AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

Pages 6469–6508

THE NATIONAL ARCHIVES OF THE UNITED STATES

FEDERAL REGISTER

VOLUME 26 NUMBER 137

Washington, Wednesday, July 19, 1961

Contents

Agricultural Marketing Service

PROPOSED RULE MAKING:
Mushrooms; U.S. consumer standards ____ 6478

RULES AND REGULATIONS:
Poultry and poultry products; inspection; miscellaneous amendments ____ 6471
Valencia oranges grown in Arizona and designated part of California; handling limitation ____ 6471

Agricultural Stabilization and Conservation Service

PROPOSED RULE MAKING:
Milk in Corpus Christi, Texas, marketing area; notice of hearing on proposed amendments to tentative marketing agreement and order ____ 6479

Agriculture Department

See also Agricultural Marketing Service; Agricultural Stabilization and Conservation Service.

NOTICES:
Designation of counties within the Great Plains area of the Ten Great Plains States where the Great Plains Conservation Program is specifically applicable ____ 6484

Atomic Energy Commission

NOTICES:
Pennsylvania State University; notice of issuance of utilization facility license amendment ____ 6484
United Nuclear Corp., notice of issuance of facility license amendment ____ 6485

Civil Aeronautics Board

NOTICES:
California Floral Traffic Conference et al.; notice of prehearing conference ____ 6486
Delta Air Lines, Inc.; off-peak fares between Houston, New Orleans, and New York; order dismissing proceedings ____ 6486
West Coast Airlines, Inc., et al.; statement of tentative findings and conclusions and order to show cause ____ 6486

PROPOSED RULE MAKING:
Exemption and approval of certain interlocking relationships ____ 6479

RULES AND REGULATIONS:
Rules of practice in economic proceedings; exemption proceedings ____ 6472

Civil Service Commission

RULES AND REGULATIONS:
Civil and Defense Mobilization Office; exceptions from the competitive service ____ 6471

Customs Bureau

RULES AND REGULATIONS:
Liability for duties; entry of imported merchandise; administrative exemptions ____ 6473

Defense Department

NOTICES:
Execution of Fiscal Year 1962 Military Housing Program (Assistant, Secretary of Defense (Installations and Logistics)); delegation of authority ____ 6484
Interagency Motor Vehicle Pools (Secretaries of the Army, Navy, and Air Force); delegation of authority ____ 6484

RULES AND REGULATIONS:
International interchange of patent rights and technical information; background ____ 6473

Federal Aviation Agency

PROPOSED RULE MAKING:
Transition area; designation ____ 6481

Federal Communications Commission

NOTICES:
Hearings, etc.:
Barc, Frank S., Jr., et al ____ 6487
KWK Radio, Inc ____ 6488
Ouachita Valley Radio Corp. et al ____ 6488
Rogers, Gordon A., and Triple G Broadcasting Co. (KWAY) ____ 6489
South Texas Telecasting Co., Inc. (KVDO–TV), et al ____ 6490
WAEB Broadcasters, Inc. (WAEB) ____ 6490

PROPOSED RULE MAKING:
Radio broadcast services, inquiry; proposed rule making, and memorandum opinion and order; correction ____ 6482
Uniform system of accounts for Class A, Class B, and Class C telephone companies; transfer of house service expenses at public telephones ____ 6482

RULES AND REGULATIONS:
Frequency allocations and radio treaty matters; emission limitation; correction ____ 6475

Federal Trade Commission

RULES AND REGULATIONS:
Rules of practice for adjudicative proceedings; pending proceedings; applicability of rules ____ 6472

Food and Drug Administration

RULES AND REGULATIONS:
Food additives; extension of effective date of statute for certain specified food additives; correction ____ 6473

General Services Administration

NOTICES:
Platinum and nonferrous scrap now held in the National stockpile; proposed disposition ____ 6490

Health, Education, and Welfare Department

See Food and Drug Administration.

Indian Affairs Bureau

PROPOSED RULE MAKING:
Administration of program of vocational training for adult Indians; selection of applicants ____ 6476

(*Continued on next page*)

Interior Department

See Indian Affairs Bureau; Land Management Bureau.

Interstate Commerce Commission

NOTICES:

Fourth section applications for relief ---------- 6503

"Grandfather" Alaska motor carrier certificate or permit applications and applications involving motor carrier operations to, from, and between points in Alaska (2 documents) ----- 6490, 6493

Motor carrier applications and certain other proceedings ------ 6494

PROPOSED RULE MAKING:

Shippers; compressed gases; definition and preparation -------- 6483

Land Management Bureau

NOTICES:

Wyoming; notice of proposed withdrawal and reservation of lands ---------- 6484

PROPOSED RULE MAKING:

Alaska; issuance of reindeer grazing permits ---------- 6476

RULES AND REGULATIONS:

Washington; public land order; withdrawing National forest lands for use of Forest Service -- 6474

Securities and Exchange Commission

NOTICES:

Hearings, etc.:

Barnhart-Morrow Consolidated ---------- 6504

Brock and Co ---------- 6504

Chadbourn Gotham, Inc ------- 6504

Intercontinental Motels, Ltd --- 6504

Mindanao Mother Lode Mines, Inc ---------- 6505

New York Central Railroad Co -- 6505

United Cuban Oil, Inc -------- 6506

Small Business Administration

NOTICES:

Chief, Loan Processing Section; delegation relating to financial assistance and administrative functions ---------- 6506

Treasury Department

See Customs Bureau.

Veterans Administration

RULES AND REGULATIONS:

Adjudication; disability or death due to hospitalization, etc ------ 6473

Loan guaranty; miscellaneous amendments ---------- 6473

Codification Guide

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published in today's issue. A cumulative list of parts affected, covering the current month to date, appears at the end of each issue beginning with the second issue of the month.

Monthly, quarterly, and annual cumulative guides, published separately from the daily issues, include the section numbers as well as the part numbers affected.

5 CFR

6 ---------- 6471

7 CFR

81 ---------- 6471

922 ---------- 6471

PROPOSED RULES:

51 ---------- 6478

998 ---------- 6479

14 CFR

302 ---------- 6472

PROPOSED RULES:

287 ---------- 6479

601 ---------- 6481

16 CFR

3 ---------- 6372

4 ---------- 6472

19 CFR

8 ---------- 6473

21 CFR

121 ---------- 6473

25 CFR

PROPOSED RULES:

34 ---------- 6476

32 CFR

264 ---------- 6473

38 CFR

3 ---------- 6473

36 ---------- 6473

43 CFR

PROPOSED RULES:

63 ---------- 6476

PUBLIC LAND ORDERS:

2434 ---------- 6474

47 CFR

2 ---------- 6475

PROPOSED RULES:

3 ---------- 6482

31 ---------- 6482

33 ---------- 6482

49 CFR

PROPOSED RULES:

73 ---------- 6483

1961–62 Edition

UNITED STATES GOVERNMENT ORGANIZATION MANUAL

[Revised as of June 1, 1961]

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Price: $1.50

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

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

FEDERAL REGISTER

Telephone WOrth 3-3261

Published daily, except Sundays, Mondays, and days following official Federal holidays, by the Office of the Federal Register, 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.

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Office of Civil and Defense Mobilization

Effective upon publication in the FEDERAL REGISTER, paragraph (q) is added to § 6.363 as set out below.

§ 6.363 Office of Civil and Defense Mobilization.

* * * * *

(q) One Special Assistant to the Deputy Assistant Director of Training and Education.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633)

UNITED STATES CIVIL SERVICE COMMISSION,
[SEAL] MARY V. WENZEL,
Executive Assistant to the Commissioners.

[F.R. Doc. 61-6770; Filed, July 18, 1961; 8:49 a.m.]

Title 7—AGRICULTURE

Chapter I—Agricultural Marketing Service (Standards, Inspections, Marketing Practices), Department of Agriculture

SUBCHAPTER D—REGULATIONS UNDER THE POULTRY PRODUCTS INSPECTION ACT

PART 81—INSPECTION OF POULTRY AND POULTRY PRODUCTS

Miscellaneous Amendments

Notice of the proposed issuance of amendments to the regulations governing the inspection of poultry and poultry products (7 CFR Part 81, as amended) was published in the FEDERAL REGISTER of May 24, 1961 (26 F.R. 4453). The regulations hereinafter promulgated are issued pursuant to authority contained in the Poultry Products Inspection Act (71 Stat. 441; 21 U.S.C. 451 et seq.).

The amendments established specific moisture tolerances for various classes of poultry. Some moisture is unavoidably absorbed during the essential washing and chilling processes necessary to produce clean, wholesome poultry.

Moisture absorption and retention limits were applied to whole carcass poultry in the form of instructions to inspectors and processing plant management issued in May 1960. The amendments set forth herein would extend controls on water absorption to ice-packed poultry, and reduce the previously set limit on water absorption by heavy turkeys.

The amendments are essentially the same as proposed, with the exception of the provisions of § 81.50(b)(3)(ii), which have been changed by deleting the last two sentences that were contained in the proposed amendment. This modification is being made on the basis of information presented subsequent to publication of the proposed amendments and upon a determination that these proposed provisions were unnecessary because of existing provisions in the Act and the regulations.

After consideration of all relevant material, the regulations in 7 CFR Part 81, as amended, are hereby amended as follows:

1. Section 81.50(b)(3)(ii) is amended to read:

(ii) Poultry washing, chilling, and draining practices and procedures shall be such, as will minimize moisture absorption and retention at time of packaging. The inspector will make such weight tests as he deems necessary to assure compliance with this requirement.

2. New subparagraphs (iii), (iv), and (v) are added to § 81.50(b)(3) to read:

(iii) With respect to poultry that is to be consumer packaged or frozen or both, the maximum moisture absorption and retention during the washing, chilling and draining processes shall not exceed at the time of packaging the percentage tolerances set forth in the following table:

Kind and weight of poultry read-to-cook:	*Percentage increase in weight over weight prior to washing*
Turkeys, 20 pounds and over	4½
Turkeys, 10 to 20 pounds	6
Turkeys, Under 10 pounds	8
Chickens, 5 pounds and under	8
All other kinds and weights of poultry	6

(iv) With respect to poultry that is to be ice packed, the maximum amount of moisture that is permitted to be absorbed shall not exceed 12 percent at time of ice packing. The loss of moisture during holding and transportation results in moisture retention that is within the tolerances specified in subdivision (iii) of this subparagraph.

(v) The temperature of the chilling media in poultry chilling equipment shall not exceed 65° F. in the warmest part of the chilling system.

(Sec. 14, 71 Stat. 447; 21 U.S.C. 463)

Effective date. August 1, 1961.

The foregoing amendments impose certain restrictions on the amount of moisture permitted to be absorbed by poultry during its processing and it is in the interest of the consuming public to impose these restrictions as soon as possible. Moreover, additional time is not necessary for the industry to prepare for compliance with these provisions. Accordingly, under section 4 of the Administrative Procedures Act (3 U.S.C. 1003), good cause is found for making the amendments effective less than 30 days after publication in the FEDERAL REGISTER.

Done at Washington, D.C., this 13th day of July 1961.

ROY W. LENNARTSON,
Deputy Administrator, Agricultural Marketing Service.

[F.R. Doc. 61-6756; Filed, July 18, 1961; 8:47 a.m.]

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

[Valencia Orange Reg. 235, Amdt. 1]

PART 922—VALENCIA ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

Findings. (1) Pursuant to the marketing agreement and Order No. 22, as amended (7 CFR Part 922), regulating the handling of Valencia oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendation and information submitted by the Valencia Orange Administrative Committee, established under the said marketing agreement and order, as amended, and upon other available information, it is hereby found that the limitation of handling of such Valencia oranges as hereinafter provided will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule-making procedure, and postpone the effective date of this amendment until 30 days after publication hereof in the FEDERAL REGISTER (60 Stat. 237; 5 U.S.C. 1001 et seq.) because the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, and this amendment relieves restriction on the handling of Valencia oranges grown in Arizona and designated part of California.

Order, as amended. The provisions in paragraph (b)(1)(ii) of § 922.535 (Valencia Orange Regulation 235, 26 F.R. 6121) are hereby amended to read as follows:

(ii) District 2: 550,000 cartons.

(Secs. 1–19, 48 Stat. 31, as amended; 7 U.S.C. 601–674)

Dated: July 14, 1961.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable Division, Agricultural Marketing Service.

[F.R. Doc. 61–6755; Filed, July 18, 1961; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter II—Civil Aeronautics Board

SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. No. PR–52]

PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

Exemption Proceedings

JULY 14, 1961.

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 14th day of July 1961.

From time to time situations have arisen in which the Board has found it in the public interest to issue exemptions pursuant to section 416(b) of the Federal Aviation Act of 1958, as amended, without awaiting the expiration of the normal ten-day period provided for filing answers to exemption applications (§ 302.406) and the seven-day period for replies thereto (§ 302.407) as set forth in Part 302 of the Procedural Regulations.

Section 302.409, while intended to provide for issuance of exemptions on the Board's initiative without notice or hearing, contains certain ambiguities that in the past have raised questions as to the scope of its application. Moreover, it makes no specific provision for designating periods for answers and replies shorter than those set forth in §§ 302.406 and 302.407 in those instances in which prompt action is required in the public interest.

The Board, therefore, has decided to revise § 302.409 and add a new § 302.410. Amended § 302.409 will be limited to stating the Board's power to grant exemptions on its own initiative while new § 302.410 will provide a complete procedure for emergency exemptions.

Section 302.400, captioned "Applicability of this subpart" is also being revised at this time to reflect these new changes and to bring the subpart up-to-date.

Since this amendment is not a substantive rule but one of agency procedure, notice and public procedure hereon are not required, and the amendment may be made effective upon less than 30 days' notice.

In consideration of the foregoing, the Civil Aeronautics Board hereby amends Subpart D—Rules Applicable to Exemption Proceedings of Part 302 of the Procedural Regulations (14 CFR Part 302) effective July 19, 1961, as follows:

1. By amending § 302.400 to read:

§ 302.400 Applicability of this subpart.

This subpart sets forth the special rules applicable to proceedings on applications for exemption orders pursuant to Sections 101(3) or 416(b)(1) of the Act. It further provides for the granting of exemptions upon the Board's own initiative and for the granting of emergency exemptions. As far as is consistent with this subpart, the provisions of Subpart A of this part also apply to such proceedings. Proceedings for the issuance of exemptions by regulation shall remain subject to the provisions governing rule making.

2. By amending § 302.409 to read:

§ 302.409 Exemptions on the Board's initiative.

Where required by the circumstances and the public interest, the Board may enter exemption orders on its own initiative.

3. By adding a new § 302.410, to read:

§ 302.410 Emergency exemptions.

(a) *Applicability.* Where required by the circumstances and the public interest, the Board may, upon request or upon its own initiative, enter exemption orders pursuant to sections 101(3) or 416(b) of the Act, or deny applications therefor, upon less than the normal period provided for filing answers (§ 302.406) and replies thereto (§ 302.407) and upon no notice. In particular proceedings the Board may specify a lesser time within which answers and replies thereto may be filed and notify interested persons of this time period. Where the public interest so requires, the Board may act without awaiting the filing of answers or replies thereto.

(b) *Applications.* Applications for emergency exemption need not conform to the requirements of Subparts A and D of this part except that they must be in writing and must set forth, with detailed facts and evidence in support thereof, the grounds on which the exemption is requested. In addition, any applicant requesting such action shall state the reasons it deems adequate to justify departure from the normal procedures and shall state which air carriers have been notified in accordance with paragraph (c) of this section. The Board, moreover, may require additional information from any applicant before acting on the application.

(c) *Notice.* Except where the Board consents that no notice need be given, applicants for emergency exemption shall notify any air carrier which is authorized to render route-type service between points or areas involved in the application that such request has been filed. Such notification shall be made in the same manner of communication, contain the same information, and be dispatched at the same time, as the application made with the Board.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply Secs. 101(3), 416(b), and 1001, 72 Stat. 737, 771, and 788; 49 U.S.C. 1301, 1386, and 1481)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61–6785; Filed, July 18, 1961; 8:49 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

SUBCHAPTER A—PROCEDURES, RULES OF PRACTICE AND ORDERS

PART 3—CONSENT ORDER PROCEDURE

PART 4—RULES OF PRACTICE FOR ADJUDICATIVE PROCEEDINGS

Pending Proceedings; Applicability of Rules

In F.R. Document 61–6310, appearing in the issue for Thursday, July 6, 1961, at pages 6015–6022, the Commission set forth its amended, revised and redesignated rules governing the disposition of proceedings by the entry of consent orders and its rules of practice for adjudicative proceedings, the same to be effective fifteen days after publication, or on and after July 21, 1961. In an accompanying statement the Commission noted that the amended and revised rules will be applicable to all proceedings in which the complaint is served subsequent to the aforesaid effective date.

As to proceedings in which the complaint was served prior to the effective date of the amended and revised rules, interested parties are hereby notified:

(1) That it is the Commission's policy that, to the extent practicable and consistent with requirements of law, such proceedings shall be conducted expeditiously. The hearing examiner and counsel for all parties shall be governed at all times by this policy, and every effort shall be made at each stage of a proceeding to avoid delay.

(2) That in all cases in which the reception of evidence has been completed on or before the effective date of the amended and revised rules, the remaining procedures therein shall be governed by the existing rules, appearing in 20 F.R. 3062, May 6, 1955, as amended in 20 F.R. 3303, May 14, 1955; 22 F.R. 2077, March 29, 1957; 24 F.R. 7607, September 22, 1959; 25 F.R. 9530, October 5, 1960.

(3) That in all cases in which the reception of evidence has not been completed prior to said date, §§ 4.15(d) and 4.18 of Subpart E and all of Subparts F and G of Part 4 of the amended and revised rules shall be applicable in the remaining proceedings. As to all matters not covered by the above portions of the amended and revised rules, the appropriate sections of the existing rules, published May 6, 1955, as amended, shall apply.

(4) That in any case, if all parties, including counsel in support of the complaint, wish to avail themselves of the privilege of disposing of the entire proceeding by the execution of an agreement containing a consent order, they may do so by filing with the Secretary of the Commission a notice to that effect prior to September 1, 1961. All such notices in cases in which pre-hearing conferences and/or hearings have been held will be referred by the Secretary to

the hearing examiner for appropriate consideration under the existing rules. In all other cases, the notices will be referred to the Office of Consent Orders for disposition in a manner consistent with the procedures prescribed in Part 3 of the amended and revised rules.

Dated: July 14, 1961.

By direction of the Commission.

[SEAL] JOSEPH W. SHEA, *Secretary.*

[F.R. Doc. 61-6766; Filed, July 18, 1961; 8:48 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 121—FOOD ADDITIVES

Subpart A—Definitions and Procedural and Interpretative Regulations

EXTENSION OF EFFECTIVE DATE OF STATUTE FOR CERTAIN SPECIFIED FOOD ADDITIVES

Correction

In F.R. Doc. 61-6464, appearing at page 6270 of the issue for Thursday, July 13, 1961, the following corrections are made in the "product" column of the tabular material of § 121.90:

1. The entry following "Butylated hydroxyanisole" should read "Butylated hydroxytoluene" instead of "Do".

2. The entry beginning with the word "Petroleum" should read as follows: "Petroleum hydrocarbon resin, aliphatic (mol. wt. approx. 1100)".

Title 19—CUSTOMS DUTIES

Chapter I—Bureau of Customs, Department of the Treasury

[T. D. 55426]

PART 8—LIABILITY FOR DUTIES; ENTRY OF IMPORTED MERCHANDISE

Administrative Exemptions

Section 8.3 of the Customs Regulations relating to free entry of shipments valued at not in excess of $1, as amended by T. D. 55323—effective date.

Treasury Decision 55323 of February 23, 1961, provides merchandise of a class or kind provided for in any absolute or tariff-rate quota shall not be allowed the duty exemption referred to in section 321(a)(2)(C), Tariff Act of 1930, as amended, on and after April 3, 1961 (the expiration of 30 days after publication of the decision in the FEDERAL REGISTER of March 3, 1961, 26 F.R. 1855).

It has been established that before December 10, 1960, the date the notice of the proposed amendment was published in the FEDERAL REGISTER, 25 F.R. 12681, certain companies had entered into contracts and obligations pursuant to which quota-class merchandise was to be offered to the public free of duty; that advertising in publications of national distribution was arranged for, and contracts for printing labels, cartons, etc., entered into; that the offers are still outstanding and cannot be effectively recalled; and that the imposition of duty, contrary to the advertised offers, would cause harm to the reputation of and financial loss to the companies and undue inconvenience to individuals who had relied upon the advertised offers.

Accordingly, the effective date of the amendment published in T.D. 55323 is hereby postponed to January 3, 1962.

[SEAL] D. B. STRUBINGER, *Acting Commissioner of Customs.*

Approved: July 7, 1961.

A. GILMORE FLUES, *Assistant Secretary of the Treasury.*

[F.R. Doc. 61-6786; Filed, July 18, 1961; 8:49 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 264—INTERNATIONAL INTERCHANGE OF PATENT RIGHTS AND TECHNICAL INFORMATION

Background

Section 264.3(b)(2) has been amended by deleting internal references to the Interagency Technical Property Committee for Defense. Section 264.3(b)(2), as revised, reads as follows:

(2) These representatives receive policy guidance from the Department of Defense. The Assistant Secretary of Defense for International Security Affairs is responsible within the Department of Defense for transmitting such policy guidance through appropriate channels. Guidance transmitted for the United States representative in Europe shall be forwarded to the Defense Advisor, USRO; guidance transmitted for the United States representative in Japan shall be transmitted to the Commanding General, United States Forces Japan.

MAURICE W. ROCHE, *Administrative Secretary.*

[F.R. Doc. 61-6753; Filed, July 18, 1961; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Disability or Death Due to Hospitalization, Etc.

In § 3.800, the portion of paragraph (a) preceding subparagraph (1) is amended to read as follows:

§ 3.800 Disability or death due to hospitalization, etc.

(a) Where disease, injury, death or the aggravation of an existing disease or injury occurs as a result of having submitted to an examination, medical or surgical treatment, hospitalization, or training under any law administered by the Veterans Administration and not the result of his own willful misconduct, disability or death compensation, or dependency and indemnity compensation will be awarded for such disease, injury, aggravation, or death as if such condition were service connected. Benefits are not payable unless claim is filed within 2 years after incurrence of such disease, injury, aggravation or death. Where a veteran dies following such injury or aggravation without filing a claim in accordance with § 3.154, benefits may be paid to his dependents if application is filed within 2 years following the date of the veteran's death (38 U.S.C. 351).

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective July 19, 1961.

[SEAL] A. H. MONK, *Associate Deputy Administrator.*

[F.R. Doc. 61-6763; Filed, July 18, 1961; 8:48 a.m.]

PART 36—LOAN GUARANTY

Miscellaneous Amendments

1. Section 36.4502 is revised to read as follows:

§ 36.4502 Use of guaranty entitlement.

The guaranty entitlement of the veteran obtaining a direct loan which is closed on or after July 6, 1961, shall be charged with an amount which bears the same ratio to $7,500 as the amount of the loan bears to $15,000. The charge against the entitlment of a veteran who obtained a direct loan which was closed prior to the aforesaid date shall be the amount which would have been charged had the loan been closed subsequent to such date.

2. In § 36.4503, paragraph (a) is amended to read as follows:

§ 36.4503 Amount and amortization.

(a) The original principal amount of any loan made on or after July 6, 1961, shall not exceed an amount which bears the same ratio to $15,000 as the amount of the guaranty to which the veteran is entitled under 38 U.S.C. 1810 at the time the loan is made bears to $7,500, nor may any veteran obtain direct loans aggregating more than $15,000. This limitation shall not preclude the making of advances, otherwise proper, subsequent to the making of the loan pursuant to the provisions of § 36.4511. Loans made by Veterans Administration shall bear interest at the rate of 5¼ percent per annum, except (1) where a commitment to make the loan was issued prior to April 4, 1958, in which case the rate of interest shall be 4½ percent per annum, and (2) where a commitment to make

the loan was issued on or after April 4, 1958, but prior to July 2, 1959, in which case the rate of interest shall be 4¾ percent per annum.

3. In § 36.4509, paragraph (b) is amended to read as follows:

§ 36.4509 Joint loans.

* * * * *

(b) Notwithstanding that an applicant and his spouse both be eligible veterans and will be jointly and severally liable as borrowers, the original principal amount of the loan may not exceed the maximum permissible under § 36.4503(a). The loan may not exceed $15,000 in any event.

4. In § 36.4511, paragraph (a) is amended to read as follows:

§ 36.4511 Advances after loan closing.

(a) The Veterans Administration may at any time advance any sum or sums as are reasonably necessary and proper for the maintenance, repair, alteration, or improvement of the security for a loan or for the payment of taxes, assessments, ground or water rights, or casualty insurance thereon: *Provided,* That no advance shall be made for alterations or improvements which are not necessary for the maintenance or repair of the security if such advance will increase the indebtedness to an amount in excess of $15,000.

(72 Stat. 1114; 38 U.S.C. 210)

This regulation is effective July 19, 1961.

[SEAL] A. H. MONK,
Associate Deputy Administrator.

[F.R. Doc. 61-6764; Filed, July 18, 1961; 8:48 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 2434]

WASHINGTON

Withdrawing National Forest Lands for Use of Forest Service

By virtue of the authority vested in the President and pursuant to Executive Order No. 10355 of May 26, 1952, it is ordered as follows:

1. Subject to valid existing rights, the following-described lands in the national forests indicated are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws but not the mineral leasing laws nor disposals of materials under the Act of July 31, 1947 (61 Stat. 681; 30 U.S.C. 601-604), as amended, and reserved under jurisdiction of the Forest Service, Department of Agriculture, for the uses described:

[Washington 01483]

WILLAMETTE MERIDIAN

CHELAN NATIONAL FOREST

Cottonwood Recreational Area

T. 34 N., R. 14 E. (Unsurveyed),
Sec. 9, NE¼NE¼.

Holden Recreation Area

T. 31 N., R. 16 E. (Unsurveyed),
Sec. 12, SE¼NW¼.

High Bridge Recreation Area

T. 33 N., R. 16 E. (Unsurveyed),
Sec. 3, S½SE¼.

Tumwater Recreation Area

T. 33 N., R 16 E. (Unsurveyed),
Sec. 3, E½NW¼ and W½NE¼.

Bridge Creek Recreation Area

T. 34 N., R. 16 E. (Unsurveyed),
Sec. 21, W½NE¼ and E½NW¼.

Dolly Varden Recreation Area

T. 34 N., R. 16 E. (Unsurveyed),
Sec. 33, E½NE¼;
Sec. 34, W½NW¼.

Rainbow Falls Recreation Area

T. 33 N., R. 17 E. (Unsurveyed),
Sec. 23, NE¼SW¼.

Fireweed Recreation Area

T. 34, N., R. 17 E. (Unsurveyed),
Sec. 3, SW¼SE¼;
Sec. 10, NW¼NE¼.

Domke Lake Recreation Area

T. 31 N., R. 18 E. (Unsurveyed),
Sec. 15, SW¼;
Sec. 16, E½SE¼;
Sec. 21, E½NE¼;
Sec. 22, N½, and N½SE¼.

Purple Point Recreation Area

T. 33 N., R. 18 E. (Unsurveyed),
Sec. 31, NE¼SW¼, except land included in HES 64.

Harts Pass Recreation Area

T. 37 N., R. 18 E. (Unsurveyed),
Sec. 7, NW¼SW¼.

GIFFORD PINCHOT NATIONAL FOREST

Spirit Lake Recreation Area

T. 9 N., R. 5 E.,
Sec. 1, lots 9, 10, and 11;
Sec. 2, S½S½;
Sec. 10, lots 1, 2, 3, and 4;
Sec. 12, lots 1, 5, 6, 7, 8, and 9;
Sec. 14, lots 1, 2, 3, and 4, SE¼NW¼, and NE¼SE¼;
Sec. 34, NE¼;
Exchange Survey No. 279 in secs. 1 and 12;
Exchange Survey No. 278 in sec. 1.
T. 9 N., R 6 E.,
Exchange Survey No. 278 in sec. 6.

Pine Creek Recreation Area

T. 7 N., R. 6 E.,
Sec. 26, W½.

Meta Lake Recreation Area

T. 9 N., R. 6 E.,
Sec. 5, lot 2.

Cora Recreation Area

T. 12 N., R. 8 E.,
Sec. 17, E½NE¼.

Cat Creek Recreation Area

T. 10 N., R. 9 E. (Unsurveyed),
Sec. 13, E½NE¼.

Soda Springs Recreation Area

T. 14 N., R. 10 E.,
Sec. 13, E½SE¼NE¼, E½NE¼SE¼.
T. 14 N., R. 11 E.,
Sec. 18, W½SW¼NE¼, S½NW¼, N½SW¼, and W½NW¼SE¼.

MT. BAKER NATIONAL FOREST

Gold Basin Recreation Area

T. 30 N., R. 8 E.,
Sec. 13, S½SW¼SW¼;
Sec. 14, S½SE¼;
Sec. 23, N½NE¼, N½SE¼NE¼;
Sec. 24, W½NW¼.

Silverton Recreation Area

T. 30 N., R. 9 E.,
Sec. 23, N½SE¼SW¼ and S½NE¼SW¼.

OLYMPIC NATIONAL FOREST

Rainbow Recreation Area

T. 26 N., R. 2 W.,
Sec. 3, NW¼SE¼, exclusive of HES 253.

Collins Recreation Area

T. 25 N., R. 3 W.,
Sec. 2, N½SW¼SE¼, N½SW¼SW¼SE¼, S½SW¼NW¼SE¼, SE¼NW¼SE¼, SW¼NE¼SE¼, and N½NW¼SE¼SE¼.

Elkhorn Recreation Area

T. 26 N., R. 3 W. (Unsurveyed),
Sec. 20, SE¼NW¼.

Dungeness Recreation Area

T. 29 N., R. 3 W.,
Sec. 30, S½NW¼SE¼ and N½SW¼SE¼.

Bear Gulch Recreation Area

T. 23 N., R. 5 W.,
Sec. 10, NW¼NE¼NW¼.

WENATCHEE NATIONAL FOREST

Chiwaukum Lake Recreation Area

T. 26 N., R. 16 E.,
Sec. 30, lots 1, 2, 5, and 6.

Tumwater Recreation Area

T. 25 N., R. 17 E.,
Sec. 9, lots 2, 3, 6, 7, and 8, N½NW¼, and SW¼NW¼.

Silver Falls Recreation Area

T. 28 N., R. 18 E. (Unsurveyed),
Sec. 2, N½.

The areas described aggregate approximately 4,655 acres.

[Washington 01484]

WILLAMETTE MERIDIAN

SNOQUALMIE NATIONAL FOREST

Mather Memorial Parkway, Roadside Zone (U.S. Highway No. 410)

A strip of land 330 feet on each side of the centerline of the Mather Memorial Parkway (U.S. Highway No. 410) through the following legal subdivisions:

T. 16 N., R. 10 E. (Unsurveyed),
Sec. 12, S½SW¼ and SE¼;
Sec. 13, NW¼NW¼;
Sec. 14, E½ (that portion within forest).
T. 16 N., R. 10 E. (Unsurveyed),
Sec. 3, W½W½;
Sec. 4, E½ (that portion within forest).
T. 18 N., R. 10 E. (Unsurveyed),
Sec. 5, W½SW¼;
Sec. 6, E½E½;
Sec. 8, W½W½ and E½SW¼;
Sec. 17, E½W½ and SW¼SE¼;
Sec. 20, NE¼ and NE¼SE¼;
Sec. 21, S½;
Sec. 27, W½;
Sec. 28, NE¼NE¼;
Sec. 34, W½.

T. 19 N., R. 10 E. (Unsurveyed),
Sec. 30, SW¼;
Sec. 31, E½W½ and W½SE¼.
T. 16 N., R. 11 E. (Unsurveyed),
Sec. 3, NW¼NE¼ and NW¼;
Sec. 4, S½NE¼ and S½;
Sec. 7, N½;
Sec. 8, N½N½;
Sec. 9, N½NW¼.
T. 17 N., R. 11 E. (Unsurveyed),
Sec. 25, NE¼, SE¼NW¼, and SW¼;
Sec. 33, SE¼SE¼;
Sec. 34, S½;
Sec. 35, E½NE¼, SW¼, and NW¼SE¼;
Sec. 36, NW¼NW¼.
T. 17 N., R. 12 E. (Unsurveyed),
Sec. 13, S½SW¼ and SE¼;
Sec. 22, S½SW¼ and SE¼;
Sec. 23, N½ and N½SW¼;
Sec. 24, NW¼NW¼;
Sec. 27, NW¼NW¼.
T. 17 N., R. 13 E.,
Sec. 10, S½SW¼ and SE¼;
Sec. 11, S½NE¼, N½SW¼, and NW¼SE¼;
Sec. 12, S½N½;
Sec. 15, N½NW¼;
Sec. 16, N½N½;
Sec. 17, N½N½;
Sec. 18, lots 2 and 3, NE¼NE¼, S½NE¼, and SE¼NW¼.
T. 16 N., R. 14 E.,
Sec. 1, lots 3, 4, 5, 6, SW¼NE¼, SE¼NW¼, and E½SE¼.
T. 17 N., R. 14 E.,
Sec. 4, S½;
Sec. 5, SE¼SW¼ and S½SE¼;
Sec. 7, N½N½, and SW¼NW¼;
Sec. 8, N½NW¼;
Sec. 9, E½E½;
Sec. 15, W½, W½SE¼, and SE¼SE¼;
Sec. 16, NE¼NE¼;
Sec. 22, lot 1, E½NE¼;
Sec. 23, lots 1, 2, and 3;
Sec. 25, lot 1;
Sec. 26, lots 1, and 3, SW¼NE¼, SE¼NW¼, and N½SE¼;
Sec. 35, lots 1 and 5;
Sec. 36, lots 1, 2, 3, 6, and 7, SE¼NW¼.

The areas described aggregate approximately 3,280 acres.

WILLAMETTE MERIDIAN

GIFFORD PINCHOT AND SNOQUALMIE NATIONAL FORESTS

Randle-Yakima Highway (State Route No. 5) Roadside Zone

A strip of land 330 feet on each side of the centerline of the Randle-Yakima Highway through the following legal subdivisions:

T. 13 N., R. 10 E. (Unsurveyed),
Sec. 6, NW¼.
T. 14 N., R. 10 E.,
Sec. 8, SE¼;
Sec. 17, E½ and E½SW¼;
Sec. 20, E½;
Sec. 21, N½ and N½SE¼;
Sec. 22, W½SW¼ and SE¼SW¼;
Sec. 25, S½;
Sec. 26, S½NW¼, NE¼SW¼, and SE¼;
Sec. 27, NE¼ and NE¼NW¼;
Sec. 29, NE¼, SW¼, and NW¼SE¼;
Sec. 30, SE¼SE¼;
Sec. 31, E½ and E½SW¼.
T. 13 N., R. 11 E. (Unsurveyed),
Sec. 1, N½ and NW¼SW¼;
Sec. 2, SE¼SW¼ and SE¼;
Sec. 5, W½NW¼, SE¼NW¼, E½SW¼, and W½SE¼;
Sec. 6, NE¼NE¼;
Sec. 8, E½E½ and NW¼NE¼;
Sec. 9, S½;
Sec. 10, NE¼, S½NW¼, and N½SW¼;
Sec. 11, N½NW¼.
T. 14 N., R. 11 E. (Unsurveyed),
Sec. 30, SW¼SW¼;
Sec. 31, NW¼, NE¼SW¼, W½SE¼, and SE¼SE¼;
Sec. 36, SE¼SE¼.
T. 13 N., R. 12 E. (Unsurveyed),
Sec. 1, N½;
Sec. 2, N½NE¼.
T. 14 N., R. 12 E. (Unsurveyed),
Sec. 32, S½;
Sec. 33, S½;
Sec. 34, S½;
Sec. 35, SW¼ and S½SE¼;
Sec. 36, SW¼SW¼.
T. 13 N., R. 13 E.,
Sec. 6, S½NW¼.

The areas described aggregate approximately 2,000 acres.

2. The Departmental orders of August 1, 1907, and November 23, 1906, so far as they reserved lands in the NE¼NE¼ of sec. 17, T. 12 N., R. 8 E., in sec. 23, T. 30 N., R. 9 E., for use of the Forest Service as ranger stations, are hereby revoked.

3. This order shall take precedence over but not otherwise affect the existing withdrawal of the lands for national forest purposes.

STEWART L. UDALL,
Secretary of the Interior.

JULY 13, 1961.

[F.R. Doc. 61-6740; Filed, July 18, 1961; 8:45 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 13912; FCC 61-840]

PART 2—FREQUENCY ALLOCATIONS AND RADIO TREATY MATTERS; GENERAL RULES AND REGULATIONS

Clarification of Emission Limitation in Band 10,500–10,550 Mc

Correction

In F.R. Doc. 61-6538, appearing at page 6243 of the issue for Wednesday, July 12, 1961, the following corrections are made in paragraph 2 of the Order:

1. "General Railroad Signal Company" should read "General Railway Signal Company".

2. "Appropriate tracts in making up freight trains" should read "appropriate tracks in making up freight trains".

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[25 CFR Part 34]

ADMINISTRATION OF PROGRAM OF VOCATIONAL TRAINING FOR ADULT INDIANS

Selection of Applicants

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by the Act of August 3, 1956 (70 Stat. 986; 25 U.S.C. 309); it is proposed to amend 25 CFR Part 34 as set forth below. The purpose of this amendment is to define further eligibility for Adult Vocational Training Services.

It is the policy of the Department of the Interior, whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed amendment to the Bureau of Indian Affairs, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

Section 34.3 is amended to read as follows:

§ 34.3 Selection of applicants.

The Vocational Training Program is available primarily to adult Indians of one-fourth or more degree of Indian blood who are not less than 18 and not more than 35 years of age and who reside within the exterior boundaries of Indian reservations under the jurisdiction of the Bureau of Indian Affairs or on trust or restricted lands under the jurisdiction of the Bureau of Indian Affairs. The Program is also available to additional Indians who reside near reservations in the discretion of the Secretary of the Interior when the failure to provide the services would have a direct effect upon Bureau programs within the reservation boundaries. An application for training services may be approved, within the limitation of available funds, when it is determined that the applicant is in need of such training in order to obtain reasonable and satisfactory employment, and that it is feasible for him to pursue such training. Reasonable and satisfactory employment is employment that provides:

(a) Sufficient income for the individual or family unit to live at an economic level considered as adequate in the community; and

(b) Opportunity for advancement on the basis of skill and experience acquired in the course of employment.

JOHN A. CARVER, JR.,
Assistant Secretary of the Interior.

JULY 13, 1961.

[F.R. Doc. 61-6738; Filed, July 18, 1961; 8:45 a.m.]

Bureau of Land Management

[43 CFR Part 63]

REINDEER GRAZING; ALASKA

Issuance of Permits

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 14 of the Act of September 1, 1937 (50 Stat. 902, 48 U.S.C. 250k), it is proposed to provide regulations for the issuance of reindeer grazing permits in the State of Alaska as set forth below. The purpose of this notice is to provide for the designation of reindeer range areas and regulation and control of grazing thereon in order to develop and stabilize the reindeer industry in the State of Alaska.

It is the policy of the Department of the Interior whenever practicable, to afford the public an opportunity to participate in the rule making process. Accordingly, interested persons may submit written comments, suggestions, or objections with respect to the proposed regulations to the Bureau of Land Management, Washington 25, D.C., within thirty days of the date of publication of this notice in the FEDERAL REGISTER.

The following new sections are added to Part 63:

Sec.

63.31 Statutory authority.
63.32 Definitions.
63.33 Application for grazing permit; Bureau of Indian Affairs certification of reindeer assignment; source of reindeer other than Government; listing of improvements.
63.34 Lands subject to grazing permit.
63.35 Filing fee; grazing fee.
63.36 Qualifications of applicants.
63.37 Rights reserved; public land laws applicable.
63.38 No right acquired by applicant prior to issuance of grazing permit.
63.39 Term of grazing permit; renewals.
63.40 Grazing permits to designate range to be used.
63.41 Maximum number of reindeer.
63.42 Adjustment of grazing permit area.
63.43 Report of grazing operations; assignments.
63.44 Crossing permits.
63.45 Permits for construction and maintenance of improvements; fences.
63.46 Termination of grazing permit; cancellation.
63.47 Removal of improvements and other property.
63.48 Protests.
63.49 Location, settlement, entry, and other disposition of lands included in grazing permit; notice to permittee of disposition and reduction of permitted area.
63.50 Appeals.
63.51 Trespass.

§ 63.31 Statutory authority.

Section 14 of the Act of September 1, 1937 (50 Stat. 902; 48 U.S.C. 250k), authorizes the Secretary of the Interior to promulgate such rules and regulations as, in his judgment, are necessary to carry into effect the provisions of 48 U.S.C. 250–250n.

§ 63.32 Definitions.

(a) "Reindeer" includes reindeer and such caribou as have been introduced into animal husbandry or have actually joined reindeer herds and the increase thereof.

(b) "Natives" include the native Indians, Eskimos, and Aleuts of whole or part blood inhabiting Alaska at the time of the Treaty of Cession of Alaska to the United States and their descendants of whole or part blood, together with the Indians and Eskimos who, since the year 1867 and prior to September 1, 1937, have migrated into Alaska from the Dominion of Canada, and their descendants of whole or part blood.

(c) "Bureau" means Bureau of Land Management.

(d) "Director" means Director, Bureau of Land Management.

(e) "Authorized Officer" means the Bureau official who has been authorized to issue a reindeer grazing permit.

(f) "The Act" means the Act of September 1, 1937 (50 Stat. 902; 48 U.S.C. 250, 250a–250p).

§ 63.33 Application for grazing permit; Bureau of Indian Affairs certification of reindeer assignment; source of reindeer other than Government; listing of improvements.

(a) An application for a grazing permit must be executed in duplicate on a form approved by the Director and filed in the Bureau office which has jurisdiction over lands applied for.

(b) A certification of reindeer allotment to the applicant, signed by the authorized Bureau of Indian Affairs officer, must accompany the application if the applicant is to receive a herd from the Government.

(c) If reindeer are to be obtained from a source other than the Government, the applicant should state the source and show evidence of his purchase or option to purchase.

(d) With the initial application for any grazing permit issued under these regulations, the applicant must list by location and description the improvements found in the area under application which are owned by the applicant. Such statement of ownership will be verified by a Bureau of Indian Affairs official prior to submitting it to the Bureau of Land Management. Such existing improvements will be permitted by the terms of the initial grazing permit. Improvements to be constructed subsequent to the issuance of the initial grazing permit must be under permit in accordance with § 63.45.

§ 63.34 Lands subject to grazing permit.

Vacant and unreserved and unappropriated public lands are subject to inclusion in a reindeer grazing permit. Where these lands are within the natural migration routes of caribou, or when they have other important wildlife values, the lands may be included in a permit, at the discretion of the authorized officer after consultation with the

Bureau of Sport Fisheries and Wildlife, subject to such special terms and conditions as may be jointly agreed upon. Public lands which have been withdrawn for any purpose may also be included in a grazing permit with the prior consent of the Department or agency having administrative jurisdiction thereof, and subject to such additional terms and conditions as such Department or agency may impose.

§ 63.35 Filing fee; grazing fee.

A filing fee of $10 must accompany each application for a reindeer grazing permit or application for renewal thereof. No grazing fee will be charged.

§ 63.36 Qualifications of applicants.

An applicant is qualified if he is a native or group, association or corporation of natives as defined by the Act of September 1, 1937, organized under the laws of the United States or the State of Alaska.

§ 63.37 Rights reserved; public land laws applicable.

(a) Grazing permits under §§ 63.31–63.51 shall be subordinated to higher uses and subject to modification or reduction by the authorized officer to the extent necessary to allow:

(1) The protection, development and utilization, under applicable laws and regulations, of the mineral, timber, water and other resources on or in the lands included in the grazing permit, including their use for agriculture.

(2) The allowance of applications for and the acquisition of homesites, easements, permits, leases, or other rights and uses pursuant to applicable public land laws.

(3) The temporary closing of portions of the permitted area to grazing whenever, because of improper handling of the reindeer, overgrazing, fire, or other cause, such action is deemed necessary to restore the range to its normal condition.

(b) No permittee may so enclose roads, trails, or highways as to disturb public travel thereon, nor interfere with existing communication lines or other improvements on the permitted area; he shall not prevent legal hunting, fishing or trapping on the land, or ingress of miners, mineral prospectors and other persons entitled to enter the area for lawful purposes.

(c) Persons using public lands for grazing of reindeer or for driving of reindeer across such lands must comply with applicable State and Federal laws relative to livestock quarantine and sanitation.

§ 63.38 No right acquired by applicant prior to issuance of grazing permit.

The filing of an application will not segregate the land applied for from application by other persons for a grazing permit, or from other disposition under the public land laws. As the issuance of a grazing permit is discretionary, the filing of an application will not create a right for such a permit, or to the use of the lands applied for pending the issuance of a grazing permit.

§ 63.39 Term of grazing permit; renewals.

(a) Reindeer grazing permits shall be issued for a maximum term of 10 years, except where the applicant desires a shorter term, or where the authorized officer determines that a shorter period will be in the public interest.

(b) Application for renewal of a grazing permit shall be made not less than four months or more than eight months before the expiration date of the permit. The authorized officer may at his discretion offer the permittee a renewed grazing permit containing such terms, conditions, and of such duration as he determines to be in the public interest.

§ 63.40 Grazing permit to designate range to be used.

Permits will restrict grazing use to a definitely described area. Grazing permits will be granted only for such areas as may be deemed adequate and usable according to the needs of the permittee.

§ 63.41 Maximum number of reindeer.

The grazing permit will indicate the maximum number of reindeer which may be grazed on the permitted area, based on range conditions, and will be subject to adjustment as the condition of the range indicates.

§ 63.42 Adjustment of grazing permit area.

The permitted area may be reduced at any time, after not less than 30 days notice to the permittee, when in the opinion of the authorized officer the area is excessive for the number of reindeer grazed thereon. The permit may be increased by the authorized officer on his own motion or upon request of the permittee, when in the opinion of the authorized officer the area is insufficient for the number of reindeer grazed thereon. The permittee shall have opportunity within such notice period to to show cause why the area included in the grazing permit should not be adjusted.

§ 63.43 Report of grazing operations; assignments allowed.

(a) Before April 1 of the second permit year and each year thereafter, the permittee shall file with the authorized officer a report in duplicate of his grazing operations during the preceding year on an approved form.

(b) No part of the land included in the permit may be subleased. Proposed assignments of a permit, in whole or in part, must be filed in duplicate with the authorized officer within 90 days from the date of its execution. Such assignments must contain all of the terms and conditions agreed upon by the parties thereto, accompanied by the same showing by the assignee as to qualifications and a reindeer allotment as is required of applicants for a permit, and by the assignee's statement agreeing to be bound by the provisions of the permit. No assignment shall be effective until approved by the authorized officer.

§ 63.44 Crossing permits.

A permit for the crossing of reindeer over public lands, including lands under grazing permit, may be issued free of charge, upon application filed with the authorized officer at least 30 days prior to the date the crossing is to begin. The application must show the number of reindeer to be driven, date of starting, approximate period of time required, and the land to be traversed.

§ 63.45 Permits for construction and maintenance of improvements; fences.

Application for a permit to construct and maintain range improvements should be filed, in duplicate, with the authorized officer on an approved form. The grazing permittee, upon obtaining a permit from the authorized officer, may construct, maintain and utilize any fence, building, corral, reservoir, well, or other improvement needed for the exercise of the grazing privileges under the grazing permit. The permittee will be required to comply with the laws of the State of Alaska with respect to the construction and maintenance of fences, but any such fence shall be constructed to permit the ingress and egress of miners, prospectors for minerals, and other persons entitled to enter such area for lawful purposes.

§ 63.46 Termination of grazing permit; cancellation.

(a) A grazing permit may be surrendered by the permittee upon prior written notice filed with the authorized officer, effective upon the date indicated in such notice, but not less than 30 days from the date of filing.

(b) A grazing permit may be cancelled by the authorized officer if the permit was issued improperly through error with respect to a material fact or facts, or if the permittee shall fail to comply with any of the provisions of the permit or of §§ 63.31–63.51. No permit shall be cancelled for default in complying with the provisions of the permit or of §§ 63.31–63.51 until the permittee has been notified in writing of the nature of the default and has been afforded an opportunity of not less than 30 days to show why the permit should not be cancelled.

§ 63.47 Removal of improvements and other property.

The permittee, within 90 days from the date of expiration or termination of the grazing permit, or within any extension of such period, shall be allowed to remove all personal property belonging to him, together with any fence, building, corral, or other removable range improvements owned by him. All such property which is not removed within the time allowed shall thereupon become the property of the United States.

§ 63.48 Protests.

Protests against an application for a grazing permit shall be filed in duplicate, with the authorized officer; contain a complete disclosure of all facts upon which the protest is based; and describe the lands involved in such protest. It shall be accompanied by evidence of service of a copy of the protest upon the applicant. If the protestant desires to obtain a grazing permit for all or part of the land embraced in the

application against which the protest is filed, the protest shall be accompanied by an application for a grazing permit.

§ 63.49 Location, settlement, entry, and other disposition of lands included in grazing permit; notice to permittee of disposition and reduction of permitted area.

(a) Lands included in grazing permits under the act are subject to settlement, location, and acquisition under the non-mineral public land laws applicable to the State of Alaska.

(b) Upon settlement, location or entry of any lands included within a reindeer grazing permit, the permittee shall be notified of the settlement, location or entry, and the permitted area shall be reduced by the area involved in the settlement, location or entry.

(c) Unless otherwise withdrawn therefrom, lands included in grazing permits under the act are subject to disposition under the mineral leasing laws and to mineral prospecting, location, and purchase under the mining laws, in accordance with the applicable regulations of Parts 69 and 185 of this chapter.

§ 63.50 Appeals.

An appeal may be taken from any decision of the authorized officer to the Director, and from any decision of the Director to the Secretary, pursuant to the rules of practice (Part 221 of this chapter).

§ 63.51 Trespass.

(a) Any use of the Federal lands for reindeer grazing purposes, unless authorized by a valid permit issued in accordance with the regulations in §§ 63.31–63.51, is unlawful and is prohibited.

(b) Any person who wilfully violates any of the rules and regulations in §§ 63.31–63.51 of this part shall be deemed guilty of a misdemeanor, and upon conviction thereof shall be punishable by imprisonment for not more than one year, or by a fine of not more than $500.

JOHN A. CARVER, Jr.,
Assistant Secretary of the Interior.

JULY 13, 1961.

[F.R. Doc. 61–6741; Filed, July 18, 1961; 8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 51]

MUSHROOMS [1]

United States Consumer Standards

Notice is hereby given that the United States Department of Agriculture is considering the issuance of United States Consumer Standards for Mushrooms pursuant to the authority contained in the Agricultural Marketing Act of 1946 (secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627).

Statement of considerations leading to the proposed standards. Growing interest on the part of mushroom industry members, in continuous inspection based on U.S. Consumer Standards makes this proposal necessary. No consumer standards for the commodity have ever been developed.

The proposed new standards were developed after conducting field investigations and discussing problems involved with members of the industry and Federal-State inspection personnel.

Members of the mushroom industry are urged to study the proposed standards carefully and to comment thereon within the period set forth in this notice.

All persons who desire to submit written data, views or arguments for consideration in connection with the proposed standards should file the same with the Chief, Fresh Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, South Building, Washington 25, D.C., not later than August 20, 1961.

GRADES

Sec.
51.3385 U.S. Grade A.
51.3386 U.S. Grade B.

OFF-GRADE

51.3387 Off-grade.

SIZE CLASSIFICATIONS

51.3388 Size classifications.

TOLERANCES

51.3389 Tolerances.

DEFINITIONS

51.3390 Similar varietal characteristics.
51.3391 Firm.
51.3392 Well shaped.
51.3393 Clean.
51.3394 Fairly firm.
51.3395 Fairly well shaped.
51.3396 Fairly clean.
51.3397 Damage.
51.3398 Serious damage.
51.3399 Diameter.

AUTHORITY: §§ 51.3385 to 51.3399 issued under secs. 202–208, 60 Stat. 1087, as amended; 7 U.S.C. 1621–1627.

GRADES

§ 51.3385 U.S. Grade A.

"U.S. Grade A" consists of fresh mushrooms of similar varietal characteristics which are well shaped, clean and which are free from decay, spot, disease, insects, and free from damage caused by discoloration, feathering, bruised caps, torn stems, or mechanical or other means. Not less than 85 percent of the mushrooms in any lot shall be firm, and remainder fairly firm.

§ 51.3386 U.S. Grade B.

"U.S. Grade B" consists of fresh mushrooms of similar varietal characteristics which are fairly firm, fairly well shaped, fairly clean and which are free from decay, spot, disease, insects, and free from serious damage caused by discoloration, feathering, bruised caps, torn stems, or mechanical or other means.

OFF-GRADE

§ 51.3387 Off-grade.

"Off-grade" consists of fresh mushrooms which fail to meet the requirements of U.S. Grade B.

SIZE CLASSIFICATIONS

§ 51.3388 Size classifications.

The size of mushrooms may be specified in accordance with one of the following classifications.

(a) "Button"—under 1 inch in diameter.

(b) "Small"—1 to 1¼ inches in diameter.

(c) "Medium"—1¼ to 1⅝ inches in diameter.

(d) "Large"—1⅝ to 2 inches in diameter.

(e) "Jumbo"—over 2 inches in diameter.

TOLERANCES

§ 51.3389 Tolerances.

In order to allow for variations incident to proper grading and handling in each of the foregoing grades the following tolerances, by weight are provided as specified.

(a) *Defects*—(1) *U.S. Grade A and U.S. Grade B.* 10 percent of the mushrooms in any lot may be below the requirements of these grades.

(b) *Off-size*—(1) *U.S. Grade A and U.S. Grade B.* 5 percent of the mushrooms in any lot may be below any specified minimum size, and 10 percent may be above any specified maximum size.

DEFINITIONS

§ 51.3390 Similar varietal characteristics.

"Similar varietal characteristics" means that the mushrooms are of the same type and color. Those of a white color and those of a cream color shall not be mixed in the same container.

§ 51.3391 Firm.

"Firm" means that the cap yields only slightly to moderate pressure when applied to the shoulder of the cap.

§ 51.3392 Well shaped.

"Well shaped" means that the mushroom is uniformly round and not more than slightly scalloped or indented.

§ 51.3393 Clean.

"Clean" means that the mushrooms are practically free from dirt which is imbedded into the flesh of the cap or stem, loose dirt or other foreign material.

§ 51.3394 Fairly firm.

"Fairly firm" means that the cap yields readily to moderate pressure, when applied to the shoulder of the cap and the veil may be slightly broken.

§ 51.3395 Fairly well shaped.

"Fairly well shaped" means that the mushroom is not decidedly scalloped or indented.

§ 51.3396 Fairly clean.

"Fairly clean" means that the mushrooms shall have not more than a moderate amount of loose or imbedded dirt, or other foreign material.

[1] Packing of the product in conformity with the requirements of these standards shall not excuse failure to comply with the provisions of the Federal Food, Drug, and Cosmetic Act or with applicable State laws and regulations.

§ 51.3397 Damage.

"Damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defects, or any combination of defects, which materially detracts from the appearance, or the edible or shipping quality of the mushroom. The following specific defects shall be considered as damage:

(a) Discoloration when darker than light brown in color and the aggregate area affected exceeds 5 percent of the surface of the cap and stem.

(b) Feathering when affecting more than 5 percent of the surface of the cap and is definitely raised.

(c) Bruised caps when the cap of the mushroom is torn or punctured or an indented area materially affects the appearance.

(d) Torn stems when ragged in appearance.

§ 51.3398 Serious damage.

"Serious damage" means any specific defect described in this section; or an equally objectionable variation of any one of these defects, any other defect, or any combination of defects, which materially detracts from the appearance, or the edible or shipping quality of the mushroom. The following specific defects shall be considered as serious damage:

(a) Discoloration when darker than light brown in color and the aggregate area affected exceeds 10 percent of the surface of the cap and stem.

(b) Feathering when affecting more than 10 percent of the surface of the cap and is definitely raised.

§ 51.3399 Diameter.

"Diameter" means the greatest dimension of the cap measured at right angles to the stem.

Dated: July 14, 1961.

ROY W. LENNARTSON,
Deputy Administrator, Marketing Services.

[F.R. Doc. 61-6780; Filed, July 18, 1961; 8:49 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 998]

[Docket No. AO 259-A6]

MILK IN CORPUS CHRISTI, TEXAS, MARKETING AREA

Notice of Hearing on Proposed Amendments to Tentative Marketing Agreement and 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 at the Echo Motel, Edinburg, Texas, beginning at 10:00 a.m., c.s.t., on July 27, 1961, with respect to proposed amendments to the tentative marketing agreement and to the order, regulating the handling of milk in the Corpus Christi, Texas, 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 proposed amendments, set forth below, have not received the approval of the Secretary of Agriculture.

Proposed by The Golden Jersey Creamery, Edinburg, Texas.

Proposal No. 1. Delete § 998.50(a) and substitute therefor the following:

(a) *Class I milk price.* The Class I milk price shall be the price for Class I milk established under Order No. 43, as amended, regulating the handling of milk in the North Texas Marketing Area, plus 63 cents.

Proposal No. 2. Delete § 998.51 and substitute therefor the following:

§ 998.51 Location differential to handlers.

For that portion of milk which is received from producers at a fluid milk plant located outside the marketing area, north of Texas State Highway No. 44, more than 50 miles from the Courthouse at Corpus Christi, Texas, by the shortest hard-surfaced distance as determined by the market administrator, and which is classified as Class I milk, the price specified in § 998.50(a), shall be reduced in accordance with the rate specified in the table contained herein: *Provided,* That for the purpose of calculating such adjustment, transfers to a fluid milk plant at which no location adjustment credit is applicable or at which the location adjustment credit is less than at the transferor plant, shall be assigned to Class I milk in a volume only in excess of that by which Class I disposition at the transferee plant exceeds 95 percent of the receipts from producers at such transferee plant. Such assignment to transferor plants to be made first to plants at which no adjustment credit is applicable and then in the sequence at which the lowest location adjustment credit would apply.

Distance from Courthouse Corpus Christi, Tex.:	*Rate per hundredweight (Cents)*
More than 50 but less than 100 miles	7.5
100 miles and over	[1] 1.5

[1] For each additional 10 miles or portion thereof.

Proposal No. 3. Delete § 998.82 and substitute therefor the following:

§ 998.82 Location differential to producers.

In making payments to producers pursuant to § 998.80 for milk received from them at a fluid milk plant located outside the marketing area and north of Texas State Highway No. 44, and more than 50 miles from the Courthouse in Corpus Christi, Texas, by the shortest hard-surfaced highway distance, as determined by the market administrator, the handler may reduce such payments per hundredweight in accordance with the schedule contained in the following table:

Distance from Courthouse Corpus Christi, Tex.:	*Rate per hundredweight (Cents)*
More than 50 but less than 100 miles	7.5
100 miles and over	[1] 1.5

[1] For each additional 10 miles or portion thereof.

Proposed by the Milk Marketing Orders Division, Agricultural Stabilization and Conservation Service:

Proposal No. 4. 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.

Copies of this notice of hearing and the order may be procured from the Market Administrator, 112 Tarlton Street, Corpus Christi, Tex., 1204 North Main Avenue, San Antonio 2, Tex., 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., July 14, 1961.

ROBERT G. LEWIS,
Deputy Administrator, Price and Production, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 61-6762; Filed, July 18, 1961; 8:48 a.m.]

CIVIL AERONAUTICS BOARD

[14 CFR Part 287]

[Economic Regs. Docket No. 12783]

CERTAIN INTERLOCKING RELATIONSHIPS

Exemption and Approval

JULY 13, 1961.

Notice is hereby given that the Civil Aeronautics Board has under consideration the adoption of a new Part 287 of the Economic Regulations which would exempt direct and indirect air carriers from the provisions of section 409(a) of the Act in respect of certain classes of interlocking relationships having little or no regulatory significance and would also approve in advance pursuant to that section the participation of individuals in such specified classes of interlocking relationships.

This exemption and the limitations pertaining thereto are proposed under the authority of sections 204(a), 101(3), 409, and 416 of the Federal Aviation Act of 1958, as amended (72 Stat. 743, 737, 768, and 771; 49 U.S.C. 1324, 1301, 1379, and 1387). The principal features of the proposed regulation are explained below in the explanatory statement, and the proposed new Part 287 is set forth below.

Interested persons may participate in the proposed rule making through sub-

mission of ten (10) copies of written data, views or arguments pertaining thereto to the Docket Section, Civil Aeronautics Board, Washington 25, D.C. All relevant matter in communications received on or before August 17, 1961, will be considered by the Board before taking final action on the proposed rule. Copies of such communications will be available for examination by interested persons in the Docket Section of the Board, Room 711, Universal Building, 1825 Connecticut Avenue NW., Washington 25, D.C., upon receipt thereof.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

Explanatory statement. Section 409 (a) of the Federal Aviation Act of 1958, as amended, prohibits interlocking relationships between the officers and directors of an air carrier, on the one hand, and the officers, directors, members and controlling stockholders, or the representatives of such persons, of any other common carrier or person engaged in any phase of aeronautics, on the other hand, unless such relationships have been approved by prior order of the Board. This section conditions such approval upon a due showing in the form and manner prescribed by the Board that the interlocking relationships concerned will not adversely affect the public interest. Part 251 of the Economic Regulations implements this statutory provision by prescribing the form and content of applications for approval of such relationships, procedures for processing them and related provisions.

Experience has shown that many of the interlocking relationships for which applications for approval are filed with the Board do not pose a threat of potential harm to the public interest because they do not raise significant questions of potential restraint on competition or conflicts of interest. It is evident that requiring the air carriers and individuals proposing to enter into interlocking relationships of this nature to file applications under Part 251 and to obtain the prior approval of the Board thereon constitutes an undue burden upon them, serves no useful regulatory purpose and imposes upon the Board the unnecessary workload involved in scrutinizing a multiplicity of such interlocking relationships. The burden of this workload is greatest in the areas of interlocking relationships arising under the representation theory of The Lehman Brothers Interlocking Relationships Case,[1] which holds that under certain conditions one partner of an investment firm represents other partners in the firm, since such representation often creates a host of interlocking relationships.

Accordingly, the Board proposes herein to relieve air carriers (except those classified as air taxi operators)[2] and individuals from the requirements of Part 251 of the Economic Regulations with respect to those classes of interlocking relationships specified below. The air carrier parties to the specified interlocking relationships will be exempted from the prohibitions and requirements of section 409(a) and Part 251 pursuant to sections 101(3) and 416(a). Inasmuch as the Board's exemption authority does not extend to individuals, the proposed rule will grant advance Board approval of the specified interlocking relationships insofar as the individual participants are concerned by an exercise of the Board's powers under section 409(a).

While the Board has initially confined the scope of this proposal to the specified classes of interlocking relationships which the Board finds clearly present only a remote potential adverse impact upon the public interest in terms of free competition and arms-length dealings between air carriers and other civil aeronautics enterprises, it will, of course, consider any additional proposals which may be forthcoming for the extension of such relief to other classes of interlocking relationships.

The proposed regulation is, of course, applicable to both direct and indirect air carriers. However, in recognition of the fact that different public interest factors affect them, the classes of interlocking relationships which have been exempted and approved are separately stated for each such classification of air carriers.

The exemption accorded to indirect air carriers extends to any interlocking relationship between any indirect air carrier and, respectively, any air taxi operator; any indirect surface common carrier; any direct surface common carrier whose operations do not exceed certain geographical limitations; and any person engaged in a phase of aeronautics otherwise than as an air carrier, but not foreign air carriers, persons engaged in either private or common carriage by air who are not subject to Board regulation as statutory "air carriers," and persons whose principal business is the holding of stock in, or control of, any other person engaged in any phase of aeronautics.

The exemption accorded to direct air carriers (other than air taxi operators) extends to any interlocking relationship between such air carriers and, respectively, surface common carriers engaged only in pipeline, communications, local transit and local or regional freight operations which are not competitive with air transportation or are of limited scope. In addition, any interlocking relationship between a direct air carrier and a person engaged in any other phase of aeronautics is exempted unless such persons are (1) travel or ticket agents; (2) manufacturers of civil aircraft, engines and propellers therefor; (3) manufacturers of appliances (as defined in section 101(11) of the Act) whose civil aviation sales to the air carrier with whom it is interlocked exceed a specified limit; (4) carriers by air not subject to Title IV of the Act; or (5) persons whose principal business is the holding of aviation securities. However, the exemption of interlocking relationships between direct air carriers and persons engaged in other phases of aeronautics has been limited to cases where the transactions between the interlocked business entities do not exceed $100,000 annually, exclusive of transactions involving the furnishing of transportation service by an air carrier pursuant to tariffs filed with the Board.

As a final matter, provision has been made for the termination of the exemptions and advance approvals granted by this part with respect to any particular relationship at any time when the Board finds that the continuance of such exemption is inconsistent with the public interest.

The exemptions created by this part are applicable only when and while the qualifying conditions prescribed in the proposed rule actually exist. For example, when the prescribed limit of $100,000 is exceeded, the interlocking relationship involved is no longer exempted and an application for Board approval thereof must be filed. In accordance with normal practice, the Board would make any rule which may finally be adopted in this proceeding applicable only with respect to interlocking relationships coming into existence after its effective date.

PART 287—EXEMPTION AND APPROVAL OF CERTAIN INTERLOCKING RELATIONSHIPS

§ 287.1 Definitions.

For the purposes of this part:

(a) "Indirect air carrier" means any air carrier not engaged directly in the operation of aircraft in air transportation which comes with the classification of "Air Freight Forwarders" and "Cooperative Shippers Associations," established by Part 296, or within the classification of "International Air Freight Forwarders" established by Part 297.

(b) "Direct air carrier" means any air carrier directly engaged in the operation of aircraft, pursuant to a certificate of public convenience and necessity issued under section 401 of the Act or under the authority conferred by any applicable regulation (other than Part 298) or order of the Board or interim operating authority under Public Law 86-661, dated July 14, 1960.

(c) "Interlocking relationship" means any of the relationships set forth in section 409(a) of the Act which are set forth in Appendix I of this part.

(d) "Aircraft manufacturer" means any person engaged in the design and final fabrication of an integrated, major assembly or subassembly who:

(1) Makes civil aircraft, or engines and propellers for use therewith, or

(2) Makes any appliances (as that term is defined in section 101(11) of the Federal Aviation Act of 1958, as amended) for use aboard civil aircraft and whose sales of such appliances to any air carrier with whom it has an interlocking relationship exceed $100,000 at any time during a calendar year.

§ 287.2 Exemption of indirect air carriers with respect to certain interlocking relationships.

Subject to the other provisions of this part, indirect air carriers are hereby relieved from the provisions of section

[1] 15 CAB 656 (1952); aff'd. 209 F. 2d 289, (CADC, 1953) cert. den. 347 U.S. 916 (1954).

[2] Such air carriers are already exempted from the provisions of section 409(a) by a broader exemption conferred in § 298.11.

409(a) of the Act and Part 251 of the Economic Regulations with respect to any interlocking relationship between any such air carrier and, respectively:

(a) Air taxi operators as defined in Part 298;

(b) Any indirect surface common carrier;

(c) Any direct surface common carrier whose certificated interstate routes can be encompassed within the geographic area of any circle having a radius of 50 miles which can be drawn; and

(d) Any person engaged in a phase of aeronautics otherwise than as an air carrier, but not foreign air carriers, persons engaged in either private or common carriage by air who are not subject to Board regulation as statutory "air carriers," and persons whose principal business is the holding of stock in, or control of, any other person engaged in any phase of aeronautics. *Provided, however,* That this exemption shall not extend to a relationship with respect to any common carrier or person engaged in a phase of aeronautics which is, directly or indirectly, affiliated with any air carrier.

§ 287.3 Exemption of direct air carriers with respect to certain interlocking relationships.

Subject to the other provisions of this part, direct air carriers are hereby relieved from the provisions of section 409(a) of the Act and Part 251 of the Economic Regulations with respect to any interlocking relationship between any such air carrier and, respectively:

(a) Any surface common carrier which is engaged only in pipeline or communication operations;

(b) Any surface common carrier which is engaged only in local transit operations by providing street, railway or bus transportation (except for airport limousines) for passengers and has certificated or franchised routes which can be encompassed within the geographic area of any circle having a radius of 50 miles which can be drawn;

(c) Any surface common carrier which is directly engaged only in the local or regional transportation of cargo by motor vehicle, rail or water and does not serve any point also served by the air carrier with which it has an interlocking relationship or only serves such a common point on a route which can be encompassed within the geographic area of any circle having a radius of 50 miles which can be drawn;

(d) Any person engaged in any phase of aeronautics otherwise than as an air carrier, except foreign air carriers, travel or ticket agents; aircraft manufacturers; persons engaged in private or common carriage by air who are not subject to Board regulation as statutory "air carriers"; persons whose principal business is the holding of stock in, or control of, any other person engaged in any phase of aeronautics: *Provided, however,* That no interlocking relationship shall be exempted under this paragraph if the transactions between the air carrier and the person engaged in any phase of aeronautics involved exceed $100,000 at any time during a calendar year, excluding transactions involving the furnishing of transportation service by an air carrier pursuant to tariff rates duly filed with the Board and published: *Provided, further,* That the exemption conferred by this paragraph shall not extend to a relationship with respect to any common carrier or person engaged in a phase of aeronautics which is, directly or indirectly, affiliated with any air carrier. For the purpose of determining whether the qualifying conditions specified in paragraphs (a), (b), and (c) of this section are met, both the operations of the surface carrier's own system and those of its subsidiaries or parent companies shall be considered. Furthermore, any direct air carrier, which has been exempted under the provisions of this paragraph, shall use reasonable diligence in determining when the $100,000 limit specified in § 287.1(d) or paragraph (d) of this section has been exceeded.

§ 287.4 Approval of certain interlocking relationships.

To the extent that any officer, director or member of an air carrier, or stockholder holding a controlling interest in an air carrier (or the representative or nominee of any such person) would, without prior approval of the Board, be in violation of any provision of section 409(a) of the Act, by reason of any interlocking relationship directly involving such air carrier which has been exempted under this part, such relationship is hereby approved for the duration of such exemption.

§ 287.5 Termination of exemptions and approvals.

Any exemption and approval granted by this part may be terminated by the Board at any time, after notice and opportunity to submit written views and data, when the Board finds that the continuance of such exemption and approval will adversely affect the public interest.

§ 287.6 Effect of exemption on antitrust laws.

The exemption and approval granted herein shall not constitute an order made under section 409(a) of the Act within the meaning of section 414 of the Act and shall not confer any immunity or relief from operation of the "antitrust laws" or any other statute (except the Federal Aviation Act of 1958, as amended) with respect to any interlocking relationship otherwise within the purview of such section.

APPENDIX I

SEC. 409. [72 Stat. 768, 49 U.S.C. 1379]. (a) It shall be unlawful, unless such relationship shall have been approved by order of the Board upon due showing, in the form and manner prescribed by the Board, that the public interest will not be adversely affected thereby—

(1) For any air carrier to have and retain an officer or director who is an officer, director, or member, or who as a stockholder holds a controlling interest, in any other person who is a common carrier or is engaged in any phase of aeronautics.

(2) For any air carrier, knowingly and willfully, to have and retain an officer or director who has a representative or nominee who represents such officer or director as an officer, director, or member, or as a stockholder holding a controlling interest, in any other person who is a common carrier or is engaged in any phase of aeronautics.

(3) For any person who is an officer or director of an air carrier to hold the position of officer, director or member, or to be a stockholder holding a controlling interest, or to have a representative or nominee who represents such person as an officer, director, or member, or as a stockholder holding a controlling interest, in any other person who is a common carrier or is engaged in any phase of aeronautics.

(4) For any air carrier to have and retain an officer or director who is an officer, director, or member, or who as a stockholder holds a controlling interest, in any person whose principal business, in purpose or in fact, is the holding of stock in, or control of, any other person engaged in any phase of aeronautics.

(5) For any air carrier, knowingly and willfully, to have and retain an officer or director who has a representative or nominee who represents such officer or director as an officer, director, or member, or as a stockholder holding a controlling interest, in any person whose principal business, in purpose or in fact, is the holding of stock in, or control of, any other person engaged in any phase of aeronautics.

(6) For any person who is an officer or director of an air carrier to hold the position of officer, director, or member, or to be a stockholder holding a controlling interest, or to have a representative or nominee who represents such person as an officer, director, or member, or as a stockholder holding a controlling interest, in any person whose principal business, in purpose or in fact, is the holding of stock in, or control of, any other person engaged in any phase of aeronautics.

[F.R. Doc. 61-6784; Filed, July 18, 1961; 8:49 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 601]

[Airspace Docket No. 61-FW-53]

CONTROLLED AIRSPACE

Designation of Transition Area

Pursuant to the authority delegated to me by the Administrator (14 CFR 409.13), notice is hereby given that the Federal Aviation Agency, is considering an amendment to Part 601 of the regulations of the Administrator, the substance of which is stated below:

The Federal Aviation Agency has under consideration the designation of a transition area at Hampton, S.C. This transition area would be designated with a floor of 1,200 feet above the surface and would include the airspace to the south of Hampton bounded on the north by VOR Federal airway No. 18 south alternate, on the east by VOR Federal airway No. 3, on the south by the Savannah, Ga., control area extension (601.1008), and on the west by VOR Federal airway No. 37. This airspace would provide protection for aircraft departing the Savannah terminal area via the Savannah VOR 007° True radial to its intersection with Victor 18 and also permit effective utilization of the Jacksonville, Fla., Air Route Traffic Control Center long-range radar by providing area for radar vectors to expedite air traffic north of Savannah, and north-

west of Beaufort, S.C. A 1,200 foot floor would facilitate the transition of aircraft between airways having low minimum IFR en route altitudes adjacent to the proposed transition area.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Chief, Air Traffic Management Field Division, Federal Aviation Agency, P.O. Box 1689, Fort Worth 1, Tex. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Management Field Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington 25, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Docket Section, Federal Aviation Agency, Room B–316, 1711 New York Avenue NW., Washington 25, D.C. An informal Docket will also be available for examination at the office of the Regional Air Traffic Management Field Division Chief.

This amendment is proposed under section 307(a) of the Federal Aviation Act of 1958 (72 Stat. 749; 49 U.S.C. 1348).

Issued in Washington, D.C., on July 13, 1961.

J. R. BAILEY,
Assistant Chief,
Airspace Utilization Division.

[F.R. Doc. 61–6736; Filed, July 18, 1961; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 3]

[Docket No. 14185]

RADIO BROADCAST SERVICES

Inquiry; Proposed Rule Making, and Memorandum Opinion and Order; Correction

In the matter of revision of FM broadcast rules, particularly as to allocations and technical standards, Docket No. 14185; petitions of Joseph D. Worth, RM–33; FM Unlimited, Inc., RM–94; Charles River Broadcasting Co., RM–159; for changes in FM station assignment rules.

The Commission's Notice of Inquiry, Notice of Proposed Rule Making, and Memorandum Opinion and Order (FCC 61–833, published July 8, 1961, 26 F.R. 6130) in the above entitled matter is corrected as follows:

(1) The second paragraph 59 is redesignated as paragraph 59a.

(2) Add "Paragraph 61 (no text)."

(3) Add "Paragraphs 71 and 72 (no text)."

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61–6772; Filed, July 18, 1961; 8:49 a.m.]

[Docket No. 14191 (RM–260); FCC 61–874]

[47 CFR Parts 31, 33]

UNIFORM SYSTEM OF ACCOUNTS FOR CLASS A, CLASS B, AND CLASS C TELEPHONE COMPANIES

Transfer of House Service Expenses at Public Telephones

In the matter of amendment of Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) of the Commission's rules and regulations to transfer house service expenses at public telephones from account 632, "Public telephone expenses," to account 605, "Repairs of station equipment." Possible like amendment of Part 33 (Uniform System of Accounts for Class C Telephone Companies) of the Commission's rules and regulations; Docket No. 14191 (RM–260).

1. The American Telephone and Telegraph Company (AT&T), on behalf of itself and its associated Bell telephone operating companies, by letter dated May 9, 1961, has requested that the Commission amend Part 31 (Uniform System of Accounts for Class A and Class B Telephone Companies) of its rules and regulations by removing "House service" from the item list under account 632, "Public telephone expenses," and adding an item "House service for public telephones" under account 605, "Repairs of station equipment."

2. AT&T states that house service on public telephones is usually performed either by the plant maintenance people on an incidental basis in the course of repair visits or by outside contractors hired by the Plant Department. In either event, it adds, the responsibility for the work and the control of the expense and the quality of the work falls on the Plant Department. AT&T believes that the transfer of these expenses, estimated to be approximately $2,000,000 annually in the Bell System, from traffic expenses to maintenance expenses will be more in line with the nature of the work and will serve the purposes of administrative control. It is the Commission's understanding that the house service under consideration is made up of the costs of cleaning public telephone booths, of lighting them, and the electric current used for ventilating fans in them. It was not proposed by AT&T that the term "(Note also account 707.)," included as a part of the item under account 632, be included in the new house service item under account 605. Presumably, this is because account 707 is not likely to be used in allocating house service charges to account 605.

3. It is of interest to note that when item lists were added to the system of accounts for large telephone companies in the First Revised Issue, which became effective for Class A telephone companies January 1, 1933, an apparent conflict was created with respect to the accounting prescribed for the cleaning of booths portion of house service in connection with the operation of public telephones. This conflict was between the items "Cleaning equipment," under account 605 and "House service," under account 632. The conflict still exists although the item under account 605 was changed to read "Cleaning station apparatus and large private branch exchange equipment," effective January 1, 1958, as a part of the so-called simplified station accounting amendments. It seems obvious from the AT&T letter of May 9, 1961, that the Bell companies, at least, have always resolved the conflict by charging all house service in connection with public telephones to account 632. The conflict will be eliminated by the amendments proposed herein.

4. House service, under the various uniform systems of accounts prescribed by this Commission, and under uniform systems of accounts prescribed by other public utility regulatory agencies, is not usually considered a maintenance expense. Consequently, the proposal herein represents an exception to a general rule. It seems advisable, and it is proposed, that if the change in classification of house service expense proposed herein is adopted, to add a sentence to the NOTE under account 632 which will read: "House service with respect to public telephones shall be charged to account 605."

5. Even though it appears that under the provisions of Part 33 (Uniform System of Accounts for Class C Telephone Companies) of the Commission's rules and regulations, house service for public telephones is chargeable to operation expenses rather than to maintenance expenses, the Commission does not propose to make any amendment to Part 33 parallel to the one to Part 31 proposed herein unless convincing representations are received in this proceeding that this should be done. Conditions often differ between large and small companies so that accounting classifications may be permitted to differ, especially when relatively insignificant amounts are involved.

6. The Commission proposes to make any Part 31 rule amendments adopted as a result of this proceeding effective not less than six months after the issuance of an order with respect to this docket, as required by section 220(g) of the Communications Act, with the option that those telephone companies which desire to do so may place any amendments which may be adopted in this proceeding into effect at any time following the date of adoption of an order finalizing such amendments.

7. This notice of proposed rule making is issued under authority of sections 4(i) and 220 of the Communications Act of 1934, as amended.

8. Pursuant to applicable procedures set forth in § 1.213 of the Commission's rules, interested persons may file comments on or before August 25, 1961, and reply comments on or before September 15, 1961. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision on the rules of general applicability which are proposed herein, the Commission may also take into account other relevant information before it, in addition to the specific comments invited by this notice.

9. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, an original and fourteen copies of all statements or briefs filed shall be furnished to the Commission.

Adopted: July 12, 1961.

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-6773; Filed, July 18, 1961; 8:49 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 73]

[Docket No. 3666; Order No. 49]

SHIPPERS

Compressed Gases; Definition and Preparation

At a session of the Interstate Commerce Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board, held in Washington, D.C., on the 6th day of July 1961.

The matter of revision of certain regulations governing the transportation of explosives and other dangerous articles, formulated and published by the Commission, being under consideration, and

It appearing that Notice No. 49, dated May 12, 1961, setting forth certain proposed amendments to the said regulations, and the reasons therefor, and stating that consideration was to be given thereto, was published in the FEDERAL REGISTER on May 24, 1961 (26 F.R. 4458), pursuant to the provisions of section 4 of the Administrative Procedure Act; that pursuant to said notice interested parties were given an opportunity to be heard with respect to said proposed amendments; that written views or arguments were submitted to the Commission with respect to the proposed amendments;

And it further appearing that consideration has been given to the said views and arguments with respect to the proposed amendments and substantial or material reasons not having been shown which warrant revision of the said regulations at this time:

It is ordered, That the aforesaid regulations governing the transportation of explosives and other dangerous articles be not amended in the manner and to the extent set forth in said Notice No. 49.

It is further ordered, That this order shall become effective July 6, 1961, and shall remain in effect until further order of the Commission;

And it is further ordered, That copies of this order be served upon all parties of record herein, and that notice shall be given to the general public by depositing a copy in the Office of the Secretary of the Commission at Washington, D.C., and by filing a copy thereof with the Director, Office of the Federal Register.

(62 Stat. 738, 74 Stat. 808; 18 U.S.C. 834)

By the Commission, Safety and Service Board No. 2—Explosives and Other Dangerous Articles Board.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 61-6760; Filed, July 18, 1961; 8:48 a.m.]

Notices

DEPARTMENT OF AGRICULTURE

Office of the Secretary

OKLAHOMA AND TEXAS

Designation of Counties Within Great Plains Area of Ten Great Plains States Where Great Plains Conservation Program is Specifically Applicable

For the purpose of making contracts based upon the approved plan of farming operations pursuant to the Act of August 7, 1956 (70 Stat. 1115–1117), the following counties in the following States are designated as susceptible to serious wind erosion by reason of their soil types, terrain, and climatic and other factors.

OKLAHOMA

Caddo. Washita.

TEXAS

Schleicher. Sutton.

Done at Washington, D.C., this 13th day of July 1961.

FRANK J. WELCH,
Assistant Secretary.

[F.R. Doc. 61–6757; Filed, July 18, 1961; 8:47 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[W–0139460]

WYOMING

Notice of Proposed Withdrawal and Reservation of Lands

JULY 11, 1961.

The Corps of Engineers, U.S. Army Engineer District, Omaha, Nebraska, has filed for the Department of the Air Force an application, Serial No. Wyoming 0139460, for withdrawal of lands described below from the mineral leasing laws, the general mining laws of the United States, and from grazing. The lands have not been open for any form of appropriation under the public land laws because of being a part of the Black Hills National Forest.

The Department of the Air Force desires the lands for the construction, operation, and maintenance of the Sundance Air Force Station and its appurtenances. Acquisition of land for the Station was authorized by section 510 of the Act of Congress approved August 20, 1958, Public Law 85–685.

For a period of thirty days from the date of publication of this notice, persons having cause may present their objections in writing to the State Director of the Bureau of Land Management, Department of the Interior, P.O. Box 929, Cheyenne, Wyoming.

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

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

The lands involved in the application are:

SIXTH PRINCIPAL MERIDIAN, WYOMING

T. 52 N., R. 63 W.,
Sec. 17, S½SW¼SW¼;
Sec. 20, Lots 3, 5, N½NW¼NW¼, E½NW¼;
Sec. 27, W½NW¼SW¼;
Sec. 28, Lots 1, 2, 3, W½SW¼NE¼, E½NW¼, NE¼SW¼, N½SE¼;
Sec. 29, Lot 1.

Total area 512.05 acres, more or less.

THOMAS H. FLOYD, Jr.,
Land Office Manager.

[F.R. Doc. 61–6739; Filed, July 18, 1961; 8:45 a.m.]

DEPARTMENT OF DEFENSE

Office of the Secretary

ASSISTANT SECRETARY OF DEFENSE (INSTALLATIONS AND LOGISTICS)

Delegation of Authority; Execution of FY 1962 Military Housing Program

The Acting Secretary of Defense approved the following on July 1, 1961:

Pursuant to the authority vested in the Secretary of Defense by section 202(f) of the National Security Act of 1947, as amended, the authorities conferred on the Secretary of Defense in sections 401 and 607(b) of Public Law 57, 87th Congress and in sections 414(b) and 415 of Public Law 149, 86th Congress are hereby delegated to the Assistant Secretary of Defense (Installations and Logistics) with authority to redelegate as appropriate.

Delegation of authority published at 24 F.R. 7168 is hereby superseded and cancelled.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 61–6751; Filed, July 18, 1961; 8:47 a.m.]

SECRETARIES OF THE ARMY, NAVY, AND AIR FORCE

Delegation of Authority; Interagency Motor Vehicle Pools

The Secretary of Defense approved the following on June 28, 1961:

In accordance with the provisions of subsection 202(f) of the National Security Act, as amended (63 Stat. 581), and section 5 of Reorganization Plan No. 6 of 1953 (67 Stat. 639), I hereby delegate to the Secretaries of the Army, Navy, and Air Force authority to exercise the powers, functions, and duties conferred upon the Secretary of Defense by Public Law 766, 83d Congress (68 Stat. 1126), as implemented by Executive Order 10579, November 30, 1954, providing for the establishment and operation of interagency motor vehicle pools and systems.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 61–6752; Filed, July 18, 1961; 8:47 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50–174]

PENNSYLVANIA STATE UNIVERSITY

Notice of Issuance of Utilization Facility License Amendment

Please take notice that the Atomic Energy Commission has issued Amendment No. 1, set forth below, to Facility License No. R–72 authorizing The Pennsylvania State University, as requested in its application for amendment dated May 17, 1961, to temporarily transfer thirty-four irradiated fuel elements of the University's nuclear reactor located at Quehanna, Pennsylvania, from their present location in the reactor pool to the storage pool in the hot cell area. This authority is granted for a period of sixty days, at which time or before, the fuel elements shall be returned to their original location in the reactor pool and stored as described in the licensee's original application for license dated September 29, 1960. The purpose of this temporary relocation of the fuel elements is to permit maintenance and repair of the reactor pool.

The Commission has found that the possession of the reactor and the temporary relocation of the fuel elements in accordance with the terms and conditions of the license, as amended, will not be inimical to the common defense and security or to the health and safety of the public.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since the temporary relocation of the fuel elements under the license, as amended, would not present any substantial change in the hazards to the health and safety of the public from those considered and evaluated in connection with the previously approved possession of the reactor.

In accordance with the Commission's Rules of Practice (10 CFR Part 2) the Commission will direct the holding of a formal hearing on the matter of the issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within thirty

days after issuance of the license amendment.

Petitions for leave to intervene and requests for a formal hearing shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details, see (1) the application for license amendment dated May 17, 1961 submitted by The Pennsylvania State University and (2) a hazards analysis of the proposed amendment prepared by the Division of Licensing and Regulation, both on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room, or upon request addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Germantown, Md., this 12th day of July 1961.

For the Atomic Energy Commission.

R L. KIRK,
Deputy Director,
Division of Licensing and Regulation.

[License No. R–72; Amdt. 1]

License No. R–72 issued to The Pennsylvania State University is hereby amended to authorize the transfer of thirty-four irradiated fuel elements of the University's nuclear reactor located at Quehanna, Pennsylvania from their present location in the reactor pool to the storage pool in the hot cell area as requested in the licensee's application for amendment dated May 17, 1961. This authority is granted for a period of sixty days, at which time or before, the fuel elements shall be returned to their original location in the reactor pool and stored as described in the licensee's original application for license dated September 29, 1960.

This amendment is effective as of the date of issuance and shall expire sixty days from that date.

Dated at Germantown, Md., this 12th day of July 1961.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director,
Division of Licensing and Regulation.

[F.R. Doc. 61–6734; Filed, July 18, 1961; 8:45 a.m.]

[Docket No. 50–101]

UNITED NUCLEAR CORP.

Notice of Issuance of Facility License Amendment

Please take notice that the Atomic Energy Commission has (1) consented to the transfer of Facility License No. R–49 from Nuclear Development Corporation of America to United Nuclear Corporation, and (2) has issued Amendment No. 2, set forth below, to License No. R–49. The license amendment substitutes as licensee United Nuclear Corporation for Nuclear Development Corporation of America, incorporates into License No. R–49 the licensee's existing procedures pertaining to operations with the reactor shutdown which might involve a change in core reactivity, and imposes certain reporting requirements. License No. R–49 authorizes United Nuclear Corporation to possess and operate the "Pawling Research Reactor" at Pawling, New York. On May 4, 1961, Nuclear Development Corporation of America (NDA) advised the Commission that, on or about May 31, 1961, the assets and personnel of NDA would be transferred to United Nuclear Corporation (UNC) and requested transfer of Facility License No. R–49 from NDA to UNC. The transfer was actually completed on May 31, 1961. The Commission has found that operation of the reactor in accordance with the license as amended will not present any undue risk to the health and safety of the public and will not be inimical to the common defense and security.

The Commission has further found that prior public notice of proposed issuance of this amendment is not necessary in the public interest since operation of the reactor as described in the amended license would not present any substantial change in the hazards to the health and safety of the public from those previously considered and evaluated in connection with the previously approved operation of the reactor.

In accordance with the Commission's Rules of Practice (10 CFR Part 2), the Commission will direct the holding of a formal hearing on the matter of issuance of the license amendment upon receipt of a request therefor from the licensee or an intervener within 30 days after the issuance of the license amendment. Petitions for leave to intervene shall be filed by mailing a copy to the Office of the Secretary, Atomic Energy Commission, Washington 25, D.C., or by delivery of a copy in person to the Office of the Secretary, Germantown, Maryland, or the AEC's Public Document Room, 1717 H Street NW., Washington, D.C.

For further details see the application for license amendment by Nuclear Development Corporation of America on file at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C.

Dated at Germantown, Md., this 13th day of July 1961.

For the Atomic Energy Commission.

R. LOWENSTEIN,
Acting Director,
Division of Licensing and Regulation.

[License No. R–49; Amdt. 2]

License No. R–49 is revised in its entirety to read as follows:

1. This license applies to the heavy water-moderated and -reflected nuclear reactor designated as the "Pawling Research Reactor" (hereinafter referred to as "the reactor") which is owned by the United Nuclear Corporation and located at Pawling, New York and described in the application dated April 2, 1958, and amendments thereto dated June 30, 1958, February 19, 1960, January 26, 1961, May 4, 1961, and May 9, 1961 (hereinafter collectively referred to as "the application") and authorized for construction by Construction Permit No. CPRR–29 issued to Nuclear Development Corporation of America on October 7, 1958.

2. Pursuant to the Atomic Energy Act of 1954, as amended (hereinafter referred to as "the Act") and having considered the record in this matter, the Atomic Energy Commission (hereinafter referred to as "the Commission") finds that:

A. The reactor has been constructed in conformity with Construction Permit No. CPRR–29 and will operate in conformity with the application and in conformity with the Act and the rules and regulations of the Commission;

B. There is reasonable assurance that the reactor can be operated at the designated location without endangering the health and safety of the public;

C. United Nuclear Corporation is technically and financially qualified to operate the reactor, to assume financial responsibility for payment of Commission charges for special nuclear material and to undertake and carry out the proposed activities in accordance with the Commission's regulations;

D. The possession and operation of the reactor and the receipt, possession and use of the special nuclear material in the manner proposed in the application will not be inimical to the common defense and security or to the health and safety of the public; and

E. United Nuclear Corporation has submitted proof of financial protection which satisfies the requirements of Commission regulations currently in effect.

3. Subject to the conditions and requirements incorporated herein, the Commission hereby licenses United Nuclear Corporation (hereinafter referred to as "the licensee"):

A. Pursuant to section 104c of the Act and Title 10, CFR, Chapter I, Part 50, "Licensing of Production and Utilization Facilities," to possess and operate the reactor as a utilization facility at the designated location in Pawling, New York, in accordance with the procedures and limitations described in the application and this license;

B. Pursuant to the Act and Title 10, CFR, Chapter I, Parts 40 and 70, to receive, possess and use up to 1550 kilograms of normal uranium and 11.5 kilograms of contained uranium 235 in connection with operation of the reactor; and

C. Pursuant to the Act and Title 10, CFR, Chapter I, Part 30, "Licensing of Byproduct Material," to possess but not to separate such byproduct material as may be produced by operation of the reactor.

4. This license shall be deemed to contain and be subject to the conditions specified in § 50.54 of Part 50 and § 70.32 of Part 70, Title 10, Chapter I, CFR, and to be subject to all applicable provisions of the Act, and to the rules and regulations and orders of the Commission, now or hereinafter in effect, and to the additional conditions specified below:

A. The licensee shall not operate the reactor at a steady state power level in excess of five watts thermal without prior written authorization from the Commission except that a maximum power of 100 watts may be attained for short periods of time for special purposes such as checking radiation levels in and around the building. With respect to the conduct of the Pawling Lattice Test Rig experiments described in application amendment dated February 19, 1960, power levels shall not exceed 50 watts thermal.

B. The licensee shall observe the procedure described in its submission to the Commission dated January 26, 1961 pertaining to reactor shutdown operation which might involve change in core reactivity.

C. In addition to those otherwise required under this license and applicable

regulations, the licensee shall keep the following records:

1. Reactor operating records, including power levels.

2. Records of in-pile irradiations.

3. Records showing radioactivity release or discharged into the air or water beyond the effective control of United Nuclear Corporation as measured at the point of such release or discharge.

4. Records of emergency reactor scrams, including reasons for emergency shutdown.

D. The licensee shall immediately report to the Commission in writing any indication or occurrence of a possible unsafe condition relating to the operation of the reactor.

E. The licensee shall promptly submit a written report to the Commission whenever, during operation of the reactor, any of the operating conditions or characteristics of the reactor which might effect nuclear safety, varies significantly from its predicted value.

5. This license shall expire on October 6, 1978 unless sooner terminated.

For the Atomic Energy Commission.

Dated at Germantown, Md., this 13th day of July 1961.

R. LOWENSTEIN,
Acting Director,
Division of Licensing and Regulation.

[F.R. Doc. 61-6735; Filed, July 18, 1961; 8:45 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 11022]

CALIFORNIA FLORAL TRAFFIC CONFERENCE ET AL.

Notice of Prehearing Conference

Notice is hereby given that a prehearing conference, pursuant to Order E-17073, in the above-entitled matter is assigned to be held on August 1, 1961, at 10 a.m., e.d.s.t., in Room 911, Universal Building, Connecticut and Florida Avenues NW., Washington, D.C., before Examiner Ralph L. Wiser.

Motions, requests for evidence, and statement of issues shall be served upon Examiner Wiser and all parties by July 25, 1961.

Dated at Washington, D.C., July 14, 1961.

[SEAL] FRANCIS W. BROWN,
Chief Examiner.

[F.R. Doc. 61-6781; Filed, July 18, 1961; 8:49 a.m.]

[Docket 12308; Order No. E-17145]

DELTA AIR LINES, INC.

Off-Peak Fares Between Houston, New Orleans, and New York; Order Dismissing Proceedings

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 11th day of July 1961.

The Board, by Order No. E-16642 of April 11, 1961, suspended and instituted an investigation of a proposal by Delta Air Lines, Inc., to permit the application of off-peak coach fares on flights scheduled to depart Houston as early as 8:15 p.m. and New Orleans as early as 9:30 p.m.

Delta Air Lines, Inc., has canceled its proposal pursuant to special tariff permission and the Board finds that the proceeding in Docket 12308 is moot: *Accordingly, it is ordered,* That:

1. The proceeding in Docket 12308 be dismissed.

2. A copy of this order be served upon Delta Air Lines, Inc., Braniff Airways, Inc., and Eastern Air Lines, Inc.

This order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61-6782; Filed, July 18, 1961; 8:49 a.m.]

[Docket 11646 etc.; Order No. E-17161]

WEST COAST AIRLINES, INC., ET AL.

Statement of Tentative Findings and Conclusions and Order To Show Cause

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 13th day of July, 1961.

In the matter of the applications of West Coast Airlines, Inc., Docket 11646; Bonanza Air Lines, Inc., Docket 11173; Pacific Air Lines, Inc., Docket 11643; County of Elko, City of Elko, and Elko Chamber of Commerce, Docket 11178; under section 401 of the Federal Aviation Act of 1958.

In the matter of the Boise-Las Vegas Service Case, Docket 12778.

West Coast Airlines, Inc. (West Coast), by application filed August 11, 1959, seeks amendment of its certificate by adding a new route between Boise, Idaho and Las Vegas, Nevada, via the intermediate points Elko and Ely, Nevada.[1] Pacific Air Lines, Inc. (Pacific), seeks a similar certificate amendment by application, as amended March 15, 1960.[2] Bonanza Air Lines, Inc. (Bonanza), by application filed February 29, 1960, also seeks amendment of its certificate to permit, inter alia, Boise-Las Vegas service via Ely and Elko, and the additional intermediate point Twin Falls, Idaho.[3] The County of Elko, City of Elko and Elko Chamber of Commerce (Elko), by joint application filed Febraury 29, 1960, urge the Board to select an appropriate carrier to provide service over Elko-Boise and Elko-Ely-Las Vegas routes, or in the alternative, between Elko and the co-terminals Boise and Twin Falls, and between Elko and Las Vegas.

We find that the applications as set forth above seek similar relief, namely, the establishment of a Boise-Las Vegas route via essentially the same intermediates, and should be considered together. Accordingly, appropriate portions of Dockets 11646, 11173, 11643, and 11178 will be consolidated for consideration and disposition.[4]

West Coast has moved the Board to assign its application for hearing at the earliest practicable time, which request is supported by the Boise Chamber of Commerce, and the City of Boise. Elko similarly moved the Board for expedited hearing on its application, and West Coast has supported this request. Pacific opposed both West Coast's and Elko's motions.

The arguments of the parties seeking expedition are based primarily on the fact that the issue of single plane Boise-Las Vegas service has never been heard is a local service case, and that the Board, in severing such issue from the Southern Rocky Mountain Area Local Service Case, Docket 5395, indicated that the Boise-Las Vegas applications should be assigned for early hearing.[5] Pacific's opposition is premised chiefly on the position that the Boise-Las Vegas route should be heard in an area proceeding after completion of the presently pending Pacific Southwest Local Service Case, Docket 5645, and the Southern Rocky Mountain Area Local Service Case, Docket 5395; that to hear it now would constitute a piecemeal approach to the local service needs of the area, and would be contrary to prior precedent. Moreover, Pacific argues that the traffic data indicates that the route as proposed by West Coast would not serve the primary needs of the points involved; that the Board has only recently considered the air transportation needs of Boise, Elko and Ely; that the points involved are receiving air service; and that there is no urgent and compelling need for the service as proposed.

The Board finds that the issue of single plane Boise-Las Vegas service has not been heard in a local service case; that the subject applications were not heard in any of the recently completed or currently pending area proceedings which cover the geographic area of such applications;[6] that it was the Board's intent in Order E-15553 that the Boise-Las Vegas issue be set down for early consideration; that there is not likely to be another area proceeding in this region in the reasonably foreseeable future; and that it is expedient to consider at this time, not only the West Coast application in Docket 11646, but also all

[1] The original application was assigned Docket 10777, and that portion pertinent here was severed therefrom by Order E-15553, July 20, 1960, and assigned Docket 11646.

[2] The original application was assigned Docket 11188 and that portion pertinent here, designated as segment (13) in the application, together with other portions was severed therefrom by Order E-15553, July 20, 1960, and assigned Docket 11643. Those parts of Docket 11643 other than that designated as segment (13) are not pertinent here, and we will make further appropriate severance in accordance with our action herein.

[3] Portions of Bonanza's application not here pertinent will be severed in accordance with our action herein.

[4] Elko, by motion of December 22, 1960, requested consolidation of its application in Docket 11178 with West Coast's in Docket 11646. Our action herein will constitute a grant of that motion.

[5] Order E-15553, July 20, 1960.

[6] Pacific Northwest Local Air Service Case, Docket 5463; Pacific Southwest Local Service Case, Docket 5645; Montana Local Service Case, Docket 6293; Southern Rocky Mountain Area Local Service Case, Docket 5395.

essentially identical applications. However, in light of the foregoing circumstances, we find further that this proceeding should be limited to consideration of the linear route Boise-Las Vegas via one or more of the intermediate points Twin Falls, Ely, and Elko.

Upon consideration of data available to the Board from regularly filed carrier reports, reflected in part in the appendices attached hereto which are hereby incorporated into the record in this case, the Board tentatively finds and concludes that the public convenience and necessity do not require the amendment of any carrier's certificate so as to authorize a Boise-Las Vegas route via the intermediate points Twin Falls, Ely, and Elko, or any one or more of them; and that the applications of West Coast, Bonanza, Pacific, and Elko should be denied insofar as they seek such authority.

As indicated in the attached appendices, the need after allowances for increased costs and return element for the proposed operations would be in the neighborhood of $439,000 for West Coast, more than $500,000 in the case of Pacific, and in excess of $570,000 in the case of Bonanza. This need is considerable under any circumstances, but becomes prohibitive when considered in the light of the relatively few persons who would benefit from the service in this instance. We estimate that the proposed route would generate only 3400–3800 passengers annually by 1962.[7] Consequently, the authorization of the Boise-Las Vegas route would result in a considerable increase in the carrier's total need and an extremely low utilization of the subsidy dollar.

Moreover, the proposed operations would merely be an improvement over existing services, since air transportation is now available by connection between all points to which service is contemplated under the proposal. In addition, the Boise-Las Vegas market, which is the chief market on the new route, is an extremely limited one as reflected in the traffic results between these two points during 1959, and in the forecast for the year 1962 (Appendices A, B and C).[8]

Even recognizing that adjustment of existing service patterns might increase potential traffic for this operation, it appears that a sufficient increase to warrant the additional public service or to reduce substantially the forecast operating losses is unlikely.

In view of the foregoing, it appears that the subject route between Boise and Las Vegas is not required or warranted; and the Board tentatively finds, pursuant to section 401(g) of the Act, that the public convenience and necessity do not require that any carrier's certificate of public convenience and necessity be amended so as to add a new route between Boise and Las Vegas via any or all the intermediate points, Twin Falls, Ely and Elko: *Accordingly, it is ordered:*

1. That the segments in the application of Pacific Air Lines, Inc., Docket 11643, designated 14 through 16 and 18; that portion which requests Las Vegas-Denver, Los Angeles-Phoenix, Las Vegas-Phoenix, Las Vegas-San Diego nonstop authority, and Los Angeles-San Diego service be severed from Docket 11643 and assigned Docket 12776;

2. That those portions of the application of Bonanza Air Lines, Inc., Docket 11173, which relate to amendment of its certificate of public convenience and necessity to add a new route between Reno, Nevada, and Boise, Idaho, designated as paragraphs 4B and 5, be severed from Docket 11173 and assigned Docket 12777;

3. That the following applications be and they hereby are consolidated for hearing and disposition in the proceeding hereby instituted, and known as the Boise-Las Vegas Service Case, Docket 12778:

(1) West Coast Airlines, Inc., Docket 11646,

(2) Bonanza Air Lines, Inc., Docket 11173,

(3) Pacific Air Lines, Inc., Docket 11643,

(4) County of Elko, City of Elko, and Elko Chamber of Commerce, Docket 11178;

4. That all interested persons be and they hereby are directed to show cause why the Board should not issue an order making final the findings and conclusions stated herein;

5. That any interested person having objection to the issuance of an order making final the findings and conclusions stated herein shall, within 20 days from the service date of this order, file with the Board and serve upon all persons hereafter made parties to this proceeding, written notice of objections;

6. That in the event there are timely filed objections, the matter shall be set down for prehearing conference at the earliest practicable time before an Examiner of the Board;

7. That in the event there are no objections, all further procedural steps will be deemed to have been waived, and the case will be submitted to the Board for final action;

8. That copies of this order shall be served on West Coast Airlines, Inc.; Bonanza Air Lines, Inc.; Pacific Air Lines, Inc.; United Air Lines, Inc.; Trans World Airlines, Inc.; Western Air Lines, Inc.; the County of Elko; the City of Elko; the Elko Chamber of Commerce; the City of Boise; the Boise Chamber of Commerce; the City of Ely; the City of Las Vegas; the City of Twin Falls; and the Aeronautical Departments of the States of Idaho and Nevada, all of whom are hereby made parties to this proceeding; and

9. That this order be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 61–6783; Filed, July 18, 1961; 8:49 a.m.]

[7] Our estimates are based on one daily round trip with F–27 equipment, and assume (1) in the case of West Coast, an on-line connection at Boise to points north on its system, (2) in the case of Bonanza, extension of flights between Las Vegas and Phoenix via Kingman and Prescott, and (3) in the case of Pacific, extension of flights between Las Vegas and Los Angeles via Palmdale.

[8] Filed as part of original document.

FEDERAL COMMUNICATIONS COMMISSION

[Docket Nos. 14195–14197; FCC 61–886]

FRANK S. BARC, JR., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Frank S. Barc, Jr., Mera, Arizona, requests: 1510 kc, 1 kw, Day, Class II, Docket No. 14195, File No. BP–13568; Maricopa County Broadcasters, Inc., Mesa, Arizona, requests: 1510 kc, 10 kw, Day, Class II, Docket No. 14196, File No. BP–14391; Maryvale Broadcasting Company, Mesa, Arizona, requests: 1510 kc, 10 kw, Day, Class II, Docket No. 14197, File No. BP–14574; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of July 1961;

The Commission having under consideration the above-captioned and described applications;

It appearing that each of the applicants herein is in all respects qualified except as to matters involved in the issues set forth below; and

It further appearing that the following matters are to be considered in connection with the issues specified below;

A. *Engineering considerations.* 1. The three proposals are mutually exclusive.

2. The engineering study submitted with the application of Frank S. Barc, Jr. did not consider ground conductivity changes in delineating the extent of the proposed 0.5, 2.0 and 5 mv/m contours. It is assumed, therefore, that the applicant's area and population data is inaccurate.

3. The applicants in Maricopa County Broadcasters, Inc., and Maryvale Broadcasting Company have submitted engineering studies showing, on the basis of Figure M–3 conductivities, that no overlap of the 25 mv/m contours would occur between each of the subject proposals and the existing, three channel removed operation of Station KHAT, (1480 kc, 500 w, Day, Phoenix, Arizona). However, it appears necessary that field intensity measurements be submitted to establish conclusively that such overlap would not occur, in violation of § 3.37 of the Commission's rules.

B. *Considerations pertaining to the qualifications of Frank S. Barc, Jr.* 1. Frank S. Barc, Jr., indicates that he intends to lease all equipment and also the land upon which the transmitter will be located. However, no copies of lease agreements have been submitted, indicating the duration of the lease, the amount involved, terms of payment, conditions, and whether or not the lessor will exercise any control over the proposed station. Moreover, the Commission's records indicate that Station KYEW (FM), Phoenix, Arizona, of which Mr. Barc is licensee, has not been in operation since February of this year, apparently due to financial difficulties. Accordingly, it will be necessary to determine in the hearing ordered below

whether Mr. Barc is financially qualified and whether, in view of his failure to continue the operation of KYEW, he possesses the requisite qualifications to operate the proposed standard broadcast station.

2. On October 7, 1960, the Maryvale Broadcasting Company filed a petition with supporting sworn statements alleging, inter alia, that "Barc has stated affirmatively that it was his intention to block the Maryvale application and dismiss only after a 'pay-off'; and that it was not his intention to construct his proposed station"; and that the proposed transmitter site is not available to Barc for the construction of the proposed station. The Maryvale Broadcast Company requests that Barc's application be designated for hearing on appropriate issues. Mr. Barc has not filed a response to Maryvale's petition, and, therefore, it will be necessary to resolve the questions raised by said petition in the hearing ordered hereinafter.

It further appearing that the aforementioned Maryvale petition also contains a request that the Barc application be dismissed for failure to file the revised section V–A of FCC Form 301 prior to the effective cut off date of the application, October 3, 1961; but, that Frank S. Barc did subsequently file the revised section V–A and that processing of the application was not delayed by this late filing; and, therefore, since failure to file the revised section V–A by the specified date only renders a particular application subject to dismissal, we are of the opinion that the public interest would best be served by retaining the application in active status and designating the application for hearing upon the issues set forth herein; and

It further appearing that in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from each of the subject proposals and the availability of other primary service to such areas and populations.

2. To determine whether the 25 mv/m contour of the instant proposals of Maricopa County Broadcasters, Inc., and Maryvale Broadcasting Company and the 25 mv/m contour of Station KHAT, Phoenix, Arizona, would overlap in contravention of § 3.37 of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

3. To determine whether Frank S. Barc, Jr., is financially qualified to construct and operate his proposed station.

4. To determine whether Frank S. Barc, Jr., had any reasonable expectation of obtaining the transmitter site specified in his application at the time the application was filed.

5. To determine whether the subject application of Frank S. Barc, Jr., was filed primarily for the purpose of impeding, obstructing, or delaying the determination of any other application with which it may be in conflict, contrary to the sworn representations contained in section I, page 2 of the application form submitted by Mr. Barc.

6. To determine whether Frank S. Barc, Jr., has the requisite character qualifications to be a licensee of a standard broadcast station.

7. To determine, on a comparative basis, which of the instant proposals would best serve the public interest, convenience and necessity in light of the evidence adduced pursuant to the foregoing issues and the record made with respect to the significant differences between the applicants as to:

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

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

(c) The programming service proposed in each of the said applications.

8. To determine, in the light of the evidence adduced pursuant to the foregoing issues which if any, of the instant applications should be granted.

It is further ordered, That, to avail themselves of the opportunity to be heard, the subject applicants, pursuant to § 1.140 of the Commission rules, in person or by attorney, 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.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(c) of the rules.

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

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61–6774; Filed, July 18, 1961; 8:49 a.m.]

[Docket No. 13827; FCC 61M–1207]

KWK RADIO, INC.

Order Scheduling Hearing

In the matter of revocation of license of KWK Radio, Inc. for Standard Broadcast Station KWK, St. Louis, Missouri, Docket No. 13827.

A prehearing conference having been held in the above-entitled proceeding on July 12, 1961 and it appearing that certain agreements were reached therein which should be formalized by order;

It is ordered, This 12th day of July 1961:

(1) That stipulations agreed to between the parties shall be reduced to writing and submitted to the Hearing Examiner on or before August 4, 1961;

(2) That exhibits submitted in the affirmative presentation of the parties shall be exchanged among the parties and copies thereof provided the Hearing Examiner on or before August 29, 1961.

It is further ordered, That hearing herein is scheduled for September 11, 1961 commencing at 10:00 a.m., in St. Louis, Missouri.

Released: July 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61–6775; Filed, July 18, 1961; 8:49 a.m.]

[Docket Nos. 14192–14194; FCC 61–885]

OUACHITA VALLEY RADIO CORP. ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Ouachita Valley Radio Corporation, Camden, Arkansas, req: 610 kc, 500 w, Day, Docket No. 14192, File No. BP–13735; Smackover Radio, Inc., Smackover, Arkansas, req: 610 kc, 500 w, Day, Docket No. 14193, File No. BP–14663; Magnolia Broadcasting Company (KVMA), Magnolia, Arkansas, has: 630 kc, 1 kw, Day, req: 630 kc, 5 kw, DA–Day, Docket No. 14194, File No. BP–14717; for construction permits.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 12th day of July 1961;

The Commission having under consideration the above-captioned and described applications;

It appearing that each of the subject applicants is in all respects qualified, except as to matters involved in the issues set forth below; and

It further appearing that the following matters are to be considered in connection with the aforementioned issues specified below:

1. The three proposals appear to be mutually exclusive due to mutual interference and overlap of 2 mv/m and 25 mv/m contours between any two of the proposals.

2. It has not yet been determined whether the KVMA proposal would constitute a menace to air navigation.

3. The proposed operations of Smackover Radio, Inc. and Ouachita Valley Radio Corporation would cause interference to the existing operations of Stations KILT, Houston, Texas, and KVMA, Magnolia, Arkansas. Additionally, field intensity measurement data are necessary to establish that the Smackover and Camden proposals would not involve an overlap of 2 and 25 mv/m contours with the existing operation of KVMA.

4. The proposed operation of KVMA would cause interference to the existing operation of Station WJDX, Jackson, Mississippi.

5. Texarkana Newspapers, Inc., Joe F. Rushton, W. M. Bigley, Mrs. Betty Palmer Hussman, Alden Palmer Mooney, Mrs. Betty M. Palmer, and Virginia Palmer Stanhagen own an aggregate interest of 64 percent in Magnolia Broadcasting Company, licensee of KVMA. Each of these parties owns a substantial interest in one or more of the following standard broadcast stations: KAMD, Camden, Arkansas; KCMC, Texarkana, Texas; KXAR, Hope, Arkansas; and KHAL, Homer, Louisiana. No one of the latter four stations is more than fifty miles from KVMA. The proposed KVMA 0.5 mv/m contour will cover the transmitter site of each of these four stations. The 2 mv/m contour of proposed KVMA will serve the cities of Camden, Arkansas (KAMD), and Homer, Louisiana (KHAL). In view of these facts, a substantial question exists as to whether the KVMA proposal would be in contravention of §§ 3.35(a) and 3.35(b) of the Commission rules, concerning multiple ownership.

It further appearing that in view of the foregoing, the Commission is unable to make the statutory finding that a grant of the subject applications would serve the public interest, convenience, and necessity, and is of the opinion that the applications must be designated for hearing in a consolidated proceeding on the issues set forth below:

It is ordered, That, pursuant to section 309(e) of the Communications Act of 1934, as amended, the instant applications are designated for hearing in a consolidated proceeding, at a time and place to be specified in a subsequent Order, upon the following issues:

1. To determine the areas and populations which would receive primary service from the proposals of Smackover Radio, Inc., and Ouachita Valley Radio Corporation and the availability of other primary service to such areas and populations.

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

3. To determine whether the instant proposals of Smackover Radio, Inc., and Ouachita Valley Radio Corporation would cause objectional interference to stations KILT, Houston, Texas, and KVMA, Magnolia, Arkansas, or any other existing standard broadcast stations, and, if so, the nature and extent thereof, the areas and populations affected thereby, and the availability of other primary service to such areas and populations.

4. To determine whether the instant proposal of Station KVMA would cause objectionable interference to Station WJDX, Jackson, Mississippi, or any other existing standard broadcast stations, affected thereby, and the availability of other primary service to such areas and populations.

5. To determine whether the proposed operations of Smackover Radio, Inc. and Ouachita Valley Radio Corporation would involve an overlap of 2 and 25 mv/m contours with the existing operation of Station KVMA in contravention of § 3.37 of the Commission rules, and, if so, whether circumstances exist which would warrant a waiver of said section.

6. To determine whether there is a reasonable possibility that the tower height and location proposed by Magnolia Broadcasting Company would constitute a menace to air navigation.

7. To determine whether a grant of the KVMA proposal would be in contravention of § 3.35(a) and/or § 3.35(b) of the Commission's rules, concerning multiple ownership.

8. To determine, in the light of section 307(b) of the Communications Act of 1934, as amended, which of the instant proposals would best provide a fair, efficient and equitable distribution of radio service.

9. To determine, in the light of the evidence adduced pursuant to the foregoing issues which, if any, of the instant applications should be granted.

It is further ordered, That Magnolia Broadcasting Company, licensee of Station KVMA, is made a party to the proceeding with respect to its existing operation.

It is further ordered, That The McLendon Corporation and Lamar Life Insurance Company, licensees of Stations KILT and WJDX, respectively, are made parties to the proceeding.

It is further ordered, That the Federal Aviation Agency is made a party to the proceedings with respect to Issue Number 6 only.

It is further ordered, That, in the event of a grant of the Magnolia Broadcasting Company application (KVMA), the construction permit shall contain a condition that program tests shall not be authorized until the KVMA application for license renewal, deferred June 1, 1961, is granted.

It is further ordered, That, in the event of a grant of the Magnolia Broadcasting Company application, such action shall be without prejudice to any subsequent action the Commission may deem appropriate in light of circumstances causing the renewal deferrals of Stations KAMD, Camden, Arkansas, KXAR, Hope, Arkansas and KHAL, Homer, Louisiana, stations in which parties to the KVMA application have substantial interests.

It is further ordered, That, to avail themselves of the opportunity to be heard, the applicants and respondents, pursuant to § 1.140 of the Commission's rules in person or by attorney, 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.

It is further ordered, That the applicants herein shall, pursuant to section 311(a)(2) of the Communications Act of 1934, as amended, and § 1.362(b) of the Commission's rules, give notice of the hearing, either individually or, if feasible, jointly within the time and in the manner prescribed in such rule, and shall advise the Commission of the publication of such notice as required by § 1.362(c) of the rules.

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

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-6776; Filed, July 18, 1961; 8:49 a.m.]

[Docket Nos. 14101, 14102; FCC 61-882]

GORDON A. ROGERS AND TRIPLE G BROADCASTING CO. (KWAY)

Memorandum Opinion and Order Amending Issues

In re applications of Gordon A. Rogers, Vancouver, Washington, Docket No. 14101, File No. BP-13028 (Formerly BP-14146); Triple G Broadcasting Co. (KWAY), Vancouver, Washington, Docket No. 14102, File No. BP-13944; for construction permits.

1. The Commission has before it for consideration (1) a Petition to Enlarge Issues, filed May 18, 1961, by Gordon A. Rogers, and (2) a Supporting Statement of the Broadcast Bureau, filed June 12, 1961.

2. Triple G Broadcasting Co. (KWAY), licensee of a standard broadcast station, 1570 kc, 1 kw, Day, in Forest Grove, Oregon, filed an application to change the location of its station to Vancouver, Washington and to increase power to 5 kw. A mutually exclusive application was filed by Gordon A. Rogers, petitioner herein, 1550 kc, 1 kw, Day, Vancouver, Washington. By Order (FCC 61-567), released May 1, 1961, the two applications were designated for hearing on issues pertaining to areas and populations; interference by the proposed operation of Gordon A. Rogers to the existing operation of Triple G Broadcasting Co. or any other existing station, and a standard comparative issue.

3. Gordon A. Rogers (hereinafter Rogers) now requests that the issues be enlarged by the addition of the following:

4. To determine the comparative needs of the areas now served by Station KWAY including the city of Forest Grove, Oregon, and the areas to be served by Station KWAY operating as proposed including Vancouver, Washington, for broadcast service and, in view thereof, whether a grant of this application would be in accordance with section 307(b) of the Communications Act of 1934, as amended.

4. In support of his request, Rogers asserts that Triple G has been providing a primary service to Forest Grove, Oregon, for more than 10 years, and that, in essence, Triple G now proposes to deprive the city of Forest Grove of its sole broadcast facility, and to add a new service to Vancouver, Washington, a city presently served by two local stations. Rogers alleges that under the Triple G proposal, Forest Grove would barely be covered by the 0.5-mv/m signal from Vancouver; that primary service would not be provided to Forest Grove and a large area receiving such service from Triple G, and that to deprive Forest Grove of its only local transmission outlet without inquiry into the needs of the two communities would be contrary to 307(b).

5. In view of the fact that Triple G proposes to continue its present operation in the event its pending application is denied, a factual question as to the relative needs of Forest Grove and Vancouver arises, and an issue under section 307(b) is appropriate, Ark-Valley Broadcasting Co., 7 RR 77 (1951).

Accordingly, it is ordered, This 12th day of July, 1961, that the Petition to Englarge Issues, filed May 18, 1961, by Gordon A, Rogers, is granted, and that the issues in this proceeding are enlarged by the addition of the following:

4. To determine the comparative needs of the areas now served by Station KWAY including the city of Forest Grove, Oregon, and the areas to be served by Station KWAY operating as proposed including Vancouver, Washington, for broadcast service and, in view thereof, whether a grant of this application would be in accordance with section 307(b) of the Communications Act of 1934, as amended.

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-6777; Filed, July 18, 1961; 8:49 a.m.]

[Docket No. 13941-13943; FCC 61M-1208]

SOUTH TEXAS TELECASTING CO., INC. (KVDO-TV) ET AL.

Order Continuing Hearing

In re applications of South Texas Telecasting Company, Inc. (KVDO-TV), Corpus Christi, Texas, Docket No. 13941, File No. BPCT-2793; for construction permit to change existing facilities; Tropical Telecasting Corporation, Corpus Christi, Texas, Docket No. 13942, File No. BPCT-2797; Nueces Telecasting Company, Corpus Christi, Texas, Docket No. 13943, File No. BPCT-2798; for construction permits for new television broadcast stations (Channel 3).

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

It appearing that a conflict has arisen in the Hearing Examiner's schedule necessitating continuance of said proceeding;

It is ordered, This 12th day of July 1961 that the hearing presently scheduled to commence herein on September 11, 1961 is continued to September 25, 1961 commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C.

Released: July 13, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-6778; Filed, July 18, 1961; 8:49 a.m.]

[Docket No. 14165; FCC 61M-1214]

WAEB BROADCASTERS, INC. (WAEB)

Order Advancing Conference

In re application of WAEB Broadcasters, Inc. (WAEB), Allentown, Pennsylvania, Docket No. 14165, File No. BP-12918; for construction permit.

The Hearing Examiner having under consideration a request filed on July 12, 1961 by WAEB Broadcasters, for rescheduling of prehearing conference in the above-entitled proceeding from July 31, 1961 at 9:00 a.m. to July 27, 1961 at 2:00 p.m.; and

It appearing that counsel for all other parties to this proceeding have informally agreed to a waiver of the four-day requirement of § 1.43 of the Commission's rules and indicated that they have no objection to a grant of the instant request;

It is ordered, This 13th day of July 1961, that the request be and it is hereby granted; and the prehearing conference in the above-entitled proceeding presently scheduled for July 31, 1961 at 9:00 a.m. be and it is hereby advanced to July 27, 1961, at 2:00 p.m., in Washington, D.C.

Released: July 14, 1961.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 61-6779; Filed, July 18, 1961; 8:49 a.m.]

GENERAL SERVICES ADMINISTRATION

PLATINUM AND NONFERROUS SCRAP NOW HELD IN NATIONAL STOCKPILE

Proposed Disposition

Pursuant to the provisions of section 3(e) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98b(e), a notice is hereby given of a proposed disposition of approximately 4,471 troy ounces of platinum scrap and a quantity of nonferrous scrap consisting of approximately 520 short tons of brass, 74 short tons of silicon bronze and copper, 11 short tons of beryllium copper, and 106 short tons of zinc foil now held in the national stockpile.

The Office of Civil and Defense Mobilization has made a revised determination, pursuant to section 2(a) of the Strategic and Critical Materials Stock Piling Act, 50 U.S.C. 98a(a), that there is no longer any need for stockpiling said platinum and nonferrous scrap. The revised determination was based upon the finding of the Office of Civil and Defense Mobilization that said platinum and nonferrous scrap are excess to stockpile needs and are of such quality as to be of little or no use in time of emergency.

Since the revised determination is not by reason of obsolescence of the platinum and nonferrous scrap for use in time of war, this proposed disposition is being referred to the Congress for its express approval, as required by section 3(e) of the Strategic and Critical Materials Stock Piling Act.

General Services Administration proposes to transfer said platinum and nonferrous scrap to other Government agencies, or to offer the material for sale on a competitive basis or otherwise to dispose of it in the best interest of the Government upon the express approval by the Congress of this proposed disposition or six months after the data of publication of this notice in the FEDERAL REGISTER, whichever is later.

This plan and the date of disposition have been fixed with due regard to the protection of producers, processors, and consumers against avoidable disruption of their usual markets as well as the protection of the United States against avoidable loss on disposal.

Dated: July 13, 1961.

JOHN L. MOORE,
Administrator.

[F.R. Doc. 61-6765; Filed, July 18, 1961; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 7]

APPLICATIONS FOR "GRANDFATHER" ALASKA MOTOR CARRIER CERTIFICATE OR PERMIT AND APPLICATIONS ON BMC 78 FORMS INVOLVING MOTOR CARRIER OPERATIONS TO, FROM, AND BETWEEN POINTS IN ALASKA

JULY 14, 1961.

Under sections 206(a)(4), 206(a)(5), 209(a)(4), and 209(a)(5) of the Interstate Commerce Act, as amended July 12, 1960, and under sections 206 and 209 of the Interstate Commerce Act.

The time for filing of protests against the "grandfather" applications listed herein has expired.

NOTE: The issues involved in the "grandfather" applications were previously published in the FEDERAL REGISTER, issue of March 8, 1961. Opposition to the Form BMC–78 applications noticed herein may be accomplished (1) by filing a protest in accordance with Rule 1.40 of the Commission's general rules of practice within 30 days of the date of this publication in the FEDERAL REGISTER, or (2) by filing a notice of intention to protest in accordance with the provisions of § 1.241(c)(1) when the date and place of hearing of these applications are subsequently published in the FEDERAL REGISTER.

Notice to the parties: A number of applications filed by carriers domiciled in Alaska in which oral hearings appear to be required, are pending for "Grandfather" operating rights under amendments to the Interstate Commerce Act which became effective on July 12, 1960, as well as related BMC 78 applications for the same or similar authority. These applications and the authority sought are listed in this notice.

The Commission has become increasingly aware that some of the delays encountered in disposing of proceedings before it are attributable to a traditional liberality in granting requests for postponement of hearing. Such delays lead to additional expense and inconvenience to the other parties in such proceedings as well as to the Government.

Hearings in connection with the applications listed herein will be assigned so as to give sufficient time to all parties to prepare their respective presentations. Accordingly, those participating in these proceedings will be expected to be ready for the hearing on the dates that are assigned and to refrain from requesting any postponement.

Those interested are requested to appear at a calling of the Docket by Commissioner Laurence K. Walrath at the Loussac Library, 5th and F Streets, Anchorage, Alaska, on August 24, 1961, at 1:00 o'clock p.m., United States standard time (or 1:00 o'clock p.m., local daylight saving time, if that time is observed). When the docket is called, an effort will be made with the aid of applicants or their representatives and an Alaskan Joint Board Member to arrive at dates and places of hearing which the parties will be expected to observe in order that all of the proceedings listed herein can be heard promptly and expeditiously.

No. MC 118445 (Sub-No. 1), filed July 10, 1959. (BMC 78). Applicant: JIMMY A. PERSINGER, doing business as PERSINGER TRANSPORT CO., College, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities in bulk, household goods, Class A and B explosives, commodities requiring special equipment), and *empty containers or other such incidental facilities* used in transporting the above-specified commodities, between all points in Alaska.

2. Grandfather application MC 118445 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118446 (Sub-No. 1), filed July 20, 1959. (BMC 78). Applicant: JOHN P. KNUDSEN, doing business as KNUDSEN FAST FREIGHT, 6200 DeBarr Road, Anchorage, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Valdez, and Anchorage, Alaska on the one hand, and, on the other, points in Alaska.

2. Grandfather application MC 118446 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118447 (Sub-No. 1), filed May 25, 1959. (BMC 78). Applicant: JOE A. LENTZ, JR., doing business as LENTZ EXPRESS, Star Route (Butte), Palmer, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between points in Alaska. Applicant indicates the proposed service is restricted to traffic having prior or subsequent movement by air.

2. Grandfather application MC 118447 (Sub-No. 2) filed December 31, 1960. (BOR 98).

No. MC 118448 (Sub-No. 1), filed March 9, 1959. (BMC 78). Applicant: HOWARD BAYLESS, ALICE BAYLESS, RICHARD ROBERTS, ROBERT ROBERTS, AND ELLIS ROBERTS, doing business as BAYLESS & ROBERTS, Copper Center, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Class A and B explosives, and household goods as defined by the Commission), between points in Alaska.

2. Grandfather application MC 118448 (Sub-No. 2) filed December 2, 1960. (BOR 98).

No. MC 118450 (Sub-No. 1), filed February 26, 1959. (BMC 78). Applicant: VICTOR D. BARBER, Box 1835, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, household goods as defined by the Commission and commodities in bulk), between points in Alaska.

2. Grandfather application MC 118450 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118451 (Sub-No. 1), filed February 24, 1959. (BMC 78). Applicant: V. D. BARBER AND CARROLL G. BARBER, doing business as V. D. BARBER & SON, Box 1835, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, and commodities in bulk), between points in Alaska.

2. Grandfather application MC 118451 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118452 (Sub-No. 1), filed March 6, 1959. (BMC 78). Applicant: ARCTIC MOTOR FREIGHT, INC., P.O. Box 601, 2003 Gambell, Anchorage, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities* (except Class A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Alaska.

2. Grandfather application MC 118452 (Sub-No. 2) filed December 12, 1960. (BOR 98).

No. MC 118474 (Sub-No. 1), filed March 4, 1959. (BMC 78). Applicant: AIR VAN LINES, INC., an Alaska Corporation, P.O. Box 3413, Eastchester Branch, Anchorage, Alaska. Applicant's attorney: Warren N. Grossman, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities* (except commodities of unusual value, Class A and B explosives, livestock, commodities in bulk, and those requiring special equipment), and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified in this application, between points in Alaska.

NOTE: Common control may be involved.

2. Grandfather application MC 118474 (Sub-No. 2) filed December 28, 1960. (BOR 98).

No. MC 118475 (Sub-No. 1), filed March 23, 1959. (BMC 78). Applicant: EVERETT W. HEPP AND FRANK X. CHAPADOS, doing business as H & S WAREHOUSE ASSOCIATION, Third and Eagle, Graehl, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Class A and B explosives, livestock and commodities in bulk), between points in Alaska.

2. Grandfather application MC 118475 (Sub-No. 2) filed December 27, 1960. (BOR 98).

No. MC 118480 (Sub-No. 1), filed February 24, 1959. (BMC 78). Applicant: DEAN WATSON, doing business as PENINSULA FAST FREIGHT, 17th and Gambell, Anchorage, Alaska. MAILING ADDRESS: P.O. Box 586, Anchorage, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except commodities of unusual value, and livestock), between points in Alaska.

2. Grandfather application MC 118480 (Sub-No. 3) filed December 30, 1960. (BOR 98).

No. MC 118489 (Sub-No. 1), filed March 2, 1959. (BMC 78). Applicant: HERBERT N. KOPPERUD, doing business as KOPPERUD TRANSPORTATION, Palmer, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *General commodities* (except Class A and B explosives, household goods as defined by the Commission, and commodities in bulk), in tank type equipment, between points in Alaska.

2. Grandfather application MC 118489 (Sub-No. 2) filed December 19, 1960. (BOR 98).

No. MC 118491 (Sub-No. 1), filed January 23, 1959. (BMC 78). Applicant: HUGH B. MITCHELL, PAUL POLLACK AND D. C. TAYLOR, a Partnership, doing business as ALASKA TERMINALS, Post Road, P.O. Box 3638, Anchorage, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including household goods* as defined by the Commission, and *commodities in bulk* (but excluding those of unusual value, livestock, and Class A and B explosives), between points in Alaska.

NOTE: Mr. D. C. Taylor one of the partners holds 50 percent of the stock in Martin Van Lines, Inc., common control may be involved.

2. Grandfather application MC 118491 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118494 (Sub-No. 1), filed March 2, 1959. (BMC 78). Applicant: DENALI TRANSPORTATION CORPORATION, 404 Noble Street, P.O. Box 1752, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities* (except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment), between points in Alaska.

2. Grandfather application MC 118494 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118513 (Sub-No. 1), filed March 4, 1959. (BMC 78). Applicant: JAMES F. DIERUNGER, doing business as DIERINGER TRUCKING, P.O. Box 183, Valdez, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, and household goods as defined by the Commission), between points in Alaska.

2. Grandfather application MC 118513 (Sub-No. 2) filed December 9, 1960. (BOR 98).

No. MC 118514 (Sub-No. 1), filed March 11, 1959. (BMC 78). Applicant: GENE ROGGE, doing business as SOURDOUGH FREIGHT LINES, 1111 Gillam Way, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities* (except those of unusual value, Class A and B explosives, and livestock), between points in Alaska.

2. Grandfather application MC 118514 (Sub-No. 2) filed December 25, 1960. (BOR 98).

No. MC 118515 (Sub-No. 1), filed March 14, 1960. (BMC 78). Applicant: GERALD A. PROTZMAN, doing business as JERRY'S FREIGHT SERVICE, Sterling 86, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities*, including *Classes A and B explosives, household goods as defined by the Commission, and those requiring special equipment* (except commodities in bulk, and those of unusual value), between points in Alaska.

2. Grandfather application MC 118515 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118516 (Sub-No. 1), filed March 2, 1959. (BMC 78). Applicant: RICHARD DeJONG, 4300 Lois Drive, Spenard, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, livestock, Class A and B explosives, household goods as defined by the Commission, and commodities in bulk), between points in Alaska.

2. Grandfather application MC 118516 (Sub-No. 2) filed December 27, 1960. (BOR 98.)

No. MC 118518 (Sub-No. 1), filed February 26, 1959. (BMC 78.) Applicant: WALTER CHRISTENSEN, P.O. Box 16, Homer, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, commodities in bulk, and those requiring special equipment), between Homer, Alaska and Seward, Alaska, from Homer over the Sterling Highway to the junction of unnumbered highway, thence over unnumbered highways to Seward, and return over the same route, serving the intermediate or off-route points of Anchor Point, Ninilchik, Clam Gulch, Cohoe, Kasilof, Soldatna, Kenai, Sterling, Cooper Landing and Moose Pass.

NOTE: Applicant states that it will also transport U.S. Mail.

2. Grandfather application MC 118518 (Sub-No. 3) filed December 15, 1960. (BOR 98.)

No. MC 118518 (Sub-No. 2), filed April 27, 1959. (BMC 78). Applicant: WALTER CHRISTENSEN, P.O. Box 16, Homer, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, commodities in bulk, and those requiring special equipment), over regular routes as follows: (1) between Anchorage, Alaska, and Seward, Alaska, from Anchorage over Alaska Highway 4 to Seward, and return over the same route, (2) between Homer, Alaska, and junction Alaska Highways 5 and 4, approximately nine (9) miles northwest of Moose Pass, from Homer over Alaska Highway 5 to junction with Alaska Highway 4, approximately 9 miles northwest of Moose Pass, and return over the same route, and (3) between Kenai, Alaska, and Soldotna, Alaska, from Kenai over the Kenai Spur Road, to Soldotna, and return over the same route, serving all intermediate points on the regular routes (1), (2), and (3), above described; and over irregular routes (other than described by regular route), between points on the Kenai Peninsula generally south of an imaginary line from the Alaska Railroad, running approximately East-West between Whittier, Alaska, and Alaska Highway 4, continuing to Turnagain Arm.

NOTE: Applicant states it will also transport U.S. Mail. Applicant has a pending application in MC 118518 Sub 1 seeking authority which appears to be the same as, or a portion of, the proposed authority in the instant application.

2. Grandfather application MC 118518 (Sub-No. 3) filed December 15, 1960. (BOR 98).

No. MC 118524 (Sub-No. 1), filed March 2, 1959. (BMC 78). Applicant: SIG WOLD STORAGE & TRANSFER, INC., 802 Second Avenue, P.O. Box 791, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *General commodities* (except commodities of unusual value, Class A and B explosives, livestock, commodities in bulk, and those requiring special equipment), between points in Alaska.

2. Grandfather application MC 118524 (Sub-No. 2) filed December 30, 1960. (BOR 98).

No. MC 118525 (Sub-No. 1), filed March 2, 1959. (BMC 78). Applicant: ALASKA VALDEZ TRANSPORT, P.O. Box 232, Valdez, Alaska. Applicant's attorney: Julian C. Rice, 230 Chena Building, Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicles, over *irregular routes*, transporting: *General commodities* (except Classes and B explosives, household goods as defined by the Commission, and commodities in bulk other than those transported in tank type equipment), between points in Alaska.

2. Grandfather application (above-named applicant substituted for Harold M. Olson, doing business as Olson Trucking Co., by order of March 22, 1960), filed December 27, 1960. (BOR 98).

No. MC 118527 (Sub-No. 1), filed March 5, 1959. (BMC 78). Applicant: SOURBOUGH EXPRESS, INC., 531 Third Avenue (P.O. Box 288), Fairbanks, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, including *household goods as defined by the Commission* (but excluding articles of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment), between points in Alaska.

2. Grandfather application MC 118527 (Sub-No. 2), filed December 30, 1960. (BOR 98).

No. MC 118534 (Sub-No. 1), filed March 3, 1959. (BMC 78). Applicant: E. F. WESTPHAL, doing business as TOK DISTRIBUTING SERVICE, Tok, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General*

commodities (except those of unusual value, Class A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Alaska.

2. Grandfather application MC 118534 (Sub-No. 2), filed December 30, 1960. (BOR 98).

No. MC 118778 (Sub-No. 1), filed September 23, 1959. (BMC 78). Applicant: BEE LINE FREIGHT SERVICE, INC., doing business as BEE LINE FUEL COMPANY, 1340 Ocean Dock Road, Anchorage, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle over irregular routes, transporting: *Automobiles, trucks*, and *truck tractors*, in truckaway and driveaway service; *petroleum products*, in bulk, in tank vehicles; and *general commodities* (except those of unusual value, household goods as defined by the Commission, Class A and B explosives, and commodities in bulk, other than those transported in tank type equipment), between points in Alaska.

2. Grandfather application MC 118778 (Sub-No. 2) filed December 29, 1960. (BOR 98).

No. MC 119402 (Sub-No. 1), filed February 23, 1960. (BMC 78). Applicant: CARL H. MEIER, doing business as PALMER TRANSFER, P.O. Box 1745, Palmer, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General Commodities, including household goods* as defined by the Commission (except Classes A and B explosives, commodities in bulk, those requiring special equipment, livestock, and commodities of unusual value), between points in that portion of Alaska described as follows: commencing at the mouth of the Susitna River, thence north along the Susitna River to Talkeetna, thence northeasterly along the Talkeetna River to a point due north of the Chickaloon River, thence south along the Chickaloon River to Alaska Highway 3, thence along Alaska Highway 3 to Anchorage, at its junction with Alaska Highway 4, thence continuing southerly along Alaska Highway 4 to Seward, thence southerly along the coast line of the Kenai Peninsula to its southernmost point, thence northerly along the west coast line of the Kenai Peninsula to a point due south of the mouth of the Susitna River, and thence directly north to the mouth of the Susitna River, point of commencement, and, where the boundary is described by Alaska Highways 3 and 4, serving points within ten (10) airline miles of said highways.

2. Grandfather application MC 119402 (Sub-No. 2) filed December 14, 1960. (BOR 98).

No. MC 119724, filed May 2, 1960. (BMC 78). Applicant: RICHARD H. JENSEN, doing business as BRISTOL BAY CONTRACTORS, King Salmon, Alaska.

1. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities including building materials, foodstuffs, bulk and package petroleum products* (except Classes A and B explosives), between points in Alaska south of a line beginning at the mouth of the Kvichak River at or near the village of Kvichak, Alaska and extending easterly along the Kvichak River to its source at Igiugig, Alaska, thence east along the south shore of Lake Iliamna to Pike Bay, Alaska, thence southeast over an unnamed road to Portage Bay on Cook Inlet. The area is commonly described as the Alaska Peninsula.

2. Grandfather application MC 119724 (Sub-No. 1), filed December 9, 1960. (BOR 98).

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 61-6767; Filed, July 18, 1961; 8:48 a.m.]

[Supplemental Notice 7-A]

APPLICATIONS FOR "GRANDFATHER" ALASKA MOTOR CARRIER CERTIFICATE OR PERMIT

JULY 14, 1961.

Under sections 206(a)(4), 206(a)(5), 209(a)(4), and 209(a)(5) of the Interstate Commerce Act, as amended July 12, 1960.

The time for filing of protests against these "grandfather" applications listed herein has expired.

NOTE: The issues involved in these "grandfather" applications were previously published in the FEDERAL REGISTER, issue of March 8, 1961.

Notice to the parties: A number of applications filed by carriers domiciled in Alaska in which oral hearings appear to be required, are pending for "Grandfather" operating rights under amendments to the Interstate Commerce Act which became effective on July 12, 1960.

The Commission has become increasingly aware that some of the delays encountered in disposing of proceedings before it are attributable to a traditional liberality in granting requests for postponement of hearing. Such delays lead to additional expense and inconvenience to the other parties in such proceedings as well as to the Government.

Hearings in connection with the applications listed herein will be assigned so as to give sufficient time to all parties to prepare their respective presentations. Accordingly, those participating in these proceedings will be expected to be ready for the hearing on the dates that are assigned and to refrain from requesting any postponement.

Those interested are requested to appear at a calling of the Docket by Commissioner Laurence K. Walrath at the Loussac Library, 5th and F Streets, Anchorage, Alaska, on August 24, 1961, at 1:00 p.m., United States standard time (or 1:00 p.m., local daylight saving time, if that time is observed). When the docket is called, an effort will be made with the aid of applicants or their representatives and an Alaskan Joint Board Member to arrive at dates and places of hearing which the parties will be expected to observe in order that all of the proceedings listed herein can be heard promptly and expeditiously.

The "Grandfather" applications listed below are consolidated in the *Call of the Docket* of those proceedings set forth in Notice No. 7, dated July 14, 1961.

No. MC-123134 (Sub No. 1), filed December 19, 1960. Applicant: ANCO SHIPPING CO., a Corporation, Terminal Yards, Anchorage, Alaska. Applicant's attorney: Wallace Aiken, 1215 Norton Building, Seattle 4, Wash.

No. MC-123284, filed December 12, 1960. Applicant: JOHN P. SNOW AND ENGENE L. SNOW, doing business as SNOW TRANSPORTATION COMPANY, Bethel, Alaska.

No. MC-123313, filed December 23, 1960. Applicant: ORME TRANSFER COMPANY, 535 Willoughby Avenue, Juneau, Alaska.

No. MC-123323, filed December 27, 1960. Applicant: ALASKA TRANSFER, INC., 149 South Main Street, Juneau, Alaska.

No. MC-123326, filed December 27, 1960. Applicant: ROSANDER AND REED, Ophir, Alaska.

No. MC-123327, filed December 29, 1960. Applicant: RALPH A., LAURA S. AND RALPH M. BARTHOLOMEW, doing business as IRELAND TRANSFER & STORAGE CO., 102 Front Street, Ketchikan, Alaska.

No. MC-123328, filed December 29, 1960. Applicant: HEATHERLY & SONS, INC., 1305 17th Avenue, Anchorage, Alaska.

No. MC-123332, filed December 28, 1960. Applicant: CORDELL TRANSFER CO., INC., 128 Front Street, Ketchikan, Alaska.

No. MC-123336, filed December 30, 1960. Applicant: JIMMIE M. EASTHAM, doing business as HUSKY PARCEL No. 2, Box 11, Ketchikan, Alaska. Applicant's attorney: Robert H. Ziegler, Sr., P.O. Box 1079, Ketchikan, Alaska.

No. MC-123338, filed December 30, 1960. Applicant: PAUL E. AND MELVIN J. MONSEN, doing business as MONSEN TRANSFER, P.O. Box 113, Naknek, Alaska.

No. MC-123340, filed December 30, 1960. Applicant: JEFFERY W. NOBLE, doing business as ALASKAN CANADIAN FREIGHT WAY, 221 Northward Building, Fairbanks, Alaska.

No. MC-123342, filed December 30, 1960. Applicant: C. RAYMOND LOESCHE, doing business as POLAR VAN SERVICE, 523 Second Avenue, P.O. Box 622, Fairbanks, Alaska.

No. MC-123343, filed December 30, 1960. Applicant: EDWARD H. HANBY, doing business as WING'S AND TRUCK'S TRANSPORTATION CO., 2601 Spenard Road, Spenard, Alaska.

No. MC-123355, filed December 30, 1960. Applicant: ROY H. SMITH, doing business as FLYING BUYING & TRANSPORTATION SERVICE, Box 74, Dillingham 7, Alaska.

No. MC-123357, filed December 30, 1960. Applicant: LAMBERT C. RATCLIFFE, doing business as HUSKY PARCEL DELIVERY, 702 Water Street, Ketchikan, Alaska.

No. MC–123366, filed December 30, 1960. Applicant: MULTI VENTURES OF FAIRBANKS, P.O. Box 1142, Fairbanks, Alaska.

No. MC–123367, filed December 30, 1960. Applicant: WALTER L. HOOPER, doing business as HOMER FREIGHT LINES, Box 64, Soldotna, Alaska.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 61–6768; Filed, July 18, 1961; 8:48 a.m.]

[Notice 388]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JULY 14, 1961.

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

All hearings and pre-hearing conferences will be called at 9:30 o'clock a.m., United States standard time (or 9:30 o'clock a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 603 (Sub No. 17), filed April 21, 1961. Applicant: T. R. SHUMPERT, doing business as SHUMPERT TRUCK LINE, Amory, Miss. Applicant's attorney: Rubel L. Phillips, Deposit Guaranty Bank Building, Jackson, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), (1) from Sulligent, Ala. over Alabama Highway 17 to intersection U.S. Highway 78, thence over U.S. Highway 78 to Jasper, Ala., and return over the same route serving all intermediate points; (2) from Sulligent, Ala., over U.S. Highway 278 to Guin, Ala., and return over the same route, with closed doors, for operating convenience only, serving no intermediate points, and (3) from Winfield, Ala., over U.S. Highway 43 to intersection Alabama Highway 18, thence over Alabama Highway 18 and Alabama Highway 69 to Jasper, Ala., and return over the same route serving all intermediate points.

HEARING: September 20, 1961, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 100.

No. MC 1124 (Sub No. 176), filed June 22, 1961. Applicant: HERRIN TRANSPORTATION COMPANY, a Corporation, 2301 McKinney Avenue, Houston, Tex. Applicant's attorney: Leroy Hallman, First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Plastic pipe, plastic tubing, plastic fittings, plastic pellets, plastic scrap*, and *bonding cement*, from High Springs, Fla., to points in Texas, Louisiana, Mississippi, Arkansas, Oklahoma, points in Tennessee on and west of U.S. Highway 231, points in Kentucky on and west of U.S. Highway 231, and to points in Missouri on and south of U.S. Highway 60.

HEARING: September 13, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William E. Messer.

No. MC 9895 (Sub No. 117), filed May 22, 1961. Applicant: DENVER CHICAGO TRANSPORT COMPANY, INC., East 45th Avenue at Jackson Street, Denver, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., 526 Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizers*, and *anhydrous ammonia* and its *products* and *by-products*, in bulk, from Hastings, Nebr., and points within 10 miles thereof, to points in Colorado, Wyoming, South Dakota, Iowa, and Kansas.

HEARING: September 22, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 13250 (Sub No. 74), filed April 19, 1961. Applicant: J. H. ROSE TRUCK LINE, INC., 3804 Jensen Drive, P.O. Box 16187, Houston 22, Tex. Applicant's attorney: Thomas E. James, Esperson Building, Suite 1535, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials*, and *supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment* and *supplies* used in, or in connection with the construction, operation, repair, servicing, maintenance and dismantling of pipe lines, including the stringing and picking up thereof, between points in Colorado, Kansas, Nebraska and Oklahoma.

HEARING: September 18, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 20207 (Sub No. 33), filed June 20, 1961. Applicant: CONTINENTAL TRANSPORTATION LINES, INC., Continental Square, Graham Street, McKees Rocks, Pa. Applicant's attorney: Edwin C. Reminger, 75 Public Square, Suite 1316, Cleveland 13, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); serving Medina, Ohio, as an off-route point in connection with carrier's regular-route operations to and from Akron, Ohio.

NOTE: Common control may be involved.

HEARING: September 11, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate before Examiner David Waters.

No. MC 23939 (Sub No. 105), filed June 12, 1961. Applicant: ASBURY TRANSPORTATION CO., 2222 East 38th Street, Los Angeles 58, Calif. Applicant's attorney: E. B. Evans, 718 Symes Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Nitrogen, oxygen, helium, hydrogen and rocket propellant fuels in government-owned or shipper-owned specially designed tank trailers* and (2) *empty vehicles* (a) between Ellsworth Air Force Base located at Rapid City, S. Dak. and points within fifty (50) miles thereof, and (b) between Ellsworth Air Force Base located at Rapid City, S. Dak., and points in Wyoming, Colorado and Nebraska.

HEARING: September 21, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 28478 (Sub-No. 14), filed July 13, 1961. Applicant: GREAT LAKES EXPRESS CO., 172 Davenport Street, Saginaw, Mich. Applicant's attorney: Leonard D. Verdier, Jr., 300 Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special equipment), serving Oakbrook, Ill., as an off-route point in connection with applicant's authorized regular-route operations to and from Chicago, Ill.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 52861 (Sub-No. 3), filed July 3, 1961. Applicant: HAROLD W. STEWART, INC., 102 Andrus Road, Toledo, Ohio. Applicant's attorneys: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio, and James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry bulk commodities*, in dump vehicles, from points in Ohio to points in the lower peninsula of Michigan, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: September 15, 1961, in Room 214, Federal Building, Lansing, Mich., before Joint Board No. 57.

No. MC 61506 (Sub No. 6), filed May 11, 1961. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Washington, Ga. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products*, and (2) *empty containers or other such incidental facilities*

(not specified) used in transporting the specified commodities, between Charleston, S.C., on the one hand, and, on the other, points in Virginia.

HEARING: September 14, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 196.

No. MC 61506 (Sub No. 7), filed May 23, 1961. Applicant: RUSSELL TRANSFER COMPANY, INC., Athens-Augusta Highway, Washington, Ga. Applicant's attorney: T. M. Forbes, Jr., 825 C. & S. Bank Building, Atlanta 3, Ga. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Petroleum* and *petroleum products,* and (2) *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, between Belton, S.C., on the one hand, and, on the other, points in Georgia.

HEARING: September 19, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 131.

No. MC 63154 (Sub-No. 1), filed July 5, 1961. Applicant: RAYMOND J. ENTRINGER, La Motte, Iowa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Hides,* from Dubuque, Iowa, to Chicago, Ill.

HEARING: September 15, 1961, in Room 401, Old Federal Office Building, 5th & Court Avenues, Des Moines, Iowa, before Joint Board No. 53.

No. MC 64932 (Sub No. 297), filed May 15, 1961. Applicant: ROGERS CARTAGE CO., 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Acids and chemicals,* in bulk, in tank vehicles, from St. Louis, Mo., and Monsanto, Ill., to points in Texas, Connecticut, Massachusetts, Rhode Island, Vermont, New Hampshire, Maine, Delaware, Nebraska, and Maryland.

HEARING: October 10, 1961, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 69833 (Sub-No. 58), filed July 10, 1961. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre SE., Grand Rapids, Mich. Applicant's attorneys: Leonard D. Verdier, Jr., Warner, Norcross & Judd, 300 Michigan Trust Building, Grand Rapids 2, Mich. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *Scrap metals,* in bulk, and *general commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk (not including scrap meals in bulk), commodities requiring special equipment), and those injurious or contaminating to other lading, serving Oakbrook, Ill., as an off-route point in connection with applicant's authorized regular route operations to and from Chicago, Ill.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961 at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 74321 (Sub No. 23), filed April 20, 1961. Applicant: B. F. WALKER, INC., 650 17th Street, Denver 2, Colo. Applicant's attorney: Jerry Prestridge, P.O. Box 858, Brown Building, Austin, Tex. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials,* and *supplies,* used in or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment,* and *supplies,* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between points in Colorado, Kansas, Nebraska, and Oklahoma.

NOTE: Applicant states the purpose of the instant application is to remove the gateway requirements in the transportation of the above described commodities when moving between points in Colorado, Kansas, Nebraska, and Oklahoma. No new or additional territorial authority is sought by the instant application but applicant only seeks to remove the gateway restrictions.

HEARING: September 18, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 76478 (Sub-No. 5), filed July 3, 1961. Applicant: CHESTER CARRIERS, INC., East Petersburg, Pa. Applicant's representative: Bernard N. Gingerich, Quarryville, Pa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Stone,* from points in Caernarvon Township, Berks County, Pa., to points in New Jersey, Delaware and Maryland.

HEARING: September 14, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alfred B. Hurley.

No. MC 83539 (Sub-No. 80), filed July 3, 1961. Applicant: C & H TRANSPORTATION CO., INC., 1935 West Commerce Street, P.O. Box 5976, Dallas, Tex. Applicant's attorney: W. T. Brunson, 419 Northwest 6th Street, Oklahoma City 3, Okla. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Machinery, equipment, materials and supplies* used in, or in connection with, the discovery, development, production, refining, manufacture, processing, storage, transmission, and distribution of natural gas and petroleum and their products and by-products, and *machinery, materials, equipment and supplies,* used in, or in connection with, the construction, operation, repair, servicing, maintenance, and dismantling of pipe lines, including the stringing and picking up thereof, between points in Colorado, Kansas, Nebraska, and Oklahoma.

NOTE: No duplicating authority is sought.

HEARING: September 18, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 87532 (Sub No. 1), (CLARIFICATION), filed May 22, 1961, published issue of June 21, 1961, clarified July 7, 1961, and republished as clarified, this issue. Applicant: CLAY PRODUCTS TRANSPORT, INC., Box 149, Route 2, Dover, Ohio. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: (1) *Coal,* from points in Tuscarawas, Wayne, Holmes, Harrison, Coshocton, Stark, Carroll, and Guernsey Counties, Ohio, to points in Michigan on and south of Michigan Highway 21.

NOTE: The purpose of this republication is to clarify the proposed operations and change the description to a "from and to" movement in lieu of a "between" movement.

HEARING: Remains as assigned September 28, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 57.

No. MC 96098 (Sub No. 23), filed June 13, 1961. Applicant: H. H. FOLLMER CONTRACT HAULING, INC., P.O. Box 389, Route No. 15, Milton, Pa. Applicant's representative: Albert E. Enoch, Broadhead Block, 556 Main Street, Bethlehem, Pa. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: (1) *Pepper,* in packages, mixed shipments with salt, total weight of pepper not to exceed 10 percent of total weight of shipment, from Silver Springs, N.Y., and Rittman, Ohio to points in Pennsylvania and New Jersey; and (2) *empty containers or other such incidental facilities* (not specified) used in transporting the commodity specified in this application, from points in Pennsylvania and New Jersey to Silver Springs, N.Y., and Rittman, Ohio.

NOTE: Applicant has authority to transport salt (a) from Silver Springs, N.Y., to specified points in Pennsylvania; (b) from Rittman and Morton, Ohio to points in New Jersey and those in Pennsylvania on, east and south of U.S. Highway 220, except Philadelphia and Scranton; and (c) from Rittman and Morton, Ohio to points in New Jersey, and specified points in Pennsylvania.

HEARING: September 28, 1961, in Room 300, U.S. Custom House & Appraisers' Stores, Second and Chestnut Streets, Philadelphia, Pa., before Examiner A. Lane Cricher.

No. MC 96498 (Sub-No. 16), filed July 10, 1961. Applicant: BONIFIELD BROS. TRUCK LINES, INC., Metropolis, Ill. Applicant's attorney: B. W. La Tourette, Jr., Suite 1230 Boatmen's Bank Building, St. Louis 2, Mo. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Oakbrook, Ill., as an off-route point in connection with applicant's authorized regular route operations.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 386, dated June 30, 1961.

HEARING: July 31, 1961, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149, or if the Joint Board waives its right to participate, before Examiner William E. Messer.

No. MC 101075 (Sub-No. 68), filed June 29, 1961. Applicant: TRANSPORT, INC., P.O. Box 396, 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Donald A. Morken, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lime*, in bulk, from Duluth, Minn., and Superior, Wis., to points in Minnesota, North Dakota, and South Dakota; and (2) *Rejected shipments* of lime, from points in Minnesota, North Dakota, and South Dakota to Duluth, Minn., and Superior, Wis.

HEARING: September 27, 1961, at the U.S. Court Rooms, Fargo, N. Dak., before Examiner William N. Culbertson.

No. MC 103051 (Sub No. 111), filed May 15, 1961. Applicant: WALKER HAULING CO., INC., P.O. Box 13444 Station K, 340 Armour Drive NE., Atlanta 24, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424–35 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude clay*, in bulk, from points in Sumter County, Ga., to points in Decatur County, Ga.

NOTE: Common control may be involved.

HEARING: September 18, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 103051 (Sub–No. 113), filed July 3, 1961. Applicant: WALKER HAULING CO., INC., P.O. Box 13444 Station K, 340 Armour Drive NE., Atlanta 24, Ga. Applicant's attorney: R. J. Reynolds, Jr., Suite 1424–35 C & S National Bank Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid tallow, animal oils, animal greases, animal fats, and blends of the aforesaid commodities*, in bulk, in tank vehicles, from points in Orangeburg County, S.C., to points in Bartow and Forsyth Counties, Ga.

HEARING: September 15, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 131.

No. MC 103378 (Sub–No. 207), filed June 9, 1961. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda solutions, liquid agricultural insecticides, perchloroethylene, trichloroethylene*, and *1,1,1-trichlorothane* (mestyl chloroform), in bulk, in tank vehicles, from points in Charleston County, S.C., to points in North Carolina.

HEARING: September 13, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 2.

No. MC 103378 (Sub No. 209), filed June 26, 1961. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville 2, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Clay*, in bulk, from points in Sumter County, Ga., to points in Decatur County, Ga.

HEARING: September 18, 1961, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 103880 (Sub No. 226), filed May 15, 1961. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paint and paint materials*, in bulk, in tank vehicles, from Chicago, Ill., to Atlanta and Savannah, Ga., Orlando, Fla., Richmond, Va., Denver, Colo., and Newark, N.J.

NOTE: Applicant states it is the owner of 50 percent of the outstanding shares of stock of Tank Truck Transport, Ltd.

HEARING: October 13, 1961, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 105881 (Sub-No. 30), filed June 26, 1961. Applicant: M. R. & R. TRUCKING COMPANY, Ferdon Blvd., Crestview, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, livestock, Classes A and B explosives, and commodities requiring special equipment), (1) between Saffold and Cedar Springs, Ga.; from Saffold over unnumbered Georgia Highway to Cedar Springs and return over the same route, serving all intermediate points and off-route points within five (5) miles of Cedar Springs, and (2) between Colquitt and Cedar Springs, Ga.; from Colquitt over unnumbered Georgia Highway to Cedar Springs and return over the same route, serving all intermediate points, and off-route points within five (5) miles of Cedar Springs.

NOTE: Common control may be involved.

HEARING: September 19, 1961, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 106398 (Sub-No. 181), filed June 29, 1961. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan Road, Tulsa 15, Okla. Applicant's attorney: Bill R. Privitt (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service; from points in Utah (except Salt Lake City and Logan, Utah), to points in the United States (except Hawaii), but including Alaska.

HEARING: September 28, 1961, at Utah Public Service Commission, Salt Lake City, Utah, before Examiner David Waters.

No. MC 106621 (Sub No. 20), filed May 22, 1961. Applicant: MELTON TRANSPORT COMPANY, a Corporation, P.O. Box 477, Adams City, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526, Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen fertilizers*, and *anhydrous ammonia and its products and by-products*, in bulk, from Hastings, Nebr. and points within ten (10) miles thereof, to points in Colorado, Wyoming, South Dakota, Iowa, and Kansas.

NOTE: Applicant states it is controlled by Ward Transport, Inc. (MC 113624) therefore, common control may be involved.

HEARING: September 22, 1961, at the New Customs House, Denver, Colo., before Examiner David Waters.

No. MC 107012 (Sub-No. 36, filed July 3, 1961. Applicant: NORTH AMERICAN VAN LINES, INC., East Lincoln Highway, P.O. Box 988, Fort Wayne, Ind. Applicant's attorney: G. Van Golden (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pianos*, uncrated, from Memphis, Tenn., to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Hawaii, Idaho, Iowa, Kansas, Kentucky, Louisiana, Mississippi, Missouri, Nebraska, Nevada, New Mexico, North Carolina, Oklahoma, Oregon, South Carolina, Texas, Utah, Virginia, and Washington.

HEARING: September 22, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 109236 (Sub No. 12), filed May 22, 1961. Applicant: GEORGE A. SIMS, M. K. SIMS, (GEORGE MILTON SIMS, ELMER L. SIMS, AND BEVERLY S. CANDLAND EXECUTORS), ELMER L. SIMS AND G. GRANT SIMS, a partnership, doing business as SALT LAKE TRANSFER COMPANY, 170 West Second South, Salt Lake City, Utah. Applicant's attorney: Harry D. Pugsley, Continental Bank Building, Salt Lake City 1, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Missiles, space vehicles, space satellites, launching, guidance, monitoring, or control units, parts or components thereof, including Classes A and B explosives*, requiring special equipment for transportation on carrier-owned, shipper-owned, or Government-owned trailers. (b) *Equipment components, materials, supplies, or parts of such missiles, space vehicles, space satellites, launching, guidance, monitoring, or control units*, when such articles are incidental to and are transported in connection with missiles, space vehicles, space satellites, launching, guidance, monitoring or control units, or parts, or components thereof, on carrier-owned, shipper-owned, or Government-owned trailers. (c) *Shipper-owned or Government-owned trailers, empty*, in return movement, when such trailers have been used in the outbound transportation of

such articles described in (a) and (b) above, between points in Utah, on the one hand, and, on the other, points in the Continental United States, including Alaska and Washington, D.C.

HEARING: September 27, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner David Waters.

No. MC 109821 (Sub No. 17), filed June 20, 1961. Applicant: H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa. Applicant's attorney: Robert De Kroyft, Woolworth Building, 233 Broadway, New York 7, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Manufactured glass products and commodities and equipment used in the manufacture, sale or shipment of manufactured glass products*, between Greencastle, Pa., on the one hand, and, on the other, Philadelphia, Pa., New York, N.Y., and points in New York and New Jersey within 20 miles of New York, N.Y.

HEARING: September 27, 1961, in Room 300, U.S. Custom House & Appraisers' Stores, Second and Chestnut Streets, Philadelphia, Pa., before Examiner A. Lane Cricher.

No. MC 110698 (Sub No. 156), filed June 2, 1961. Applicant: RYDER TANK LINE, INC., P.O. Box 457, Greensboro, N.C. Applicant's attorneys: Frank B. Hand, Jr. and Daniel B. Johnson, 522 Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Copperhill, Tenn., to points in Kentucky and Ohio.

HEARING: September 27, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 209.

No. MC 111320 (Sub-No. 44), filed May 21, 1961. Applicant: CURTIS KEAL TRANSPORT COMPANY, INC., East 54th Street and Cleveland Shoreway, Cleveland, Ohio. Applicant's attorney: Noel F. George, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Road building, earth moving and contractors equipment, articles* described in Ex Parte No. MC–45, 61 M.C.C. 209, 286 Appendix VIII, and *parts of such commodities moving with or separately*, between Evansville, Ind., and points in the United States.

HEARING: October 12, 1961, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 111940 (Sub No. 28), filed June 12, 1961. Applicant: SMITH'S TRUCK LINES, a corporation, P.O. Box 88, Muncy, Pa. Applicant's attorney: John M. Musselman, State Street Building, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Pepper*, in packages, in mixed shipments with salt, total weight of pepper not to exceed 10 percent of total weight of shipment, from Silver Springs, N.Y., to points in Connecticut, Delaware, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, and the District of Columbia, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

HEARING: September 28, 1961, in Room 300, U.S. Custom House & Appraisers' Stores, Second and Chestnut Streets, Philadelphia, Pa., before Examiner A. Lane Cricher.

No. MC 112006 (Sub No. 2), filed June 7, 1961. Applicant: BENJAMIN S. NEWHALL, Madison Street, North Berwick, Maine. Applicant's attorney: Francis P. Barrett, Professional Building, 25 Bryant Avenue, East Milton 86 (Boston), Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Bleachers* and *grandstands*, knocked down and set up, and *materials, supplies*, and *equipment* used in the erection thereof, between North Berwick, Maine, on the one hand, and, on the other, points east of the Mississippi River, under a continuing contract with Hussey Manufacturing Company, Inc., North Berwick, Maine.

NOTE: Applicant requests that duplication of existing authority be eliminated.

HEARING: September 21, 1961, at the Hotel Essex, Boston, Mass., before Examiner Samuel Horwich.

No. MC 112520 (Sub-No. 61), filed April 26, 1961. Applicant: McKENZIE TANK LINES, INC., New Quincy Road, Tallahassee, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from points in Florida, to Mobile, Ala.

HEARING: September 21, 1961, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 98.

No. MC 113267 (Sub No. 36) (REPUBLICATION), filed February 28, 1961, published issue of March 9, 1961. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Frederick H. Figge, same address as applicant. By application filed February 28, 1961, applicant sought authority as a *common carrier*, over irregular routes, transporting: *Peppers*, in cans and barrels, from Limestone, Tenn., to points in 20 States as set forth in the notice of filing of the application, published in the FEDERAL REGISTER of March 9, 1961. At the hearing, Hearing Examiner Maurice S. Bush, presiding, the application was amended as to the origin point, and a report and order by the Examiner, served July 5, 1961, authorized the transportation sought from the plant site of Moody Dunbar, Inc., on Tennessee Highway 107, in Washington County, Tenn., approximately eight (8) miles south of Limestone, Tenn., to points in the 20 destination States. Any person or persons who might have been prejudiced by the allowance of the amendment to change the origin point, may, within 30 days from the date of this republication in the FEDERAL REGISTER, file an appropriate pleading.

NOTE: This application was the subject of a consolidated report in No. MC 123260.

No. MC 114360 (Sub No. 9), filed June 6, 1961. Applicant: SOUTHERN EXPRESS COMPANY, a corporation, 3333 South Cicero Avenue, Cicero, Ill. Applicant's attorney: Edwin C. Reminger, 75 Public Square, Suite 1316, Cleveland 13, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); serving Medina, Ohio, as an intermediate point in connection with applicant's regular route operations to and from Youngstown, Ohio.

HEARING: September 11, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 117, or, if the Joint Board waives its right to participate before Examiner David Waters.

No. MC 115322 (Sub No. 19), filed June 2, 1961. Applicant: J. M. BLYTHE, doing business as BLYTHE MOTOR LINES, P.O. Box 489, Sanford, Fla. Applicant's attorney: Frank B. Hand, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen and unfrozen food and foodstuffs*, from points in Massachusetts to points in Virginia, North Carolina, South Carolina and Georgia.

NOTE: Common control may be involved. Applicant states that the service to be authorized be restricted against tacking with applicant's authority or interlining of traffic with other motor carriers.

HEARING: September 25, 1961, at the Hotel Essex, Boston, Mass., before Examiner Samuel Horwich.

No. MC 115504 (Sub No. 18), filed May 29, 1961. Applicant: KENISON TRUCKING, INC., P.O. Box 324 (413 South Second West), Salt Lake City 10, Utah. Applicant's attorney: Bartley G. McDonough, 10 Executive Building, 455 East 4th Street, Salt Lake City 11, Utah. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer*, including but not limited to ammonium nitrate and ammonium sulphate, in bulk and in bags, from Geneva, Utah to points in Montana, east of the Continental Divide, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, and *rejected and contaminated shipments*, on return.

NOTE: Applicant has an application pending for common carrier authority under MC 119848, therefore dual operations may be involved.

HEARING: September 26, 1961, at the Utah Public Service Commission, Salt Lake City, Utah, before Examiner David Waters.

No. MC 115873 (Sub No. 5), filed May 11, 1961. Applicant: HAROLD WAGGONER & COMPANY, a corporation,

103 Westminister Drive, Collinsville, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Acids and chemicals*, liquid, in bulk, in tank vehicles; from St. Louis, Mo.-E. St. Louis, Ill., to points in Alabama, Arkansas, Connecticut, Delaware, Florida, Georgia, Louisiana, Maine, Massachusetts, Nebraska, New Hampshire, New Jersey, North Carolina, Pennsylvania, Rhode Island, South Carolina, Vermont, Virginia, West Virginia, and Wisconsin, and *empty containers or other such incidental facilities*, used in transporting the above-described commodities, and *rejected shipments*, on return.

HEARING: October 10 1961, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 115983 (Sub No. 2), filed June 26, 1961. Applicant: SALT TRANSPORT, INC., 9107 S. Telegraph, Taylor, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Salt*, in bags or other containers, in dump equipment, when moving in mixed shipments with salt in bulk, from Detroit, Mich., to points in Indiana and Illinois, and (2) *salt*, from Detroit, Mich., to points in Kentucky.

NOTE: Applicant is authorized to transport salt in bulk, from and to points as shown in (1) above, but states that he is only seeking authority to handle packaged salt in mixed shipments with the bulk salt herein requested. Common control may be involved.

HEARING: October 4, 1961, at the Detroit-Leland Hotel, Detroit, Mich., before Examiner John L. York.

No. MC 116077 (Sub-No. 102) (AMENDMENT), filed May 12, 1961, published issue of June 28, 1961, amended July 6, 1961, and republished as amended, this issue. Applicant: ROBERTSON TANK LINES, INC., P.O. Box 9218, 5700 Polk Avenue, Houston, Tex. Applicant's attorney: Thomas E. James, 1535 Esperson Building, Houston 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sulphur*, in bulk, from points in Cass, Ector, Hockley and Crane Counties, Tex., to points in Arkansas, Colorado, Kansas, Louisana, Missouri, New Mexico, Oklahoma, and Utah.

NOTE: The purpose of this republication is to add Crane County, Tex. as an origin point.

HEARING: Remains as assigned September 18, 1961, at the Federal Office Building, Franklin and Fannin Streets, Houston, Tex., before Examiner Edith H. Cockrill.

No. MC 116204 (Sub No. 4), filed May 25, 1961. Applicant: VAN E. HAMLETT, 3049 Dickerson Road, Nashville 7, Tenn. Applicant's attorney A. O. Buck, Suite 434, Stahlman Building, Nashville 3, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from points in Colbert County, Ala., to points in Kentucky and Tennessee, and *returned and damaged shipments* of the above-specified commodity, on return.

NOTE: Applicant states he proposes to operate under contract with Armour Agricultural Chemical Company, serving its plant to be located near Cherokee, Colbert County, Ala. Applicant holds common carrier, authority in MC 118883, therefore, dual operations may be involved.

HEARING: September 26, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 284.

No. MC 116204 (Sub No. 5), filed June 21, 1961. Applicant: VAN E. HAMLETT, 3049 Dickerson Road, Nashville, Tenn. Applicant's attorney: A. O. Buck, Suite 434 Stahlman Building, Nashville 3, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, in bags, from points in Davidson County, Tenn., to points in Lee, Scott, and Washington Counties, Va., and *rejected* and *damaged shipments* of the above-specified commodity, on return.

NOTE: Applicant states it proposes to operate under contract with Armour Agricultural Chemical Company, Nashville, Tenn., serving its Nashville plant. Applicant holds common authority in MC 118883, therefore dual operations may be involved.

HEARING: September 29, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 279.

No. MC 116544 (Sub-No. 14), filed June 30, 1961. Applicant: WILSON BROTHERS TRUCK LINE, INC., 700 East Fairview Street, Carthage, Mo. Applicant's attorney: Robert R. Hendon, 734 15th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, and (2) *bananas and coconuts*, on the same vehicle at the same time, from Gulfport, Miss., to points in Oklahoma, and Minnesota.

HEARING: September 14, 1961, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 117439 (Sub No. 11), filed June 22, 1961. Applicant: BULK TRANSPORT, INC., 1007 Louisiana National Bank Building, Baton Rouge, La. Applicant's attorney: Harold R. Ainsworth, 2307 American Bank Building, New Orleans 12, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk, in packages and in bags, from Birmingham, Ala. to points in South Carolina and *rejected shipments* of cement, on return.

HEARING: September 25, 1961, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 339.

No. MC 118444 (Sub No. 1), filed February 16, 1959. Applicant: BILL UNFER AND VIC UNFER, a partnership, doing business as UNFER BROS., P.O. Box 491, Valdez, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Class A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between points in Alaska.

HEARING: September 1, 1961, at the Loussac Library, Fifth and F Streets, Anchorage, Alaska, before Joint Board No. 412, or, if the Joint Board waives its right to participate, before Commissioner Laurence K. Walrath.

No. MC 118449 (Sub No. 1), filed March 3, 1959. Applicant: CHARLES O. TACHICK & MELVIN TACHICK, a partnership, doing business as TACHICK FREIGHT LINES, Box 84, Soldotna, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Class A and B explosives and commodities in bulk), between points in Alaska.

HEARING: August 29, 1961, at the Loussac Library, Fifth and F Streets, Anchorage, Alaska, before Joint Board No. 412, or, if the Joint Board waives its right to participate, before Commissioner Laurence K. Walrath.

No. MC 118490 (Sub No. 1), filed January 28, 1959. Applicant: ALASKA VAN & STORAGE CO., INC., Post Road, Anchorage, Alaska. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities, including household goods as defined by the Commission* (but excluding Class A and B explosives, commodities in bulk, and those requiring special equipment), between points in Alaska.

HEARING: August 30, 1961, at the Loussac Library, Fifth and F Streets, Anchorage, Alaska, before Joint Board No. 412, or, if the Joint Board waives its right to participate, before Commissioner Laurence K. Walrath.

No. MC 118561 (Sub No. 3), filed June 22, 1961. Applicant: HERBERT B. FULLER, doing business as FULLER TRANSFER COMPANY, P.O. Box 422, Maryville, Tenn. Applicant's attorney: F. G. Asquith, Bank of Knoxville Building, Knoxville 2, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products*, and *meat by-products* as described in Section A of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in vehicles equipped with temperature control devices, in pool car and pool truck distribution service, from Knoxville, Tenn., to points in Roane County, Tenn., and Washington County, Va., and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified, on return.

HEARING: September 29, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 279.

No. MC 119322 (Sub No. 1), filed May 25, 1961. Applicant: QUICK DELIVERY SERVICE, INC., 654 Conti Street, Mobile, Ala. Applicant's attorney: Ronald P. Slepian, First National Bank Building, P.O. Box 1374, Mobile, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and commodities requiring special handling); between points in Sumter, Marengo, Covington, Escambia, Baldwin, Mobile, Washington, Chocktaw, Coffee, Geneva, Houston, Dale, Pike,

Crenshaw, Butler, Monroe, Conecuh, Montgomery, Lowndes, Dallas, Hale, Perry, and Wilcox Counties, Ala., points in Escambia, Santa Rosa, Okaloosa, Bay, Washington, Holmes, and Jackson Counties, Fla., and points in Lauderdale, Clarke, Wayne, Jones, Jasper, Greene, Perry, Forrest, Lamar, George, Jackson, Harrison, Stone, Pearl River, and Hancock Counties, Miss.

NOTE: Applicant states the proposad services to be rendered will be restricted to traffic having an immediate prior or subsequent movement by air transportation.

HEARING: September 22, 1961, at the U.S. Court Rooms, Montgomery, Ala., before Joint Board No. 393.

No. MC 119532 (Sub No. 2), filed June 6, 1961. Applicant: IRA FARRELL AND LAUREL E. FARRELL, doing business as IRA FARRELL & SON, 12 Starrett Street, Houlton, Maine. Applicant's attorney: Kenneth B. Williams, 111 State Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Weehawken, N.J., and New York, N.Y., to ports of entry on the International Boundary Line between the United States and Canada at or near Calais, Houlton, and Vanceboro, Maine.

NOTE: Applicant states the service requested herein will be restricted to traffic moving to points in Canada.

HEARING: September 19, 1961, at the Hotel Essex, Boston, Mass., before Examiner Samuel Horwich.

No. MC 119583 (Sub No. 1), filed May 21, 1961. Applicant: L. E. BOLING, 718 Commercial Street, Kewanee, Ill. Applicant's attorney: David Axelrod, 39 South LaSalle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Low-bed trailers*, in initial movements, in truck-away service, from Kewanee, Ill., to points in Washington, Oregon, Idaho, Utah, California, Nevada, and Arizona.

HEARING: October 13, 1961, at the Midland Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 119585 (Sub-No. 1) (REPUBLICATION), filed March 23, 1961, published in the FEDERAL REGISTER, issue of April 19, 1961. Applicant: KELLY TRANSPORTATION, INC., P.O. Box 1426, Sumter, S.C. Applicant's attorney: Frank A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C. By application filed March 23, 1961, applicant sought a certificate of public convenience and necessity, as a common carrier, transporting new furniture, from points in Sumter County, S.C., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Tennessee, and Texas. At the hearing, Samuel C. Shoup, Hearing Examiner, presiding, applicant represented that by supplemental publication to the application-notice appearing in the FEDERAL REGISTER on April 19, 1961, Kentucky was included in the application. However, because of a misunderstanding such supplemental notice, although intended, was not in fact published. The public is entitled to rely upon matters published in the FEDERAL REGISTER, and because of the possibility that persons who have relied upon such notice may be prejudiced by the lack of notice respecting Kentucky, the findings contained in the Examiner's report are herewith published to place interested persons on notice, and the issuance of a certificate authorizing such operation will be withheld for 30 days from the date of this publication during which period any interested party adversely affected may file an appropriate pleading with the Commission. In a corrected report and recommended order, served July 5, 1961, the Examiner finds that the present and future public convenience and necessity require operation by applicant as a *common carrier*, by motor vehicle, in interstate or foreign commerce, of *new furniture*, from Sumter, S.C., to points in Arkansas, Louisiana, Mississippi, Oklahoma, Kentucky, Tennessee, and Texas, over irregular routes, conditioned on this republication as set forth above.

No. MC 123166 (Sub No. 1), filed April 20, 1961. Applicant: J. N. PARADIS, LTD., 5 Tessier Street, Victoriaville, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Unfinished and unfigured veneer;* from the Port of Entry on the International Boundary line between the United States and Canada at or near Jackman, Maine, to Greenville and Bingham, Maine. RESTRICTION: Restricted to foreign commerce originating in the Province of Quebec, Canada.

HEARING: October 3, 1961, at the Senate Chamber, State House Augusta, Maine, before Joint Board 115 or if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 123260 (REPUBLICATION), filed December 5, 1960, published issue of February 15, 1961. Applicant: P. C. PARKER AND L. E. COX, a partnership, doing business as P. M. C. COMPANY, 227 West Depot Street, Greenville, Tenn. Applicant's attorney: Walter A. Curtis, Jr., Maupin, Berry & Curtis, Greeneville, Tenn. By application filed December 5, 1960, applicant sought authority as a *contract carrier*, over irregular routes, transporting: *Peppers*, in cans and barrels, from Limestone, Tenn., to points in 34 States as named in the notice of filing of the application, as published in the FEDERAL REGISTER, issue of February 15, 1961. At the hearing, Hearing Examiner Maurice S. Bush, presiding, the application was amended as to the origin point, and a report and order by the Examiner, served July 5, 1961, authorizes the transportation sought, from the plant site of Moody Dunbar, Inc., on Tennessee Highway 107, in Washington County, Tenn., approximately eight (8) miles south of Limestone, Tenn., to points in the 34 destination States. Any person or persons who might have been prejudiced by the allowance of the amendment, redesignating the point of origin, may, within 30 days from the date of this republication in the FEDERAL REGISTER, file an appropriate pleading.

NOTE: This application was the subject of a consolidated report in No. MC 113267 (Sub-No. 36).

No. MC 123335 (Sub No. 2), filed June 15, 1961. Applicant: R. E. & J. E. FRIARS LIMITED, P.O. Box 215, St. John (New Brunswick), Canada. Applicant's attorney: Francis E. Barrett, Jr., Professional Building, 25 Bryant Avenue, East Milton 86 (Boston), Mass. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from the Ports of Entry on the International Boundary line between the United States and Canada at or near Calais, Vanceboro, and Houlton, Maine to points in Maine.

NOTE: Applicant states it is under a continuing contract with L. E. Shaw, Ltd., Halifax, Nova Scotia.

HEARING: October 5, 1961, at the Senate Chamber, State House, Augusta, Maine, before Joint Board No. 115 or if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 123425 (Sub-No. 1), filed July 5, 1961. Applicant: SURBURBAN PROPANE GAS CORPORATION, P.O. Box 206, Whippany, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquefied petroleum gas*, in bulk, in tank vehicles, from the sites of the terminals on the Dixie Pipe Line (1) at Hattiesburg, Miss., to points in Alabama, Florida, and Georgia, (2) at Demopolis, Ala., to points in Alabama, Florida, Georgia, and Tennessee, (3) at Opelika, Ala., to points in Alabama, Florida, Georgia, and Tennessee, (4) at Griffin, Ga., to points in Alabama, Florida, Georgia, North Carolina, South Carolina and Tennessee, (5) at Columbia, S.C., to points in Georgia, North Carolina, South Carolina and Tennessee, (6) at Cheraw, S.C., to points in Georgia, North Carolina, South Carolina and Tennessee, (7) at Raleigh, N.C., to points in North Carolina, South Carolina, Tennessee and Virginia, and (8) from the sites of any other terminals to be established, to states within 250 miles, and *empty containers or other such incidental facilities* (not specified) used in transporting the commodities specified above, on return.

NOTE: This application is subject to the "Special Rules of Procedure for Hearing", published in the FEDERAL REGISTER, issue of July 6, 1961, in Motor Carrier Notice No. 385, dated June 30, 1961.

HEARING: September 11, 1961, at 680 West Peachtree Street NW., Atlanta, Ga., before Examiner C. Evans Brooks.

No. MC 123448, filed February 20, 1961. Applicant: RODRIGUE & RODRIGUE ENRG., a corporation, St-John de la Lande, B. P. Hamel Beauce, Quebec, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, (hardwood squares for spools), from ports of entry on the International Boundary line between the United States and Canada at or near Jackman, Maine and Rock Island, Vt., to points in Maine, New Hampshire, Vermont, Massachusetts, and Connecticut.

HEARING: October 6, 1961, at the Senate Chamber, State House, Augusta, Maine, before Examiner Samuel Horwich.

No. MC 123590, filed April 17, 1961. Applicant: RENE BUSSIERE, doing

business as BELLECHASSE TRANSPORT, ENR., St. Henri de Levis, Count de Bellechasse, Province of Quebec, Canada. Applicant's attorney: Donald J. Bourassa, 341 Water Street, Augusta, Maine. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from the International Boundary Line between the United States and Canada, at or near Jackman, Maine, and Derby Line, and Norton Mills, Vt., to points in Maine, New Hampshire, Vermont, Rhode Island, and Connecticut.

HEARING: October 6, 1961, at the Senate Chamber, State House, Augusta, Maine, before Examiner Samuel Horwich.

No. MC 123687 (Sub-No. 2), filed June 29, 1961. Applicant: ORRAN F. HOFSTETTER, Route 2, Orrville, Ohio. Applicant's attorney: Richard H. Brandon, Hartman Building, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, in bulk, in dump vehicles, from points in Carroll, Coshocton, Muskingum, Stark, Tuscarawas and Wayne Counties, Ohio, to points in Monroe County, Mich.

HEARING: September 28, 1961, at the New Post Office Building, Columbus, Ohio, before Joint Board No. 57.

No. MC 123705, filed May 29, 1961. Applicant: J. E. REDDEN, doing business as REDDEN TRANSFER COMPANY, 531 Fourth Avenue, South, Nashville, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Vacuum and cathode tubes and component parts of radio and television sets*, from Atlanta, Ga., to Hopkinsville, Ky., Cookeville, Tullahoma, Manchester, Columbia, Clarksville, and Nashville, Tenn., and (2) *Used television set picture tubes being returned for credit or reconditioning*, from the above-named destination points to Atlanta, Ga.

HEARING: September 26, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 388.

No. MC 123713, filed June 2, 1961. Applicant: HAROLD L. HANSON LTD., 485 Canada Street, Marysville, New Brunswick, Canada. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Forestry products*, from Houlton, Maine, to Boston, Mass.

HEARING: October 4, 1961, at the Senate Chamber, State House, Augusta, Maine, before Joint Board No. 69, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

No. MC 123727, filed June 7, 1961. Applicant: G. A. GROCE, P.O. Box 38, Fayetteville, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Defluorinated phosphate*, from Wales, Tenn., to points in Jefferson County, Ky., and Hamilton County, Ohio.

HEARING: September 28, 1961, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 209.

No. MC 123736, filed June 9, 1961. Applicant: THE JERRY COX COMPANY, 314–318 Main Street, Conway, S.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, from Wilmington and Acme, N.C., to points in Horry County, S.C., and *refused, damaged*, and *rejected shipments* of the above-specified commodity, on return.

NOTE: Applicant states the proposed operations are for Burroughs Company, Conway, S.C.

HEARING: September 13, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 2.

No. MC 123741, filed June 14, 1961. Applicant: GEORGE F. HAMILTON, doing business as HAMILTON'S SERVICE STATION, 205 Park Avenue, Portland, Maine. Applicant's attorney: Edward G. Hough, Casco Bank Building, Morrill's Corner, 844 Stevens Avenue, Portland, Maine. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Repossessed, wrecked, disabled, and unregistered motor vehicles, automobiles, trucks, and trailers*, with use of wrecker equipment, between points in Maine, New Hampshire, Vermont, Rhode Island, Massachusetts, and Connecticut.

HEARING: September 28, 1961, at the Federal Building, Portland, Maine, before Examiner Samuel Horwich.

No. MC 123777, filed July 5, 1961. Applicant: MICHAEL W. WOOD, Ridge Road, Fairfield, Maine. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Dairy supplies*, including *milk cartons* and *containers*, from Needham, Mass., to Waterville, Winslow, and Benton, located in Kennebec County, Maine, to Fairfield and Pittsfield, located in Somerset County, Maine, to Phillips (Franklin County), Maine, and to Milo (Piscataquis County), Maine.

HEARING: October 4, 1961, at the Senate Chamber, State House, Augusta, Maine, before Joint Board No. 69, or, if the Joint Board waives its right to participate, before Examiner Samuel Horwich.

MOTOR CARRIERS OF PASSENGERS

No. MC 13028 (Sub No. 6), filed May 19, 1961. Applicant: THE SHORT LINE, INC., 400 Fountain Street, Providence, R.I. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express mail and newspapers* in the same vehicle with passengers, between the junction of U.S. Highways 44 and 6 (near Hartford, Conn.), and the junction of Rhode Island Highway 101 and U.S. Highway 6 at North Scituate, R.I.; from junction U.S. Highways 44 and 6, over U.S. Highway 44 to its junction with Connecticut Highway 101, thence over Connecticut Highway 101 to the Connecticut-Rhode Island State line, thence over Rhode Island Highway 101 to its junction with U.S. Highway 6 at North Scituate, R.I., and return over the same route, serving all intermediate points.

HEARING: September 18, 1961, at Room 308 Main P.O. Building, Providence, R.I., before Joint Board No. 252 or if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 61599 (Sub No. 124), filed June 26, 1961. Applicant: QUEEN CITY COACH COMPANY, a corporation, 417 West Fifth Street, Charlotte, N.C. Applicant's attorney: James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, express, mail, newspapers and baggage of passengers*, in the same vehicle with passengers, between Southeastern junction of South Carolina Highways 19 and 191 south of Eureka, S.C., and Springfield, S.C.; from southeastern junction of South Carolina Highways 19 and 191 south of Eureka over South Carolina Highway 19 to Aiken, S.C.; thence over U.S. Highway 78 and South Carolina Highway 215 to their junction east of Aiken; thence over South Carolina Highway 215 to its junction with South Carolina Highway 4; thence over South Carolina Highway 4 to Springfield, and return over the same route, serving all intermediate points.

HEARING: September 14, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 177.

No. MC 109495 (Sub No. 6), filed April 14, 1961. Applicant: BURNSWICK TRANSPORTATION COMPANY, INC., Elm and Middle Streets, Brunswick, Maine. Applicant's attorney: Kenneth B. Williams, 111 State Street, Boston 9, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special operations, from Brunswick, Lewiston, Auburn, Portland, Biddeford, Kennebunk, and Sanford, Maine to Rochester and Somersworth, N.H., and return.

HEARING: October 3, 1961, at the Senate Chamber, State House, Augusta, Maine, before Joint Board No. 114 or if the Joint Board waives its right to participate before Examiner Samuel Horwich.

No. MC 109598 (Sub No. 21), filed May 15, 1961. Applicant: CAROLINA SCENIC STAGES, 217 N. Converse Street, P.O. Box 1011, Spartanburg, S.C. Applicant's attorney: Wilmer A. Hill, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, mail, newspapers, express, and baggage of passengers*, in same vehicle with passengers, between Columbia, S.C., and Orangeburg, S.C.; from Columbia over U.S. Highway 176 to junction U.S. Highway 176 and Interstate Highway 26, thence over Interstate Highway 26 to junction Interstate Highway 26 and U.S. Highway 601, thence over U.S. Highway 601 to Orangeburg, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's presently authorized operation between Columbia and Orangeburg, S.C.

NOTE: Common control may be involved.

HEARING: September 11, 1961, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 177.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 2202 (Sub-No. 218), filed June 30, 1961. Applicant: ROADWAY EXPRESS, INC., 147 Park Street, Akron 9, Ohio. Applicant's attorney: William O. Turney, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Lapeer, Mich. and Port Huron, Mich.; from Lapeer over Michigan Highway 21 to Port Huron, and return over the same route, serving no intermediate points, and with service at Port Huron for purpose of joinder only at Sarnia, Ontario.

NOTE: Applicant states that joinder will be with Canadian routes over which applicant is presently authorized to operate.

No. MC 3009 (Sub-No. 40), filed June 30, 1961. Applicant: WEST BROTHERS, INC., 706 East Pine Street, Hattiesburg, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Meridian, Miss., and junction U.S. Highway 45 and Alabama Highway 17 near Deer Park, Ala., as follows: From Meridian over Mississippi Highway 19 to the Mississippi-Alabama State line, thence over Alabama Highway 10 to Butler, Ala., thence over Alabama Highway 17 to junction U.S. Highway 45 at a point approximately one mile north of Deer Park, and return over the same route, serving no intermediate points, but serving junction Alabama Highway 17 and U.S. Highway 45 for joinder purposes only.

No. MC 22179 (Sub-No. 2), filed July 7, 1961. Applicant: DUDLEY E. FREEMAN, doing business as FREEMAN TRUCK LINE, Box 467, Oxford, Miss. Applicant's attorney: Edward G. Grogan, 1500 Commerce Title Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Batesville and Oxford, Miss.; from Batesville, over Mississippi Highway 6 to Oxford and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with carriers regular-route operations between Memphis, Tenn., and Oxford, Miss., and between Memphis, Tenn., and Grenada, Miss.

No. 137——5

No. MC 41432 (Sub-No. 85), filed July 7, 1961. Applicant: EAST TEXAS MOTOR FREIGHT LINES, INC., 623 North Washington Avenue, Dallas 10, Tex. Applicant's attorney: Hugh T. Matthews, 2130 Fidelity Union Tower, Dallas 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Ammunition* (explosive, incendiary, or gas, smoke or tear producing), *manufactured ingredients and component parts of ammunition*, and *general commodities* (except those of unusual value, explosives (other than ammunition and manufactured ingredients and component parts of ammunition as specified above), livestock, rock, gravel, sand, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of the Shell Oil Company plant, located approximately four (4) miles east of Bryan's Mill, Tex., as an off-route point in connection with applicant's authorized regular-route operations.

No. MC 112750 (Sub-No. 60) (CORRECTION), filed May 11, 1961, published issue of May 24, 1961, and republished as corrected this issue. Applicant: ARMORED CARRIER CORPORATION, 222–17 Northern Boulevard, Bayside 61, N.Y. Applicant's attorney: Paul F. Barnes, 226 S. Sixteenth Street, Suite 601, Philadelphia 2, Pa. The notice of filing of the subject application, as published in the FEDERAL REGISTER of May 24, 1961, indicated applicant's attorney as *Paul F. Sullivan*, in error. The attorney representing applicant in this proceeding is *Paul F. Barnes*. The address as shown above, is correct.

No. MC 116325 (Sub-No. 3), filed July 3, 1961. Applicant: JENNINGS BOND, doing business as, BOND ENTERPRISES, Box 185, Lutesville, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crating, lumber, pallet bins, poles, posts, skids, squares*, and *wooden pallets*, from Lutesville, Mo., and points within fifteen (15) miles thereof, to points in Illinois, Iowa, Indiana, Wisconsin, Minnesota, Kansas, Nebraska, Ohio, and Arkansas.

No. MC 123636, filed May 2, 1961. Applicant: FREIGHT HANDLERS, INC., 256 Hooper Drive, Westwood, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular ruotes, transporting: *New and used food containers, packing and packing equipment* and *materials, reconditioned containers*, and *return food commodities*, between Versailles, Conn., points in Westchester, Putnam, Nassau, and Suffolk Counties, Piermont, N.Y., and New York, N.Y., and points in Broome, Otsego, Delaware, Sullivan, Orange, and Rockland Counties, N.Y., on the one hand, and, on the other, points in Sussex, Warren, Passaic, Essex, Middlesex, Monmouth, Ocean Bergen, Atlantic, Gloucester, and Cumberland Counties, N.J.

NOTICE OF FILING OF PETITIONS

No. MC 14514 (PETITION TO REOPEN "GRANDFATHER" APPLICATION, AND FOR CLARIFICATION AND MODIFICATION OF EXISTING PERMITS), filed June 22, 1961. Petitioner: JOHN KOEHN, JR., doing business as MERCHANTS DELIVERY, 115 Wabash Court, Danville, Ill. Petitioner's attorney: Ray M. Foreman, 704–710 Baum Building, Danville, Ill. By Order dated October 25, 1937, and subsequent Orders dated February 2, 1939, July 12, 1943, and April 24, 1950, applicant was authorized to transport general commodities, meat, meat packing-house products, groceries, and such merchandise as is dealt in by mail order houses, between Chicago and Danville, Ill., and specified points in Indiana and Illinois. By petition filed June 22, 1961, petitioner requests the Commission reopen its "Grandfather" proceeding, MC 14514, and reissue the authority so as to read: "*Meat, packing-house products, groceries*, Commodities described in paragraphs (a), (b), and (c) of the appendix to the Report of the Commission in *Modification of Permits—Packing House products*, 46, M.C.C. 23, and such merchandise as is dealt in by mail order houses, over irregular routes, from Chicago, Ill., to Danville, Ill., and from Chicago and Danville, Ill., to points in Illinois and Indiana within seventy (70) miles of Danville, Ill., and Commodities described in paragraphs (a), (b) and (c) of the appendix to the report of the Commission in *Modification of Permits, Packing House Products*, 46, M.C.C. 23, over irregular routes, from Danville, Ill., to Kokomo, Ind., and points within fifteen (15) miles of Kokomo. Return with no transportation for compensation, except as otherwise authorized. Any person or persons desiring to oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file a reply to this petition, or other appropriate pleading.

NOTE: Applicant has also filed a BMC–78 application, assigned No. MC 14514 (Sub-No. 4), covering the relief sought in the above-described petition.

No. MC 22657 (PETITION FOR CHANGE OF STATUS FROM COMMON CARRIER BY MOTOR VEHICLE TO CONTRACT CARRIER BY MOTOR VEHICLE), dated June 30, 1961. Petitioner: IRVING B. RAPPAPORT, SOL RAPPAPORT, SYDNEY RAPPAPORT, AND LOUIS G. RAPPAPORT, doing business as ISIDORE RAPPAPORT & SONS, 379 Suydam Street, Brooklyn, N.Y. Petitioner's attorney: Kenneth J. McAuliffe, 233 Broadway, New York 7, N.Y. Petitioner holds Certificate No. MC 22657, dated November 22, 1941, authorizing the transportation of: *New furniture*, and *empty cans*, over irregular routes, between New York, N.Y., on the one hand, and, on the other, points in that part of New Jersey within 100 miles of Columbus Circle, New York, N.Y. Petitioners request the Commission to reopen the proceeding in No. MC 22657 and grant them a Permit as a *contract carrier* of *empty cans*, in the territory now served by petitioners in lieu of the certificate of public convenience and necessity. Any person or persons desiring to oppose the relief sought, may file a reply to this petition or other appropriate pleading, within 30 days from the

date of this publication in the FEDERAL REGISTER.

No. MC 30311 (Sub-No. 18), (PETITION FOR MODIFICATION OF CERTIFICATE), dated June 29, 1961. Petitioner: A.C.E.-FREIGHT, INC., Akron, Ohio. Petitioner's attorney: Harold G. Hernly, 1624 Eye Street NW., Washington 6, D.C. By petition dated June 29, 1961, petitioner requests the Commission remove from Sheet No. 8 of Certificate MC 30311 (Sub-No. 18) the restriction made applicable to the two specified "Alternate Routes For Operating Convenience Only" which appear at the bottom of Sheet No. 7 and at the top of Sheet No. 8 to which the said restriction applies. The specific restriction complained of reads as follows: "RESTRICTION: Service on the above-specified alternate routes is subject to the restrictions contained in the service routes described above with respect to termini and intermediate points, which are as follows: On eastbound traffic; from Cleveland, Canton, and Akron, Ohio, and points within 15 miles of Akron, to the authorized points in New York, New Jersey, Connecticut, Rhode Island, and Massachusetts. On Westbound traffic; from Newark, Bound Brook, Irvington, Rahway, Dunnellen, Passaic, Paterson, and Hackensack, N.J., Peabody, Worcester, Canton, South Braintree, Hudson, Watertown, New Bedford, Fall River, and Boston, Mass., Providence, R.I., Wallingford and Hartford, Conn., points within 15 miles of Boston, and those in the New York, N.Y., Commercial Zone, as defined by the Commission, to Cleveland, Canton, Youngstown, and Akron, Ohio, and points within 15 miles of Akron. "Service is not authorized to or from points in Pennsylvania." In lieu of said restriction, petitioner requests that there be substituted what it believes to be the proper restriction as authorized in the interpretation case, *supra*, and which is found on Sheet No. 7 of the aforesaid certificate and which restriction reads as follows: "RESTRICTION: Service to and from the termini, intermediate points, and off-route points in connection with all of the above-described routes, is limited to the transportation of traffic moving between points in Ohio at which service is specifically authorized, on the one hand, and, on the other, those points in Connecticut, Massachusetts, New Jersey, New York, and Rhode Island at which service is specifically authorized." Any person or persons desiring to oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file a reply to this petition or other appropriate pleading.

No. MC 39869 (PETITION FOR REOPENING OF "GRANDFATHER" DOCKET AND MODIFICATION OF CERTIFICATE), dated June 26, 1961. Petitioner: EDWARD A. THOMPSON, INC., 317 West 46th Street, New York 36, N.Y. Petitioner's representative: William D. Traub, 350 Fifth Avenue, New York 1, N.Y. Certificate No. MC 39869 authorizes the transportation of: *Paper, paper products,* and *wood pulp,* over irregular routes, from New York, N.Y., to Providence, R.I., Philadelphia, Allentown, Bethlehem, Easton, and Scranton, Pa., points and places in Connecticut and Massachusetts, and those in Camden, Bergen, Essex, Union, Hudson, Middlesex, Morris, Passaic, Somerset, and Warren Counties, N.J. From Elizabeth, N.J., to New York, N.Y., and places in New Jersey. *Skids* and *cores,* over irregular routes, from Providence, R.I., Philadelphia, Allentown, Bethlehem, Easton, and Scranton, Pa., and points and places in Connecticut, Massachusetts, and New Jersey to New York, N.Y., and return with no transportation for compensation except as otherwise authorized, to the above-specified origin points. By Petition dated June 26, 1961, petitioner seeks reopening of the proceeding in MC 39869 and modification of the certificate so as to authorize transportation as follows: *Paper, paper products,* and *wood pulp,* over irregular routes, (1) from New York, N.Y., to Providence, R.I., Philadelphia, Allentown, Bethlehem, Easton, and Scranton, Pa., and points in Connecticut and Massachusetts, (2) from Elizabeth, N.J., to New York, N.Y., and points in New Jersey, and (3) between points in the New York, N.Y., Commercial Zones as defined by the Commission, on the one hand, and, on the other, points in Camden, Bergen, Essex, Hudson, Union, Middlesex, Morris, Passaic, Somerset, and Warren Counties, N.J., and Nassau, Suffolk, and Westchester Counties, N.Y. *Skids* and *cores,* over irregular routes, from Providence, R.I., Philadelphia, Allentown, Bethlehem, Easton, and Scranton, Pa., and points in Connecticut, Massachusetts, and New Jersey to New York, N.Y. Petitioner has also filed a BMC 78 application covering the relief sought as above described. Any person or persons desiring to oppose the relief sought, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file a reply to this petition, or other appropriate pleading.

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

No. MC 114238 (Sub-No. 5), filed July 13, 1961. Applicant: OHIO SOUTHERN EXPRESS, INC., 630 14th Street NW., Atlanta 18, Ga. Applicant's attorneys: Guy H. Postell, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga., and George S. Maxwell, 1032 Standard Building, Cleveland 13, Ohio. Authority sought to operate as a *common carrier,* by motor vehicle, over regular and irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), REGULAR ROUTES: (1) From Ceylon Junction, Ohio, over Ohio Highway 2 to Cleveland, and return over the same route, serving all intermediate points. (2) Also from Ceylon Junction, Ohio, over Ohio Highway 61 to junction Ohio Highway 113, thence over Ohio Highway 113 to Cleveland, Ohio, and return over the same routes, serving all intermediate points. (3) Between Vermilion, Ohio, and the intersection of Ohio Highway 60 and Ohio Highway 113, over Ohio Highway 60, serving all intermediate points. (4) Between Lorain, Ohio, and South Amherst, Ohio, as follows: From Lorain over Oberlin Avenue to Northridge Road, thence over Northridge Road to Amherst, Ohio, thence over South Amherst Road to Ohio Highway 113, thence over Ohio Highway 113 to South Amherst, Ohio, and return over the same route, serving all intermediate points. (5) Between Lorain, Ohio, and Elyria, Ohio, over Ohio Highway 57, serving all intermediate points. *RESTRICTIONS:* Applicant indicates the above-described operations are restricted against the transportation of commodities originating in Lorain and consigned to Elyria, and originating in Elyria and consigned to Lorain, over Ohio Highway 57 or over Northbridge and South Amherst Roads and Ohio Highway 113. Further restricted against picking up or delivering shipments at any point on U.S. Highway 6 and Ohio Highway 61 intermediate to Vermilion and Berlin Heights, Ohio. IRREGULAR ROUTES: Between Vermilion, Ohio, on the one hand, and, on the other, all points in Ohio.

NOTE: This application is directly related to MC–F–7919. The above-described routes are contained in Docket No. MC 99889, a filing under the second proviso of section 206(a)(1) of the Act.

APPLICATIONS UNDER SECTION 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC–F 7738. (NORTH AMERICAN VAN LINES, INC.—PURCHASE (PORTION)—RICHARD F. McCABE), published in the December 21, 1960, issue of the FEDERAL REGISTER on page 13155. Amendment filed July 10, 1961, to show joinder of THE J. M. BARBE CO., 470 South St. SE., Warren, Ohio, GEO. M. CLANCY CARTING CO., INC., 8 Circle St., Rochester, N.Y., FEDERAL STORAGE WAREHOUSES, 155 Washington St., Newark, N.J., THE WM. FRIDRICH MOVING & STORAGE CO., 2023 Ferndale Ave., Lakewood, Ohio, THE HAMPDEN TRANSFER & STORAGE CO., 3630 Falls Rd., Baltimore, Md., HOEVELER TRANSPORTATION CO., 2318 Clearview Rd., Pittsburgh, Pa., I–GO VAN & STORAGE CO., 112 S. 54th, Omaha, Nebr., EDWARD DAIGLER, doing business as KENMORE MOVING & STORAGE CO., 16 Lincoln Blvd., Kenmore 17, N.Y., KOTT STORAGE & VAN CO., INC., 6645 Stanley Ave., Berwyn, Ill., LINCOLN STORAGE OF BUFFALO, INC., 1109 Niagara St., Buffalo, N.Y., LOUDERBACK TRANSPORTATION CO., 5909 Torresdale Ave., Philadelphia, Pa., MERCHANTS TRANSFER & STORAGE CO., San Antonio, Texas, TOM MUNDAY,

INC., 6 NE. 6th St., Oklahoma City, Okla., JOHN MURPHY, WILLIAM MURPHY, and THOMAS MURPHY, doing business as MURPHY BROTHERS, 91 East Main St., Mt. Kisco, N.Y., ARTHUR NAGLEE, doing business as NAGLEE MOVING & STORAGE, 208 Horseheads Blvd., Elmira Heights, N.Y., ALBERT N. ROHLEDER, 432 Fairmount Ave., Meadville, Pa., THOMAS GREGORY SHEA, GEORGE ARCHER, JR., and KATHERINE L. SHEA, doing business as HUGH SHEA & SONS, 174 Harrison Ave., Harrison, N.Y., CHARLES STIERLEN, doing business as STIERLEN'S MOVING & STORAGE, 65 Brookside Ave., Nyack, N.Y., WEIL FIREPROOF WAREHOUSE, 2535 Vine St., Cincinnati, Ohio, RICHARD H. BURESH, 407 Second St. SE., Cedar Rapids, Iowa, JACOB R. CECIL, 1102 13th St., Lorain, Ohio, IDA L. GARVEY and CYRIL P. GARVEY, 86 East North St., Buffalo 3, N.Y., RICHARD L. HILLING, 1005 South Q St., Richmond, Ind., GAIL MARKS, Cambridge, Ohio JAMES A. NEVIL, 1660 Mission St., San Francisco, Calif., HARRY R. RAFFERTY, ALEX RAFFERTY, JR., and MICHAEL J. RAFFERTY, 26 South First St., Highland Park, Ill., CHARLES WEAVER and GRACE WEAVER, 539 N. Front St., Steelton, Pa., CHARLES J. WILSON or ELIZABETH WILSON, 390 Elm St., Buffalo, N.Y., WILLIAM H. WILSON, Buffalo, N.Y., and EDWARD F. SIMARD, Corner Third & Wade Sts., Fall River, Mass., as parties in control of NORTH AMERICAN VAN LINES, INC.

No. MC–F 7915. Authority sought for purchase by LEATHAM BROTHERS, INC., 46 Orange St., Salt Lake City, Utah, of the operating rights of JAMES G. ROUSE, 6555 S. E. Alberta, Portland, Oreg., and for acquisition by CHARLES LEATHAM and JACK LEATHAM, both of Wellsville, Utah, and WM. LeROY LEATHAM, Bountiful, Utah, of control of such rights through the purchase. Applicants' attorney: Harry D. Pugsley, 721 Continental Bank Bldg., Salt Lake City 1, Utah. Operating rights sought to be transferred: *Lumber*, as a *contract carrier* over irregular routes, from points in Oregon to points in Utah, and from points in Ada County, Idaho to points in Deschutes County, Oregon. Vendee is authorized to operate as a *common carrier* in Oregon, Utah and Idaho. Application has been filed for temporary authority under section 210a(b).

No. MC–F 7916. Authority sought for purchase by GEM CARTAGE COMPANY, 1705 Porter, Detroit 16, Mich., of the operating rights and property of HOWARD J. CONLIN, an individual, doing business as GEM CARTAGE COMPANY, 1705 Porter, Detroit 16, Mich., and for acquisition by HOWARD J. CONLIN, also of Detroit, Mich., of control of such rights and property through the purchase. Applicants' attorney: Eugene C. Ewald, 2150 Guardian Bldg., Detroit 26, Mich. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between Detroit, Mich., and Mount Clemens, Mich., serving all intermediate points, and the off-route point of Saint Clair Shores, Mich. Vendee holds no authority from this Commission. However, HOWARD J. CONLIN is employed as Vice President and General Manager of EARL C. SMITH, INC., 1428 4th St., Port Huron, Mich., which is authorized to operate as a *common carrier* in Michigan, and also under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act, in the State of Michigan. Application has not been filed for temporary authority under section 210a(b).

No. MC–F 7917. Authority sought for merger into EASTERN EXPRESS, INC., 1450 Wabash Ave., Terre Haute, Ind., of the operating rights and property of BROWN & POLLACK MOTOR LINES, INC., 338 State St. Extension, Fairfield, Conn., and for acquisition by WILSON M. HOUSE, 4605 Wabash Ave., Terre Haute, Ind., of control of such rights and property through the transaction. Applicants' representative: M. S. Fetter, Secy-Treas., Eastern Express, Inc., 1450 Wabash Ave., Terre Haute, Ind. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes between New York, N.Y., and New Haven, Conn., between Bridgeport, Conn., and New Haven, Conn., between New Haven, Conn., and Norwich, Conn., and between Derby, Conn., and Waterbury, Conn., serving certain intermediate and off-route points; *general commodities*, with the above exceptions, in truckload lots only, over irregular routes from New York, N.Y., to Springfield, Mass.; *general commodities*, with the above exceptions, between New York, N.Y., on the one hand, and, on the other, points in Essex, Union, Hudson and Middlesex Counties, N.J.; *scrap materials*, from New Haven, Bridgeport, Derby, Torrington, Norwich and Hamden, Conn., to Perth Amboy, Carteret, and Rahway, N.J. EASTERN EXPRESS, INC., is authorized to operate as a *common carrier* in Illinois, Ohio, Pennsylvania, New York, New Jersey, Missouri, Indiana, Maryland, West Virginia, Kentucky, Michigan, Iowa and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F 7918. Authority sought for purchase by BE–MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis 15, Mo., of the operating rights of HARRY A. ASCHAN, an individual, doing business as ACME FREIGHT AND TRANSFER CO., 216 N. Water St., Rockford, Ill., and for acquisition by GEORGE R. GOODE and P. W. GOODE, both of 7400 North Broadway, St. Louis 15, Mo., of control of such rights through the purchase. Applicants' attorney: Charles M. M. Shepherd, 20 S. Central, Clayton 5, Mo. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, between Rockford, Ill., and certain points in Illinois, and between Rockford, Ill., and Richmond, Ill., serving all intermediate points and certain off-route points; and between points in Illinois for operating convenience only. Vendee is authorized to operate as a *common carrier* in Indiana, Wisconsin, Illinois, Missouri, and Oklahoma. Application has been filed for temporary authority under section 210a(b).

No. MC–F–7919. Authority sought for purchase by OHIO SOUTHERN EXPRESS, INC., 630 14th Street NW., Atlanta 18, Ga., of the operating rights of VERMILION TRUCK LINE, INC., (CHARLES M. HYMAN, TRUSTEE IN BANKRUPTCY), 124 N. Maple St., Elyria, Ohio, and for acquisition by W. D. BUFFALOE, 10 Blanche St. NW., Atlanta, Ga., of control of such rights through the purchase. Applicants' attorneys: Guy H. Postell, Suite 693, 1375 Peachtree St., NE., Atlanta 9, Ga., and George S. Maxwell, 1032 Standard Bldg., 1370 Ontario St., Cleveland 13, Ohio. Operating rights sought to be transferred: Operations under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act, in the State of Ohio, in the transportation of *general commodities*, with exceptions, including household goods and commodities in bulk, as a *common carrier* over (1) regular routes between (a) Ceylon Junction and Cleveland, Ohio, (b) Lorain and South Amherst, Ohio, (c) Lorain and Elyria, Ohio, and (d) Vermilion and junction Ohio Highways 60 and 113, and (2) over irregular routes, between Vermilion, on the one hand, and, on the other, points in Ohio. Vendee is authorized to operate as a *common carrier* in Georgia, West Virginia, Ohio, Pennsylvania, and Tennessee. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC–114238 Sub 5 is a matter directly related.

By the Commission.

[SEAL] HAROLD D. McCOY, *Secretary.*

[F.R. Doc. 61–6769; Filed, July 18, 1961; 8:49 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JULY 14, 1961.

Protests to the granting of an application must be prepared in accordance with Rule 40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

LONG-AND-SHORT HAUL

FSA No. 37261: *TOFC service—Paper articles from and to southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B–8051), for interested rail carriers. Rates on paper and paper articles, as described in the application, loaded in trailers and transported on railroad flat cars, from points in Minnesota and Wisconsin to points in southwestern territory; also from points in Arkansas, Louisiana, and Texas, to points in western trunk-line territory.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 113 to Southwestern Freight Bureau tariff I.C.C. 4312.

FSA No. 37262: *TOFC service—Iron and steel articles to southwestern territory.* Filed by Southwestern Freight Bureau, Agent (No. B–8052), for interested rail carriers. Rates on iron and steel articles, as described in the application, loaded in trailers and transported on railroad flat cars, from Atlanta, Ga., and points grouped therewith, also Birmingham, Ala., and points grouped therewith, to points in southwestern territory.

Grounds for relief: Motor-truck competition.

Tariff: Supplement 22 to Southwestern Freight Bureau tariff I.C.C. 4368.

FSA No. 37263; *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 409), for interested rail carriers. Rates on glass fibre fabric and cathode ray tubes, both in carloads and less-than-carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Interstate rates and maintenance of rates from and to points in other states not subject to the same competition.

Tariff: Supplement 10 to Texas-Louisiana Freight Bureau tariff I.C.C. 935.

AGGREGATE-OF-INTERMEDIATES

FSA No. 37264: *Commodities between points in Texas.* Filed by Texas-Louisiana Freight Bureau, Agent (No. 410), for interested rail carriers. Rates on glass fibre fabric and cathode ray tubes, and other commodities named in the application in carloads and less-than-carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Maintenance of depressed rates established to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 10 to Texas-Louisiana Freight Bureau tariff I.C.C. 935.

By the Commission.

[SEAL] HAROLD D. MCCOY, *Secretary.*

[F.R. Doc. 61–6758; Filed, July 18, 1961; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1–2787]

BARNHART-MORROW CONSOLIDATED

Notice of Application to Strike from Listing and Registration and of Opportunity for Hearing

JULY 13, 1961.

In the matter of BARNHART-MORROW CONSOLIDATED, Common Stock File No. 1–2787.

Pacific Coast Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2–1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: The Exchange suspended the stock October 11, 1960, in view of unsatisfactory financial statements, and is now informed that registrar facilities have been discontinued.

Upon receipt of a request, on or before July 28, 1961 from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6742; Filed, July 18, 1961; 8:46 a.m.]

[File No. 1–14]

BROCK AND CO.

Notice of Application to Strike from Listing and Registration and of Opportunity for Hearing

JULY 13, 1961.

In the matter of Brock & Company, Common Stock, File No. 1–14.

Pacific Coast Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2–1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: The company has only 7 stockholders, and only 7,000 outstanding shares.

Upon receipt of a request, on or before July 28, 1961 from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6743; Filed, July 18, 1961; 8:46 a.m.]

[File No. 7–2154]

CHADBOURN GOTHAM, INC.

Notice of Application for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 13, 1961.

In the matter of application of the Philadelphia-Baltimore Stock Exchange for unlisted trading privileges in a certain security.

The above named national securities exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of the following company, which security is listed and registered on one or more other national securities exchanges: Chadbourn Gotham, Inc., File 7–2154.

Upon receipt of a request, on or before July 28, 1961, from any interested person, the Commission will determine whether the application shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on the said application by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing, this application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6744; Filed, July 18, 1961; 8:46 a.m.]

[File No. 24W–2491]

INTERCONTINENTAL MOTELS, LTD.

Notice and Order for Hearing

JULY 13, 1961.

I. Intercontinental Motels, Ltd. (issuer), a Delaware corporation, located at Towne House Motor Lodge, Post Office Box 1061, Martinsville, Virginia, filed with the Commission on March 28, 1961,

a notification on Form 1–A and an offering circular in connection with a proposed offering of 150,000 shares of $.10 par value common stock at $2 per share, for the purpose of obtaining an exemption from the registration requirements of the Securities Act of 1933, as amended, pursuant to the provisions of Regulation A, promulgated under section 3(b) of the Act.

II. On July 5, 1961, the Commission issued an order pursuant to Rule 261 of the general rules and regulations under the Securities Act temporarily suspending the exemption under Regulation A and affording any person having an interest in this filing an opportunity to request a hearing. A written request for hearing was received by the Commission.

The Commission deeming it necessary and appropriate that a hearing be held for the purpose of determining whether it should vacate the temporary suspension order or enter an order permanently suspending the exemption.

It is hereby ordered, Pursuant to Rule 261 of the general rules and regulations under the Securities Act, that a hearing be held at 10:00 a.m., e.d.s.t., on July 31, 1961, at the Main Office of the Commission, 425 Second Street NW., Washington 25, D.C., with respect to the following matters and questions, without prejudice, however, to the specification of additional issues which may be presented in these proceedings:

A. Whether the offering circular of the issuer contains untrue statements of material facts and omits to state material facts necessary to make the statements made, in the light of the circumstances under which they were made, not misleading, particularly with respect to:

1. The failure to state reasons and conditions, including problems surrounding the existence of a builder's lien and the recasting of the mortgage, which may prevent the issuer's plan of reorganization for Fleetwood Motel Corporation from being accepted by the stockholders and the creditors of the debtor, Fleetwood Motel Corporation, the trustee or the bankruptcy court.

2. The failure to state fully the procedure which the issuer would have to follow in order to obtain binding acceptance of its reorganization plan.

3. The failure to disclose the existence of foreseeable events and reasons which would result in rejection of the issuer's plan of reorganization or the acceptance of another plan.

4. The failure to disclose that the trustee had filed a report which indicated that he had found that he could not recommend any of the proposals before him.

5. The statement that the issuer's plan of reorganization was "presently before the court for consideration by the shareholders and creditors of the bankrupt".

B. Whether the offering and sale of the issuer's securities violated section 17 (a) of the Securities Act of 1933.

III. *It is further ordered,* That Sidney Gross, or any officer or officers of the Commission designated by it for that purpose, shall preside at the hearing and any officer or officers so designated to preside at any such hearing are hereby authorized to exercise all of the powers granted to the Commission under sections 19(b), 21 and 22(c) of the Securities Act of 1933, as amended, and to hearing officers under the Commission's rules of practice.

It is further ordered, That the Secretary of the Commission shall serve a copy of this order by registered mail to Intercontinental Motels, Ltd., that notice of the entering of this order shall be given to all other persons by a general release of the Commission and by publication in the FEDERAL REGISTER. Any person who desires to be heard, or otherwise wishes to participate in the hearing, shall file with the Secretary of the Commission on or before July 28, 1961, a request relative thereto as provided in Rule 9(c) of the Commission's rules of practice.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6745; Filed, July 18, 1961; 8:46 a.m.]

[File No. 1–3456]

MINDANAO MOTHER LODE MINES, INC.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

JULY 13, 1961.

In the matter of Mindanao Mother Lode Mines, Inc., Capital Stock, File No. 1–3456.

Pacific Coast Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2–1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Mining operations ceased in September 1958. The stock has been suspended from dealings on the Exchange since March 6, 1959.

Upon receipt of a request, on or before July 28, 1961, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6746; Filed, July 18, 1961; 8:46 a.m.]

[Files 7–2148—7–2153]

NEW YORK CENTRAL RAILROAD CO. (DELAWARE)

Notice of Applications for Unlisted Trading Privileges and of Opportunity for Hearing

JULY 13, 1961.

In the matter of applications of the stock exchanges listed below for unlisted trading privileges in a certain security.

The below named national securities exchanges have filed applications with the Securities and Exchange Commission pursuant to section 12(f)(2) of the Securities Exchange Act of 1934 and Rule 12f–1 thereunder, for unlisted trading privileges in the common stock of New York Central Railroad Company (Delaware), which is listed and registered on two national securities exchanges:

Cincinnati Stock Exchange, File 7–2148.
Philadelphia-Baltimore Stock Exchange, File 7–2149.
Pittsburgh Stock Exchange, File 7–2150.
Boston Stock Exchange, File 7–2151.
Pacific Coast Stock Exchange, File 7–2152.
Detroit Stock Exchange, File 7–2153.

Upon receipt of a request, on or before July 28, 1961, from any interested person, the Commission will determine whether any of the applications shall be set down for hearing. Any such request should state briefly the nature of the interest of the person making the request and the position he proposes to take at the hearing, if ordered. In addition, any interested person may submit his views or any additional facts bearing on any of the said applications by means of a letter addressed to the Secretary, Securities and Exchange Commission, Washington 25, D.C., not later than the date specified. If no one requests a hearing with respect to any particular application, such application will be determined by order of the Commission on the basis of the facts stated therein and other information contained in the official files of the Commission pertaining thereto.

By the Commission.

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 61–6747; Filed, July 18, 1961; 8:46 a.m.]

[File No. 1–4032]

UNITED CUBAN OIL, INC.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

JULY 13, 1961.

In the matter of United Cuban Oil Inc., Common Stock, File No. 1–4032.

Pacific Coast Stock Exchange has filed an application with the Securities and Exchange Commission pursuant to section 12(d) of the Securities Exchange Act of 1934 and Rule 12d2–1(b) promulgated thereunder, to strike the specified security from listing and registration thereon.

The reasons alleged in the application for striking this security from listing and registration include the following: Registrar and transfer facilities have been terminated, in contravention of the rules of the Exchange.

Upon receipt of a request, on or before July 28, 1961, from any interested person for a hearing in regard to terms to be imposed upon the delisting of this security, the Commission will determine whether to set the matter down for hearing. Such request should state briefly the nature of the interest of the person requesting the hearing and the position he proposes to take at the hearing with respect to imposition of terms. In addition, any interested person may submit his views or any additional facts bearing on this application by means of a letter addressed to the Secretary of the Securities and Exchange Commission, Washington 25, D.C. If no one requests a hearing on this matter, this application will be determined by order of the Commission on the basis of the facts stated in the application and other information contained in the official files of the Commission pertaining to the matter.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 61–6748; Filed, July 18, 1961; 8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30–X–21 (Revision 1)]

CHIEF, LOAN PROCESSING SECTION

Delegation Relating to Financial Assistance and Administrative Functions

I. Pursuant to the authority delegated to the Chief, Financial Assistance Division by Delegation of Authority 30–X–1 (Revision 2) (25 F.R. 4939), there is hereby redelegated to the Chief, Loan Processing Section, Dallas, Regional Office, Small Business Administration, the authority:

A. *Financial assistance.* 1. To approve but not decline the following types of loans:

a. Disaster Loans in amounts not exceeding $20,000.

b. Limited Loan Participation Loans in amounts not exceeding $15,000.

c. Direct Business Loans in amounts not exceeding $20,000.

d. Loans under SL program in amounts not exceeding $12,000.

e. Participation Business Loans in amounts not exceeding $100,000, if participating institution's share is at least 25 percent.

f. Participation Business Loans in amounts not exceeding $20,000 if participating institution's share is less than 25 percent.

2. To cancel, reinstate, modify and amend authorizations for business or disaster loans.

3. To extend the disbursement period on all loan authorizations or undisbursed portions of loans.

4. To take the following actions in the Administration of fisheries' loans:

a. Amend loan authorizations.

b. Extend the period of disbursement of loans of $50,000 or less for a period not to exceed four months.

c. Amend the hull insurance provision of any authorization issued prior to January 31, 1958, for a loan of $20,000 or less.

d. Cancel loan authorizations prior to disbursement upon the written request of the applicant.

B. *Administrative.* To approve annual and sick leave, except advanced annual and sick leave, for employees under his supervision.

II. All authority delegated herein may not be redelegated.

III. All authority delegated herein may be exercised by any SBA employee designated as Acting Chief, Loan Processing Section.

IV. All previous authority delegated by the Chief, Financial Assistance Division to the Chief, Loan Processing Section is hereby rescinded without prejudice to actions taken under all such delegations of authority prior to the date hereof.

Effective date. June 14, 1961.

A. W. BUCHEK,
Chief, Financial Assistance Division, Dallas Regional Office.

[F.R. Doc. 61–6749; Filed, July 18, 1961; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

3 CFR

Page

EXECUTIVE ORDERS:
- Nov. 12, 1911 — 6303
- 4778 — 6243
- 5289 — 6242
- 5589 — 6303
- 6734 — 6243
- 8344 — 5926
- 10949 — 5918
- 10951 — 5918

PRESIDENTIAL DOCUMENTS OTHER THAN PROCLAMATIONS AND EXECUTIVE ORDERS:
- Reorganization Plan 8, 1950 — 6191
- Reorganization Plan 13, 1950 — 5989
- Reorganization Plan 3, 1961 — 5989
- Reorganization Plan 4, 1961 — 6191

5 CFR

6 — 5990, 6013, 6069, 6323, 6411, 6471

6 CFR

421 — 6121, 6263
427 — 5945, 6192
464 — 6430
517 — 6013
540 — 5945

7 CFR

27 — 5945
28 — 5945
68 — 5945
81 — 6471
301 — 6264
401 — 6291, 6292
723 — 6411, 6414
725 — 6419
727 — 6424
728 — 6193
730 — 6193
750 — 6194
775 — 6014
820 — 6194
913 — 5952
922 — 5952, 6121, 6229, 6324, 6471
934 — 5953
936 — 5954, 6293, 6294, 6428
937 — 5990, 6069
953 — 5954, 6122, 6325
957 — 6014
959 — 6229
969 — 6325, 6428
989 — 6230
992 — 5954
1017 — 6195
1018 — 6069
1031 — 5955
1067 — 6326

PROPOSED RULES:
- 51 — 6201, 6478
- 81 — 5958
- 901 — 6201
- 915 — 6201
- 935 — 6201
- 943 — 6452
- 953 — 6274
- 998 — 6479
- 1008 — 6029
- 1013 — 6201
- 1026 — 6085, 6367
- 1027 — 6103
- 1030 — 6450
- 1068 — 6274

9 CFR

Page

74 — 5956, 6071
77 — 6013
131 — 6071
151 — 6071

PROPOSED RULES:
- 74 — 5958
- 84 — 6247

12 CFR

220 — 6073
221 — 6073
545 — 6429

13 CFR

122 — 5956

PROPOSED RULES:
- 107 — 6155

14 CFR

302 — 6122, 6231, 6472
406 — 6123
415 — 6123
507 — 5928, 6074, 6196, 6265
514 — 6442
600 — 6231–6233, 6326, 6327
601 — 6232–6238, 6326, 6327, 6443
608 — 6197, 6233, 6238
609 — 5928, 5929, 5935, 5940, 6444
610 — 5991
1204 — 6124

PROPOSED RULES:
- 60 — 6001, 6129
- 287 — 6479
- 302 — 6306
- 600 — 5959, 6103–6106, 6307, 6367, 6453, 6454
- 601 — 5959, 5960, 6105–6109, 6129, 6307, 6481
- 602 — 6109, 6110
- 1245 — 6368

15 CFR

384 — 6265

16 CFR

3 — 6015, 6472
4 — 6016, 6472
13 — 5994, 5995, 6022, 6023, 6075–6079, 6265–6269, 6294

17 CFR

230 — 6272
279 — 6024

18 CFR

PROPOSED RULES:
- 13 — 6368
- 260 — 6001

19 CFR

6 — 6024, 6324
8 — 6197, 6473
10 — 6239

PROPOSED RULES:
- 16 — 5958

20 CFR

336 — 6270

21 CFR

8 — 5919
17 — 6079
25 — 5919
51 — 5919, 6080
120 — 5919

21 CFR—Continued

Page

121 — 5920, 6025, 6080, 6197, 6239, 6240, 6270–6272, 6323, 6429, 6473
141b — 5920
141c — 6025
141d — 5920, 6026
141e — 5920, 6198
146 — 6026
146a — 6430
146b — 5920
146c — 6025, 6430
146d — 5920
146e — 6198
147 — 5923, 6924

PROPOSED RULES:
- 20 — 6305
- 120 — 5959, 6031, 6129, 6453
- 121 — 5959, 6217, 6305
- 305 — 6001

22 CFR

41 — 6441
42 — 6441

24 CFR

221—222 — 6327, 6330
225—226 — 6332
232—233 — 6332, 6333
235 — 6334
237 — 6334
241—244 — 6336, 6337
251—254 — 6337, 6338, 6340
261—264 — 6341, 6342, 6344, 6348
266—269 — 6351, 6352, 6354, 6362
282 — 6362
292a — 6363
294 — 6363

25 CFR

PROPOSED RULES:
- 31 — 6305
- 34 — 6476
- 221 — 6032
- 233 — 6085

28 CFR

50 — 6026

29 CFR

PROPOSED RULES:
- 4 — 6367
- 511—791 — 6127, 6305
- 522 — 6274
- 694 — 6128

32 CFR

264 — 6473
543 — 6294
578 — 6434

32A CFR

OCDM (CH. I):
- DMO VII–7 — 5996

US/C (CH. VII):
- T–1 — 5927

33 CFR

19 — 5996
203 — 6273
204 — 6125
207 — 6273

36 CFR

PROPOSED RULES:
- 1 — 6085

38 CFR

Page

3 6473
36 6473

39 CFR

1—204 ..... 6198, 6364
111 ..... 6125, 6198
112 6125
131 6125
168 6125

PROPOSED RULES:

51 6029

41 CFR

1–1 6364
2–3 6125
5–1 6199
7–1 6295
7–2 6296
7–3 6296
7–6 6298
7–7 6298
7–12 6299
7–16 6300

43 CFR

PROPOSED RULES:

63 6476

PUBLIC LAND ORDERS:

225 ..... 5925, 6242
253 6304
255 5926
317 6003
922 6003
1374 6303
2411 5924

43 CFR—Continued

Page

PUBLIC LAND ORDERS—Continued

2412 5924
2413 5924
2414 5925
2415 5925
2416 5926
2417 5926
2418 5926
2419 5927
2420 5927
2421 5996
2422 6080
2423 6240
2424 6241
2425 6242
2426 6242
2427 6243
2428 6302
2429 6303
2430 6303
2431 6303
2432 6304
2433 6364
2434 6474

46 CFR

2 5996
35 5997
78 5997
97 5997
136 5998
154 5998
167 5998
171 5999

46 CFR—Continued

Page

201 6304
235 6431
244 6080

47 CFR

1 6027
2 ..... 6243, 6475
3 ..... 6275, 6308–6310
12 6430
51 6244

PROPOSED RULES:

2 6033
3 ..... 6129, 6130, 6482
4 6033
7 6034
9 ..... 6034, 6248
10 ..... 6034, 6035
11 6034
15 6035
16 6034
31 6482
33 6482

49 CFR

95 ..... 6027, 6433
170 6365
174a 6365
176 5956
190 6028

PROPOSED RULES:

73 6483

50 CFR

32 ..... 5999, 6000, 6083, 6084
33 6084