisiana.

(B) This proceeding is terminated insofar and to the extent that it relates to Applicant's interest in acreage in the Thornwell Field, exclusive of the Benoit leases; in all other respects, all orders heretofore issued in this proceeding shall remain in full force and effect with respect to the sale to United Fuel of natural gas produced from the Benoit leases.

By the Commission.

[SEAL] MICHAEL J. FARRELL,
Acting Secretary.

[F. R. Doc. 58-7516; Filed, Sept. 15, 1958; 8:52 a. m.]

[Docket No. G-2975 etc.]

SUNRAY MID-CONTINENT OIL CO.

ORDER SEVERING DOCKETS FROM CONSOLIDATED PROCEEDINGS AND REOPENING PROCEEDINGS IN DOCKETS SEVERED FOR ADMISSION OF ADDITIONAL EVIDENCE

SEPTEMBER 10, 1958.

In the matter of Sunray Mid-Continent Oil Company, Docket No. G-2975, et al., particularly G-4916, G-12846 and G-13163.

On June 23, 1958, Sunray Mid-Continent Oil Company (Sunray) filed a motion to reopen the proceedings in Docket Nos. G-2975, et al., for the limited purpose of introducing additional evidence in the form of affidavits concerning three of the independent producer applications consolidated with a number of other applications. The examiner in this case issued his decision on June 27, 1958, granting certificates in these three dockets, among others.

The three applications with which Sunray is concerned in the present motion are Docket Nos. G-4916, G-12846 and G-13163. Sunray states in its motion that since the close of the hearing, facts and circumstances have developed concerning the above three dockets which make necessary disposition in manner other than that proposed by the examiner.

Docket No. G-4916: In this docket Sunray has found that the gas being sold under its contract with Northern Natural Gas Company is being delivered by Northern to Cabot Carbon Company for use in that company's carbon black plant near Pampa, Texas. Delivery of the gas to Cabot is being made from Sunray's producing property in Texas to Cabot, does not cross any state line, and is consumed in the state. Sunray states it was not aware of this until early in April 1958.

The contract for sale of the gas to Northern Natural expires on July 1, 1958 by notice given by Applicant and accepted by purchaser. Sunray points out that the pressure of the producing well is declining at a rapid rate and therefore the gas will have to be compressed by Northern in the near future to continue deliveries to Cabot, although such deliveries will then be made from a different location on Northern's gathering system. Sunray states that the application at this docket is erroneously filed since the sale of gas is nonjurisdictional. The above facts are all attested to by affidavit of C. F. McCarrol, Sunray's only witness in the consolidated proceeding.

Docket No. G-12846: In this docket gas produced from the Shoats Creek Field property of Sunray, in Beauregard Parish, Louisiana, and sold to United Gas Pipe Line Company has been ordered by the Commissioner of Conservation of Louisiana to be recycled in accordance with a recycling and pressure maintenance program instituted in that field. The order of the Commissioner dated April 30, 1958 will prevent the delivery of gas by Sunray from this property for an estimated period of 10 years. The sales contract has been terminated, because of these circumstances, by mutual agreement between Sunray and United. This information has been attested to by Mr. C. F. McCarrol, by affidavit, and true copies of the order of the Louisiana Commissioner are attached to the instant motion.

Docket No. G-13163: In this docket gas was to be sold by Sunray from its property in the Carlton Area in Ouachita Parish, Louisiana to Southern Natural Gas Company. However, Sunray and Southern have been unable to effect a delivery of the gas from properties now capable of producing since the only well currently completed on the property unit, known as the "Wininger" well has ceased to produce. Efforts to successfully restore commercial production from this well have failed. Further efforts to restore this well have been deemed inadvisable and uneconomic.

Another well located on the south half of the property known as the "Brooks" well is producing but Sunray, although the operator, owns only 41.2 percent and the other owners of this unit have agreed to sell to another purchaser than Southern. Sunray states that it is not economically feasible to construct a line the required 2½ miles to pick up the small amount of Sunray gas from the Brooks well. Southern has also indicated to Sunray that it has not been able to effect an exchange agreement with the purchaser of the gas from the other interests in the Brooks well and extension of a lateral by Southern to pick up the Sunray gas is unwarranted due to insufficient gas in the area. Sunray and Southern, on April 22, 1958, by mutual agreement, terminated the contract involved in this docket. Southern has further advised Sunray that similar agreements to terminate will be entered into with other sellers to Southern in this area in order that Southern may be relieved of its obligations to receive uneconomical quantities of gas.

The above information has been attested to by Mr. C. F. McCarrol by affidavit attached to the present motion by Sunray.

No protests, petitions to intervene, or notices of intervention were filed in Docket Nos. G-4916, G-12846 or G-13163. Staff counsel has made no objection to re-opening the proceedings in these three dockets for the limited purpose of receiving additional evidence relative to the issues in Sunray's motion.

The Commission finds:

(1) The Motion to Reopen Hearing to Admit Additional Evidence filed in Docket No. G-2975, et al., by Sunray-Mid Continent Oil Company on June 23, 1958, should be granted as hereinafter ordered and conditioned.

(2) The evidence Sunray seeks to introduce involves facts and circumstances which may require disposition by the Presiding Examiner of Docket Nos. G-4916, G-12846, and G-13163 in a manner otherwise than that accomplished by his initial decision issued June 27, 1958.

(3) Since the evidence Sunray seeks to introduce involves only Docket Nos. G-4916, G-12846 and G-13163 and can have no effect on any of the other dockets in the consolidated proceedings, orderly and proper procedure requires that said dockets be severed from the consolidated proceedings entitled G-2975, et al., as hereinafter ordered.

The Commission orders:

(A) Docket Nos. G-4916, G-12846 and G-13163 be and hereby are severed from the consolidated proceedings in Docket No. G-2975, et al.

(B) Docket Nos. G-4916, G-12846 and G-13163 be and are hereby referred to the presiding examiner for further action not inconsistent with the provisions of this order.

(C) The proceedings in Docket No. G-4916, G-12846 and G-13163 be reopened for the express and limited purpose of receiving additional evidence relating to the issues presented in Sunray's "Motion to Reopen" as filed June 23, 1958.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F. R. Doc. 58-7517; Filed, Sept. 15, 1958; 8:52 a. m.]

CIVIL AERONAUTICS BOARD

[Docket No. 9183]

CAPITAL AIRLINES, INC.

NOTICE OF POSTPONEMENT OF HEARING

In the matter of the complaint of Ella Fischer and R. A. Fischer with respect to Capital Airlines, Inc., General Rule 17 (A) 1st revised page 4 and 8th revised page 34 of Local and Joint Passenger Rules Tariff No. P. R.-3, C. A. B. No. 27 (M. F. Redfern, Agent Series); issued by J. B. Walker, Agent, which tariff pages were in effect on December 29, 1951, applying to certain persons to bar claims and actions for injury and death due to negligence of air carriers.

Hearing in the above-entitled proceeding previously assigned to be held on

September 16, 1958, is indefinitely postponed.

Dated at Washington, D. C., on September 10, 1958.

By the Civil Aeronautics Board.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F. R. Doc. 58-7569; Filed, Sept. 15, 1958; 9:13 a. m.]

FOREIGN CLAIMS SETTLEMENT COMMISSION

GOVERNMENT OF CZECHOSLOVAKIA

NOTICE WITH RESPECT TO DATES FOR FILING CLAIMS

SEPTEMBER 11, 1958.

Notice is hereby given that pursuant to section 1, Public Law No. 85-604, approved August 8, 1958, which further amends the International Claims Settlement Act of 1949, as amended, the Foreign Claims Settlement Commission of the United States will receive, during the period ending at midnight August 1, 1959, claims of United States nationals against the Government of Czechoslovakia for losses resulting from the nationalization or other taking of property, including any rights or interests therein, on or after January 1, 1945, in accordance with the terms and conditions prescribed in such Public Law and in accordance with the regulations of the Commission made with respect thereto.

Dated: September 11, 1958.

By the Commission.

ANDREW T. MCGUIRE,
General Counsel.

[F. R. Doc. 58-7502; Filed, Sept. 15, 1958; 8:49 a. m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-II-5 (Revision 1)]

BRANCH MANAGER, HARTFORD, CONNECTICUT

DELEGATION RELATING TO FINANCIAL ASSISTANCE, PROCUREMENT AND TECHNICAL ASSISTANCE AND ADMINISTRATIVE FUNCTIONS

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 4), as amended (22 F. R. 5811, 8197, 23 F. R. 557, 1768), there is hereby delegated to the Branch Manager, Hartford Branch Office, Small Business Administration, the authority:

A. *Specific.*

FINANCIAL ASSISTANCE

Take the following actions in accordance with the limitations of such Delegations as set forth in SBA-500, Financial Assistance Manual:

1. To approve but not decline the following types of loans:

(a) Direct Business Loans in an amount not exceeding $20,000.

(b) Participation Business Loans in an amount not exceeding $100,000.

(c) Disaster Loans in an amount not exceeding $20,000.

2. To approve or decline Limited Loan Participation Loans.

PROCUREMENT AND TECHNICAL ASSISTANCE

To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance Manual:

3. To develop with Government procurement agencies required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

ADMINISTRATIVE

4. To administer oaths of office.

5. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence, except Congressional correspondence, relating to the functions of the Branch Office.

II. The specific authority delegated in I.A 1, 2, 4 and 5 and I.B may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Hartford, Connecticut, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: September 4, 1958.

ARTHUR E. LONG,
Regional Director,
New York Regional Office.

[F. R. Doc. 58-7494; Filed, Sept. 15, 1958; 8:48 a. m.]

[Delegation of Authority No. 30-II-6 (Revision 1)]

BRANCH MANAGER, SYRACUSE, NEW YORK

DELEGATION RELATING TO FINANCIAL ASSISTANCE, PROCUREMENT AND TECHNICAL ASSISTANCE AND ADMINISTRATIVE FUNCTIONS

I. Pursuant to the authority delegated to the Regional Director by Delegation No. 30 (Revision 4), as amended (22 F. R. 5811, 8197, 23 F. R. 557, 1768), there is hereby delegated to the Branch Manager, Syracuse Branch Office, Small Business Administration, the authority:

A. *Specific.*

FINANCIAL ASSISTANCE

Take the following actions in accordance with the limitations of such Delegations as set forth in SBA-500, Financial Assistance Manual:

1. To approve but not decline the following types of loans:

a. Direct Business Loans in an amount not exceeding $20,000.

b. Participation Business Loans in an amount not exceeding $100,000.

c. Disaster Loans in an amount not exceeding $20,000.

2. To approve or decline Limited Loan Participation Loans.

PROCUREMENT AND TECHNICAL ASSISTANCE

To take the following actions in accordance with the limitations of such delegations as set forth in SBA-400, Agency Policy Manual, and SBA-600, Procurement and Technical Assistance.

3. To develop with Government procurement agencies required local procedures for implementing established inter-agency policy agreements, including but not limited to steps such as determining joint set-asides and representation at procurement centers.

ADMINISTRATIVE

4. To administer oaths of office.

5. To approve annual and sick leave for employees under his supervision.

B. *Correspondence.* To sign all non-policy making correspondence, except Congressional correspondence, relating to the functions of the Branch Office.

II. The specific authority delegated in I.A 1, 2, 4 and 5, and I.B may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Branch Manager.

IV. All previous authority delegated by the Regional Director to the Branch Manager, Syracuse, New York, is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Dated: September 4, 1958.

ARTHUR E. LONG,
Regional Director,
New York Regional Office.

[F. R. Doc. 58-7495; Filed, Sept. 15, 1958; 8:48 a. m.]

GENERAL SERVICES ADMINISTRATION

[Delegation of Authority 354]

SECRETARY OF INTERIOR

DELEGATION OF AUTHORITY WITH RESPECT TO NEGOTIATION OF CONTRACTS FOR PROFESSIONAL SERVICES

1. Pursuant to the authority vested in me by the Federal Property and Administrative Services Act of 1949 (63 Stat. 377), as amended, herein called the Act, authority is hereby delegated to the Secretary of the Interior to negotiate, without advertising, under section 302 (c) (2), (4), (9) and (10) of the Act, contracts for the services of architectural, engineering and construction firms in connection with the construction of the Keyes, Oklahoma, helium facility.

2. This delegation of authority shall be subject to all provisions of Title III of the Act with respect to negotiated contracts, and to all other provisions of law.

3. The authority herein delegated may be redelegated to any officer or official of the Department of the Interior.

4. This delegation shall be effective as of the date hereof.

Dated: September 10, 1958.

FRANKLIN FLOETE,
Administrator.

[F. R. Doc. 58-7518; Filed, Sept. 15, 1958; 8:52 a. m.]

INTERSTATE COMMERCE COMMISSION

[Notice 24]

MOTOR CARRIER TRANSFER PROCEEDINGS

SEPTEMBER 11, 1958.

Synopses of orders entered pursuant to section 212 (b) of the Interstate Commerce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's special rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 20 days from the date of publication of this notice. Pursuant to section 17 (8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC–FC 61335. By order of September 9, 1958, The Transfer Board approved the transfer to Robert A. Welsh, White Mills, Pa., of Permit No. MC 50238, issued September 22, 1949, to Harry M. Johnson and Lena V. Johnson, a Partnership, doing business as H. M. Johnson Trucking Company, 321 N. Cortland, East Stroudsburg, Pa., authorizing the transportation of lumber, from Newark, N. J., to Clarks Green, Pa., coal from Scranton, Carbondale, and Wilkes-Barre, Pa., to New York, N. Y. (Borough of Manhattan) and Brooklyn, N. Y., and from mines in Carbon, Northumberland, Columbia, and Schuylkill Counties, Pa., and those in that part of Luzerne County, Pa., more than 15 miles from Scranton, Pa., to New York, N. Y. (Borough of Manhattan).

No. MC–FC 61400. By order of September 9, 1958, The Transfer Board approved the transfer to Thomas R. Gibney, doing business as Gibney Van & Storage Co., Bronx, N. Y., of Permit No. MC 106833 Sub 1, issued September 29, 1954, to Catherine Gibney, doing business as Thomas Gibney Trucking Company, Bronx, N. Y., authorizing the transportation of die castings, irregular routes, from Stamford, Conn., to points in Bergen, Hudson, Essex, Union, Middlesex, Monmouth, and Passaic Counties, N. J., those in Westchester, Putnam, Dutchess, Rockland, Orange, and Sullivan Counties, N. Y., and those in Hampden County, Mass.; and Returned shipments of die castings, empty containers, pallets, and die casting pots, over irregular routes, from the above-specified destination points to Stamford, Conn. Edward M. Alfano, 36 West 44th St., New York 36, N. Y., for applicants.

No. MC–FC 61423. By order of September 8, 1958, The Transfer Board approved the transfer to George Hutt, Inc., Norristown, Pa., of certificate in No. MC 33397, issued August 6, 1956, to George Hutt, Norristown, Pa., authorizing the transportation of: *Livestock*, other than ordinary livestock, and, in connection therewith, *personal effects of attendants*, and *supplies and equipment*, including mascots, used in the care or exhibition of such animals, between points in Connecticut, Delaware, Georgia, Illinois, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, and West Virginia. G. Donald Bullock, P. O. Box 16, Lenox Hill Station, New York 21, New York, for applicants.

No. MC–FC 61455. By order of September 8, 1958, The Transfer Board approved the transfer to Pennsylvania Motor Dispatch, Inc., Temple, Pennsylvania, of Certificates Nos. MC 22791, MC 22791 Sub 1, MC 22791 Sub 3, and Permits Nos. MC 109408, MC 109408 Sub 2, and MC 109408 Sub 3, issued December 6, 1954, June 17, 1940, January 21, 1944, December 19, 1949, April 8, 1955, and August 21, 1958, respectively, to Antonio Spina, doing business as Pennsylvania Dispatch, authorizing the transportation of macaroni and macaroni products, from Lebanon, Pa., to Schenectady, Poughkeepsie, Binghamton, Utica, Middletown, and Albany, N. Y., New Haven, Conn., Providence, R. I., and Boston, Mass.; canned goods from Hall, Victor, and Rochester, N. Y., to Reading, Pa., batteries, from points in Muhlenberg Township, Berks County, Pa., to points in Pennsylvania, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Vermont, New Hampshire, Maine, and the District of Columbia, and *returned, damaged or repossessed batteries* and *machinery, equipment, materials, and supplies* used in, or in connection with, the manufacture, sale, and distribution of batteries, from points in the above-described destination territory to points in Muhlenberg Township, Berks County, Pa.; *electric storage battery parts and cables* and *such other commodities* as are used in the manufacture, sale, and distribution of electric storage batteries, from the site of Electric Auto-Lite Company, in Muhlenberg Township, Berks County, Pa., to points in Pennsylvania, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Vermont, New Hampshire, Maine, and the District of Columbia. A. E. Enoch, 556 Main Street, Bethlehem, Pennsylvania, for applicants.

No. MC–FC 61473. By order of September 9, 1958, The Transfer Board approved the transfer to Bostwick Freight Lines, Inc., Dillon, Montana, of Certificate No. MC 99580 Sub 1, issued October 17, 1957, to Gerald H. Bostwick, doing business as Butte-Dillon Freight Lines, Dillon, Montana, authorizing the transportation of general commodities, excluding household goods and other specified commodities, between Butte, Mont., and Idaho Falls, Idaho. John H. Risken, Power Block, Helena, Montana, for applicants.

No. MC–FC 61481 Corrected Order.* By order of August 21, 1958, The Transfer Board approved the transfer to Four L. Furniture Transport, Inc., New York, N. Y., of a portion of the operating rights described in Certificate No. MC 72620 Sub 1, issued March 27, 1958, to J. J. Asparro Trucking Corp., Elmhurst, N. Y., authorizing the transportation of Uncrated new furniture, over irregular routes, from New York, N. Y., to points in New Jersey and New York within 80 miles of Columbus Circle, New York, N. Y., with no transportation for compensation on return except as otherwise authorized. Morris Honig, 150 Broadway, New York 38, N. Y., for applicants.

No. MC–FC 61482 Corrected Order.* By order of August 21, 1958, The Transfer Board approved the transfer to Rapid Furniture Transport, Inc., Elmhurst, N. Y., of a portion of Certificate No. MC 72620 Sub 1, issued March 27, 1958, to J. J. Asparro Trucking Corp., Elmhurst N. Y., authorizing the transportation of Uncrated new furniture, over irregular routes, from New York, N. Y., to points in Connecticut within 80 miles of Columbus Circle, New York, N. Y., with no transportation for compensation on return except as otherwise authorized. Morris Honig, 150 Broadway, New York 38, N. Y., for applicants.

No. MC–FC 61519. By order of September 8, 1958, The Transfer Board approved the transfer to The Arrow Line of Providence, Inc., Providence, Rhode Island, of certificate No. MC 30017, issued March 28, 1947, to Harry Phillips, Sylvia W. Phillips, Louis Trostonoff, and Ida Trostonoff, a partnership, doing business as The Arrow Line, Providence, Rhode Island, authorizing the transportation of passengers and their baggage, and express, newspapers, and mail, in the same vehicle with passengers, over a regular route, between Hartford, Conn., and Providence, R. I., serving all intermediate points, and passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points within 20 miles of the above regular route to points in Connecticut, Rhode Island and Massachusetts and return. Thomas W. Murrett, 410 Asylum Street, Hartford 3, Connecticut, for applicants.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F. R. Doc. 58–7500; Filed, Sept. 15, 1958; 8:49 a. m.]

* The previous order published in the FEDERAL REGISTER of August 29, 1958, described this authority as the portion to be acquired by transferee in MC–FC 61482.