

FEDERAL REGISTER

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Labor

Effective upon publication in the FEDERAL REGISTER, paragraph (f)(1) is added to § 6.113 as set out below.

§ 6.113 Department of Labor.

* * * * *

(f) President's Commission on the Status of Women.

(1) All positions on the staff of the President's Commission on the Status of Women established by Executive Order 10980 of December 14, 1961.

(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. 62-255; Filed, Jan. 9, 1962;
8:52 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Department of Commerce

Effective upon publication in the FEDERAL REGISTER, subparagraph (2) is added to paragraph (i) of § 6.312 as set out below.

§ 6.312 Department of Commerce.

* * * * *

(i) Patent Office. * * *

(2) Assistant to the Commissioner.

(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. 62-256; Filed, Jan. 9, 1962;
8:52 a.m.]

PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

Post Office Department

Effective upon publication in the FEDERAL REGISTER, subparagraph (5) of paragraph (f) of § 6.309 is amended as follows:

§ 6.309 Post Office Department.

* * * * *

(f) Bureau of Operations. * * *

(5) Two Deputy Assistant Postmasters General.

(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. 62-257; Filed, Jan. 9, 1962;
8:52 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Programs, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th General Rev. of Export Regs.; Amdt. No. 56; Correction]

PART 385—EXPORTATIONS OF TECHNICAL DATA

Correction

In item 3 of Amendment No. 56 (§ 385.2, 26 F.R. 12763), the listing in subparagraph (4) (i) (b) of "oco process" is corrected to read "oxo process."

In subparagraph (4) (iii) of § 385.2 the reference to "U.S. Post Office" is corrected to read "United States Patent Office."

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023, E.O. 10945, 26 F.R. 4487)

F. D. HOCKERSMITH,
Acting Director,
Office of Export Control.

[F.R. Doc. 62-241; Filed, Jan. 9, 1962;
8:50 a.m.]

Title 7—AGRICULTURE

Chapter VII—Agricultural Stabilization and Conservation Service (Agricultural Adjustment), Department of Agriculture

[Amdt. No. 17]

PART 728—WHEAT

Subpart—Regulations Pertaining to Farm Acreage Allotments for 1960 and Subsequent Crops of Wheat

Basis and purpose. This amendment is issued to redesignate subparagraph (8) of § 728.1017b(b) as subparagraph (7). This amendment is required because subparagraph (6) was deleted and subparagraph (7) was designated subparagraph (6) by amendment 14 published in Federal Register Doc. 61-10266 (26 F.R. 10095). Subparagraph (8) was not redesigned. Since this amendment is for the purpose of providing the proper numbering of subparagraphs of § 728.1017b(b), compliance with the public notice, procedure and 30-day effective date provisions of section 4 of

the Amendment Procedure Act is impracticable and contrary to the public interest. Therefore, the amendment shall become effective upon its publication in the FEDERAL REGISTER.

Section 728.1017b(b) is amended by redesignation of subparagraph "(8)" as subparagraph "(7)."

(Secs. 334, 375, 377, 52 Stat. 53, as amended, 66, 71 Stat. 592, as amended; 7 U.S.C. 1334, 1375, 1377)

Effective date: Upon publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 5, 1962.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-274; Filed, Jan. 9, 1962;
8:55 a.m.]

Title 16—COMMERCIAL PRACTICES

Chapter I—Federal Trade Commission

[Docket 8249 c.o.]

PART 13—PROHIBITED TRADE PRACTICES

Neiman-Marcus Company

Subpart—Advertising falsely or misleadingly: § 13.155 Prices: § 13.155-40 Exaggerated as regular and customary; § 13.155-45 Fictitious marking; § 13.155-70 Percentage savings.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; sec. 8, 65 Stat. 179; 15 U.S.C. 45, 69f) [Cease and desist order, Neiman-Marcus Company, Dallas, Tex., Docket 8249, Sept. 28, 1961]

Consent order requiring a Dallas, Tex., department store to cease violating the Fur Products Labeling Act by advertising fictitious amounts as the usual prices for fur products in newspapers, through use of the term "comparable value" or the word "originally" with a larger figure followed by a purportedly reduced sale price; by representing prices falsely as "40% off" and "reductions— $\frac{1}{3}$ to $\frac{1}{2}$ off"; and by failing to keep adequate records as a basis for pricing claims.

The order to cease and desist is as follows:

It is ordered, That Neiman-Marcus Company, a corporation, and its officers, and respondent's representatives, agents and employees, directly or through any corporate or other device, in connection with the introduction into commerce, or the sale, advertising, or offering for sale in commerce, or the transportation or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transporta-

RULES AND REGULATIONS

Title 18—CONSERVATION
OF POWERChapter I—Federal Power
Commission

[Docket No. R-204; Order No. 240]

PART 154—RATE SCHEDULES AND
TARIFFSIndependent Producers of Natural
Gas—Form of Filing for Rate In-
creases

JANUARY 4, 1962.

The Commission has under consideration in this proceeding the adoption of a single-page form for use by small independent producers (and in certain cases large producers) in submitting for filing proposed changes in rates pursuant to section 4(d) of the Natural Gas Act. The use of the form will obviate, in most cases, the submission of the full supporting statement now required, thereby lessening the burdens incident to rate filings.

In essence, the amendments to the regulations herein adopted provide that:

(1) Small producers, who sold 5,000,-000 Mcf, or less, of gas in interstate commerce annually, in each year of their operations during the preceding five years will use the form without a further supporting statement for any proposed contractual rate change.

(2) Producers who sold more than 5,000,000 Mcf of gas in interstate commerce annually in any year during the preceding five years and are proposing a contractual rate level equal to, or less than, the applicable area price level for increased rates shall submit the information required by the form but need not submit any additional supporting statement.

(3) Producers who sold more than 5,000,000 Mcf of gas in interstate commerce annually in any year during the preceding five years and are proposing a contractual rate change to a level exceeding the announced applicable area rate level and all producers proposing an ex parte or unilateral rate change shall submit the information required by the form and a full supporting statement.

The Commission finds:

(1) Amendment of the regulations as herein ordered is appropriate and necessary for carrying out the provisions of the Natural Gas Act.

(2) The amendments herein ordered represent matters of practice and procedure which do not require notice or hearing under section 4(a) of the Administrative Procedure Act.

The Commission, acting pursuant to authority granted by sections 4 and 16 of the Natural Gas Act (15 U.S.C. 717c, 717o), orders:

(A) Part 154 of Subchapter E, Regulations Under the Natural Gas Act, Chapter I of Title 18 of the Code of Federal Regulations, is amended as follows:

In § 154.94, paragraphs (e), (f), and (g) are amended to read as follows—

(e) With each change in rate schedule not constituting a change in rate level by any means there shall be submitted reasons, nature and basis for the proposed change and the date upon which the change is proposed to be made effective. Changes in service such as compression, dehydration, etc., by either seller or buyer shall be considered as a change in the existing rate level.

(f) Notice of change in rate level.

(1) An independent producer who has sold in interstate commerce 5,000,000 Mcf of gas or less annually in each year of his operations during the preceding five years and who is proposing a contractual change in rates, charges, etc., shall file the information called for in the following form:

NOTICE OF INDEPENDENT PRODUCER RATE
CHANGE FILING

1. Producer

(Name)

2. Buyer

(Address)

3. Location of sale

(Name)

(Field) (County) (State)

4. (a) FPC gas rate schedule No. _____

(b) Basic contract date _____

5. (a) Type of increase

(Periodic, favored-nation, renegotiated, etc.)
(b) Contract basis

(c) (Specify Contract Provision)

6. (Proposed Effective Date)

6. Rates in cents per Mcf at _____ psia:

(Specify)

(a) Present effective rate:

Base rate Tax reimbursement

Other¹
(specify separately)

Total rate

(b) Proposed rate:

Base rate Tax reimbursement

Other¹
(specify separately)

Total rate

7. Statement of estimated sales volume and comparative revenues for the twelve-month period succeeding the proposed effective date (shown with volume and rates at the same psia as in Item 6):

Estimated volume Revenues at present
(Mcf) effective rateRevenues at
proposed rateDifference in
revenues8. Average Btu content per cubic foot of the
gas sold during the last twelve-month period
_____; estimated for the succeeding
twelve-month period _____.

(Date) (Signed)

(Title)

¹ Dehydration, compression, Btu adjustment, etc.

tion or distribution in commerce, of fur products, or in connection with the sale, advertising, offering for sale, transportation or distribution of fur products which are made in whole or in part of fur which has been shipped and received in commerce, as "commerce", "fur" and "fur product" are defined in the Fur Products Labeling Act, do forthwith cease and desist from:

A. Falsely or deceptively advertising fur products through the use of any advertisement, representation, public announcement or notice which is intended to aid, promote or assist, directly or indirectly, in the sale, or the offering for sale, of fur products, and which:

1. Represents, directly or by implication, that any price is respondent's usual retail price when it is in excess of the price at which the merchandise has been usually and customarily sold by respondent at retail in the recent, regular course of business.

2. Represents, directly or by implication, that the price at which respondent offers fur products affords a savings to consumers unless such representation is true and the basis of such representation is truthfully stated.

3. Uses the term "originally" to designate prices unless they are the prices at which the merchandise has been usually and customarily sold by respondent in the recent, regular course of business.

4. Designates prices of fur products by the term "comparable value", or any other term of the same import, in connection with lower prices, in such manner as to represent that the prices so designated are respondent's usual and customary retail selling prices in the recent, regular course of business, unless they are such in fact.

5. Represents, directly or by implication, through percentage savings claims that the prices at which respondent had usually and customarily sold fur products in the recent, regular course of business were reduced in direct proportion to the amount of savings stated, when contrary to the fact.

B. Making price claims or representations respecting prices or values of fur products unless respondent maintains full and adequate records disclosing the facts upon which such claims or representations are based.

By "Decision of the Commission", etc., report of compliance was required as follows:

It is ordered, That respondent herein shall, within sixty (60) days after service upon it of this order, file with the Commission a report in writing, setting forth in detail the manner and form in which it has complied with the order to cease and desist.

Issued: September 25, 1961.

By the Commission.

[SEAL] JOSEPH W. SHEA,
Secretary.

[F.R. Doc. 62-225; Filed, Jan. 9, 1962;
8:46 a.m.]

(2) An independent producer who has sold in interstate commerce more than 5,000,000 Mcf of gas annually in any year during the preceding five years and who is proposing a contractual change in rate level to a price below or equal to the applicable area price level for increased rates as set out in the Statement of General Policy No. 61-1, as amended (§ 2.56 of this chapter), shall file the information required in subparagraph (1) of this paragraph and may, at his option, submit a statement in support of the proposed change but shall, in any event, submit additional information in explanation of any pertinent circumstance not specifically required by the form.

(3) An independent producer who has sold in interstate commerce more than 5,000,000 Mcf of gas annually in any year during the preceding five years and is proposing a contractual change in rate level to a price higher than the applicable area price level for increased rates set out in the Statement of General Policy No. 61-1, as amended (§ 2.56 of this chapter), and any independent producer (regardless of the quantity of annual sales) proposing an ex parte or unilateral rate change shall file, in addition to the information required by subparagraph (1) of this paragraph, a full statement in support of the proposed change in rate.

(g) A complete copy of all material filed pursuant to this section shall be furnished to each party to the rate schedule. With each such filing there shall be submitted to the Commission a list of the parties to whom such material has been furnished.

(B) The amendments herein adopted shall become effective February 12, 1962.

(C) The Secretary shall cause prompt publication of this order to be made in the FEDERAL REGISTER.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 62-226; Filed, Jan. 9, 1962;
8:49 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER E—AIR NAVIGATION REGULATIONS

[Airspace Docket No. 60-KC-39]

PART 608—SPECIAL USE AIRSPACE

Alteration of Restricted Area Correction

In F.R. Doc. 61-12328, appearing at page 12684 of the issue for Friday, December 29, 1961, the last latitude in the boundaries paragraph of Restricted Area R-4201 should read "latitude 44°54'00" N.", instead of "latitude 44°52'00" N.".

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 120—TOLERANCES AND EXEMPTIONS FROM TOLERANCES FOR PESTICIDE CHEMICALS IN OR ON RAW AGRICULTURAL COMMODITIES

Further Extension of Effective Date of Statute

Effective as of the date of signature of this order, the item reading "1,2-dibromo-3-chloropropane" in § 120.37 is changed to read as follows:

Product	Specified uses or restrictions	Effective date of statute extended to
1,2-Dibromo-3-chloropropane.	Soil fumigant for nematodes.	Jan. 1, 1963

(Sec. 701(a), 52 Stat. 1055; 21 U.S.C. 371(a))

Dated: December 29, 1961.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 62-237; Filed, Jan. 9, 1962;
8:49 a.m.]

SUBCHAPTER D—HAZARDOUS SUBSTANCES

PART 191—HAZARDOUS SUBSTANCES; DEFINITIONS AND PROCEDURAL AND INTERPRETATIVE REGULATIONS

Temporary Suspension of Certain Provisions Requiring Front Panel Placement and Increase in Conspicuousness and Contrast for Warning Information

The Commissioner of Food and Drugs, pursuant to the provisions of the Federal Hazardous Substances Labeling Act (sec. 10, 74 Stat. 378; 15 U.S.C.A. 1269) and under the authority delegated to him by the Secretary of Health, Education, and Welfare (25 F.R. 8625), on August 12, 1961, promulgated regulations for the efficient enforcement of this statute. The regulations become effective February 1, 1962.

On the basis of information obtained by field investigators, and from representations by the Manufacturing Chemists' Association, Chemical Specialties Manufacturers Association, National Paint and Varnish Association, American Petroleum Institute, and other interested persons, the Commissioner concludes that more time is necessary for full compliance with the requirements of main panel placement and increased conspicuity and contrast.

Therefore, paragraphs (a), (c), and (d) of § 191.101 (21 CFR 191.101; 26 F.R. 7333, 11214) are suspended until August 1, 1962. Articles subject to the act must bear all the mandatory labeling by February 1, 1962. But the placement, conspicuity, and contrast requirements of the implementing regulation will not be enforced before their new effective date, August 1, 1962.

Effective date. This order shall become effective on the date of signature. (Sec. 10, 74 Stat. 378; 15 U.S.C.A. 1269)

Dated: January 2, 1962.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 62-236; Filed, Jan. 9, 1962;
8:49 a.m.]

Title 33—NAVIGATION AND NAVIGABLE WATERS

Chapter II—Corps of Engineers, Department of the Army

PART 203—BRIDGE REGULATIONS

Bayou Plaquemine, Louisiana

Pursuant to the provisions of section 5 of the River and Harbor Act of August 18, 1894 (28 Stat. 362; 33 U.S.C. 499), § 203.245 is hereby amended with respect to paragraph (j) by combining the present regulations in subparagraphs (1), (2) and (3) in one subparagraph (3) and by prescribing a new subparagraph (1) to permit The Texas and Pacific Railway Company bridge and the Louisiana Department of Highways bridge across Bayou Plaquemine, Louisiana, to remain in a closed position, effective on publication in the FEDERAL REGISTER since the Plaquemine Lock is closed to navigation, as follows:

§ 203.245 Navigable waters discharging into the Atlantic Ocean south of and including Chesapeake Bay and into the Gulf of Mexico, except the Mississippi River and its tributaries and outlets; bridges where constant attendance of draw tenders is not required.

* * * * *
(j) Waterways discharging into Gulf of Mexico west of Mississippi River. (1) Bayou Plaquemine, La.; The Texas and Pacific Railway Company and the Louisiana Department of Highways bridges at Plaquemine. The draws need not be opened for the passage of vessels, and the special regulations contained in paragraphs (b) to (e), inclusive, of this section shall not apply to these bridges.

(2) [Reserved].

(3) Bayou Lafourche, La.; Texas and New Orleans Railroad Company bridge at Lafourche and Louisiana Department of Highways bridges at Thibodaux and

RULES AND REGULATIONS

Labadieville. At least 48 hours' advance notice required.

[Regs., December 15, 1961, 285/91 (Bayou Plaquemine, La.)-ENGCW-ON]

(Sec. 5, 28 Stat. 362; 38 U.S.C. 499)

JULIAN A. WILSON,
Major General, U.S. Army,
Acting The Adjutant General.

[F.R. Doc. 62-239; Filed, Jan. 9, 1962;
8:49 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

PART 7—SPECIAL REGULATIONS RE- LATING TO PARKS AND MONU- MENTS

Vicksburg National Military Park, Mississippi; Use of Radiomicro- waves (Radar).

On pages 10,600 and 10,601 of the FEDERAL REGISTER of November 10, 1961, there was published a notice and text of a proposed amendment to § 7.51 of Title 36, Code of Federal Regulations. The purpose of this amendment is to permit the use of radiomicrowaves (radar) or other electrical timing devices in checking the speed of motor vehicles at Vicksburg National Military Park.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. No comments, suggestions, or objections have been received, and the proposed amendment is hereby adopted without change. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

(60 Stat. 238; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

R. K. RUNDELL,
Superintendent,
Vicksburg National Military Park.

Section 7.51 is amended by designating the present text as paragraph (a)(1) and by adding a new subparagraph (2) to read as follows:

§ 7.51 Vicksburg National Military Park.

(a) Speed. (1) * * *

(2) Speed electronically checked. The speed of any motor vehicle may be checked on any park road within Vicksburg National Military Park by the use of radiomicrowaves or other electrical device. Signs which read "Speed Checked by Radar" or "Speed Radar Enforced" shall be posted at each entrance to the park from all public access roads and streets.

[F.R. Doc. 62-227; Filed, Jan. 9, 1962;
8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 3—ADJUDICATION

Subpart A—Pension, Compensation, and Dependency and Indemnity Compensation

MISCELLANEOUS AMENDMENTS

1. In § 3.250(d), subparagraph (12) is added to read as follows:

§ 3.250 Dependency.

* * * * *

(d) Income excluded. * * *

(12) Net profit from the sale of the claimant's residence, received during the calendar year of sale, as follows:

(i) To the extent that it is applied within the calendar year of the sale, or the succeeding calendar year, to the purchase price of another residence as his principal dwelling;

(ii) Such application of the net profit is reported within 1 year following the date so applied; and

(iii) The net profit is so applied after the date of promulgation of this amendatory regulation to a purchase made after said date. This exclusion will not apply where the net profit is applied to the price of a home purchased earlier than the calendar year preceding the calendar year of sale of the old residence.

2. In § 3.251(e), subparagraph (8) is added to read as follows:

§ 3.251 Income of parents, dependency and indemnity compensation.

* * * * *

(e) Income excluded. * * *

(8) Net profit from the sale of the claimant's residence, received during the calendar year of sale, as follows:

(i) To the extent that it is applied within the calendar year of the sale, or the succeeding calendar year, to the purchase price of another residence as his principal dwelling;

(ii) Such application of the net profit is reported within 1 year following the date so applied; and

(iii) The net profit is so applied after the date of promulgation of this amendatory regulation to a purchase made after said date. This exclusion will not apply where the net profit is applied to the price of a home purchased earlier than the calendar year preceding the calendar year of sale of the old residence.

3. In § 3.252(d), subparagraph (14) is added to read as follows:

§ 3.252 Annual income; pension; World War I, World War II and Korean conflict.

* * * * *

(d) Income excluded (38 U.S.C. 503).
* * *

(14) Net profit from the sale of the claimant's residence, received during the calendar year of sale, as follows:

(i) To the extent that it is applied within the calendar year of the sale, or the succeeding calendar year, to the purchase price of another residence as his principal dwelling;

(ii) Such application of the net profit is reported within 1 year following the date so applied; and

(iii) The net profit is so applied after the date of promulgation of this amendatory regulation to a purchase made after said date. This exclusion will not apply where the net profit is applied to the price of a home purchased earlier than the calendar year preceding the calendar year of sale of the old residence.

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

These regulations are effective January 10, 1962.

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

[F.R. Doc. 62-280; Filed, Jan. 9, 1962;
8:56 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 62-4]

PART 1—PRACTICE AND PROCEDURE

Notice of Violations

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 3d day of January 1962;

The Commission having under consideration § 1.76 of its rules of practice and procedure, pertaining to notice of violations; and

It appearing, that § 1.76 requires the filing of an answer to a notice of violation but does not, except where the violation involves the physical or electrical characteristics of the transmitter, require a statement concerning measures which have been taken to correct the condition or omission complained of and to preclude its recurrence; and

It further appearing, that such a statement is needed to determine whether further enforcement action is required, and that § 1.76(c) should be clarified to reflect this need and to apprise those answering violation notices as to the content of the answer; and

It further appearing, that the amendment herein adopted is issued pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended; and

It further appearing, that the amendment herein adopted pertains to matters of procedure, and hence that section 4 of the Administrative Procedure Act is inapplicable;

It is ordered, That, effective February 13, 1962, § 1.76(c) of the Commission's rules of practice and procedure is amended to read as follows:

§ 1.76 Notice of violations.

(c) The answer to each notice shall be complete in itself and shall not be abbreviated by reference to other communications or answers to other notices. In every instance the answer shall contain a statement of action taken to correct the condition or omission complained of and to preclude its recurrence. In addition:

(1) If the notice relates to violations that may be due to the physical or electrical characteristics of transmitting apparatus and any new apparatus is to be installed, the answer shall state the date such apparatus was ordered, the name of the manufacturer, and the promised date of delivery. If the installation of such apparatus requires a construction permit, the file number of the application shall be given, or if a file number has not been assigned by the Commission, such identification shall be given as will permit ready identification of the application.

(2) If the notice of violation relates to lack of attention to or improper operation of the transmitter, the name and license number of the operator in charge shall be given.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154, interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: January 5, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-258; Filed, Jan. 9, 1962;
8:52 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce
CommissionPART 1—GENERAL RULES OF
PRACTICESpecial Rules of Practice Governing
Procedure of Certain Boards

At a general session of the Interstate Commerce Commission, held at its office in Washington, D.C., on the 29th day of December A.D. 1961.

There being under consideration § 1.225 of the special rules of practice: *It is ordered, That* § 1.225 (a) and (b), of Chapter I of Title 49 of the Code of Federal Regulations (49 CFR 1.225) is revised (and to include a footnote) to read as follows:

§ 1.225 Special rules of practice governing the procedure of the Temporary Authorities Board, the Transfer Board, Finance Board¹ Nos. 1, 2, and 3, the Safety and Service Boards, the Motor Carrier Boards, the Special Permission Board, the Released Rates Board, and Operating Rights Board¹ Nos. 1 and 2.

(a) The proceedings of the Temporary Authorities Board, the Transfer Board, Finance Board Nos. 1, 2, and 3, the Safety and Service Boards, the Motor Carrier Boards, the Special Permission Board, the Released Rates Board, and

¹ The general rules of practice apply to the procedure of all employee boards except to the extent specifically provided for in §§ 1.200 and 1.225.

Operating Rights Board Nos. 1 and 2 shall be informal. No transcription of such proceedings will be made. Subpoenas will not be issued and, except when applications or petitions are required to be attested, oaths will not be administered.

(b) A petition for reconsideration of an order of (1) the Temporary Authorities Board, the Transfer Board, a Safety and Service Board, a Motor Carrier Board, the Special Permission Board, the Released Rates Board, or Operating Rights Board No. 2 may be filed by any interested person, and (2) Operating Rights Board No. 1 and the Finance Boards may only be filed by a party to the proceeding. Such petition and reply thereto will be governed by the Commission's general rules of practice, except as otherwise provided in paragraphs (c), (d), and (e) of this section.

It is further ordered, That the foregoing amendment shall become effective February 12, 1962.

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

(Secs. 12, 17, 24 Stat. 383, as amended, 385, as amended; secs. 204, 205, 49 Stat. 546, as amended, 548, as amended; sec. 304, 54 Stat. 933; sec. 403, 56 Stat. 285; 49 U.S.C. 12, 17, 304, 305, 904, 1003)

By the Commission.

[SEAL] HAROLD D. McCORY,
Secretary.

[F.R. Doc. 62-242; Filed, Jan. 9, 1962;
8:50 a.m.]

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 990]

HANDLING OF CENTRAL CALIFORNIA GRAPES FOR CRUSHING

Notice for Additional Time for Receipt of Written Data, Views, or Arguments

Notice was published in the November 17, 1961, issue of the *FEDERAL REGISTER* (26 F.R. 10772), that there were under consideration certain proposed provisions of the Subpart—Administrative Rules and Regulations, including conversion factors and a shrinkage allowance, to be made effective pursuant to the provisions of Marketing Agreement No. 133 and Order No. 990 (26 F.R. 7797), regulating the handling of Central California grapes for crushing. Said notice afforded interested persons a 14-day period (which was to have expired December 1, 1961), in which to file written data, views, or arguments on the proposed provisions.

On November 22, 1961, notice was published in the *FEDERAL REGISTER* (26 F.R. 10933), that the time for the receipt of such written data, views, or arguments was extended to 5 p.m., e.s.t., December 15, 1961, and on December 14, 1961, notice was published in the *FEDERAL REGISTER* (26 F.R. 11982), that said period was further extended to 5 p.m., e.s.t., January 4, 1962. However, additional time is necessary for interested persons to give consideration to such proposed provisions.

Notice is hereby given that additional time is granted for the receipt by the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington 25, D.C., of written data, views, or arguments on the proposed provisions of the Subpart—Administrative Rules and Regulations, such time to expire 5:00 p.m., e.s.t., January 26, 1962.

Dated January 5, 1962.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Mar-
keting Service.

[F.R. Doc. 62-277: Filed, Jan. 9, 1962:
8:56 a.m.]

[7 CFR Part 1125]

[Docket No. AO-226-A7]

MILK IN PUGET SOUND, WASHING- TON, MARKETING AREA

Decision on Proposed Amendments To Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and

procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), a public hearing was held at Seattle, Washington, on September 11, 1961, pursuant to notice thereof issued on August 18, 1961 (26 F.R. 7836).

Upon the basis of the evidence introduced at the hearing and the record thereof, the Assistant Secretary, United States Department of Agriculture, on November 2, 1961 (26 F.R. 10486; F.R. Doc. 61-10623) filed with the Hearing Clerk, United States Department of Agriculture, his recommended decision containing notice of the opportunity to file written exceptions thereto.

The material issue on the record of the hearing relates to the status of state institutions in producing milk for use of their inmates.

Findings and conclusions. The following findings and conclusions on the material issue are based on evidence presented at the hearing and the record thereof:

The State of Washington, in producing milk for use of inmates of its institutions, should be exempt from the limitations imposed upon producer-handlers but should be considered a producer-handler with respect to movements of milk to or from regulated plants.

Under present provisions of the Puget Sound order the milk production resources and facilities, and the milk handling, processing or distributing facilities of each producer-handler are designated. The handling in the designated facilities of fluid milk products that are not from the designated production is limited to a daily average of 100 pounds of certain packaged products from pool plants, with provision for unlimited purchases in bulk or packaged form from such plants within a single span of 45 consecutive days in any 12-month period. Use of nondesignated facilities, or receipts in excess of these limits, results in cancellation of producer-handler status and pooling of production, and sales for the ensuing 12-month period.

The Department of Institutions of the State of Washington maintains dairy herds on farms operated in connection with three State institutions located in the marketing area. The milk produced is processed at a single plant located at one of these institutions and is used in feeding inmates of these three and ten other State institutions also located in the marketing area. All institutions under the supervision of the Department are mental hospitals, children's institutions and penal or corrective institutions. In carrying out these milk production and handling operations the Department of Institutions comes within the terms specified in the present order for producer-handlers and has been treated as a producer-handler.

The Department of Institutions differs from other producer-handlers in the

market in that it produces for use in public institutions and makes no private sales except to avoid waste or spoilage. The State law under which operations are carried out precludes production for profit. The policy has been to produce only enough to meet the consumption needs of the inmates. With the exception of a short period in 1959 all milk produced on Department farms has been utilized by inmates of the various institutions. Due to fluctuations in production and inmate population, there is danger that the Department might become a fully regulated handler should it be necessary to purchase milk from pool sources to supply the needs of the inmates committed to its care.

Since the Department of Institutions operates no routes in competition with regulated handlers and is not permitted by law to do so, its operations cannot affect the volume of trade sales that represents the primary Class I market for producer milk. So long as this state agency makes no Class I trade sales there is no need to subject it to full regulation in the event that supplemental purchases are necessary in excess of the limits applicable to producer-handlers. The order should be amended to exempt the state agency from the limitations applicable to other producer-handlers; the agency should, however, continue to be classed as a producer-handler in order that milk it receives from regulated plants may continue to be classified as Class I milk and any milk it delivers to a regulated plant may be other source milk.

The cooperative associations in the market approved exemption of the Department of Institutions but requested that the Department continue to file monthly reports of receipts and utilization in order that statistics compiled and published by the market administrator will continue to reflect the total amount of exempt milk. This will not be necessary because statistics regarding its production and consumption are public information and therefore available for use by anyone.

Rulings on proposed findings and conclusions. Briefs and proposed findings and conclusions were filed on behalf of certain interested parties. These briefs, proposed findings and conclusions and the evidence in the record were considered in making the findings and conclusions set forth above. To the extent that the suggested findings and conclusions filed by interested parties are inconsistent with the findings and conclusions set forth herein, the requests to make such findings or reach such conclusions are denied for the reasons previously stated in this decision.

General findings. The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and

all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

(a) The tentative marketing agreement and the order, as hereby proposed to be amended, and all of the terms and conditions thereof, will tend to effectuate the declared policy of the Act;

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

(c) The tentative marketing agreement and the order, as hereby proposed to be amended, will regulate the handling of milk in the same manner as, and will be applicable only to persons in the respective classes of industrial and commercial activity specified in, a marketing agreement upon which a hearing has been held.

Rulings on exceptions. In arriving at the findings and conclusions, and the regulatory provisions of this decision, the exception received was carefully and fully considered in conjunction with the record evidence pertaining thereto. In the light of this exception certain clarifying changes have been made in the language of the amendatory provision. To the extent that the findings and conclusions, and the regulatory provisions of this decision are at variance with the exception, such exception is hereby overruled for the reasons previously stated in this decision.

Marketing agreement and order. Annexed hereto and made a part hereof are two documents entitled respectively, "Marketing Agreement Regulating the Handling of Milk in the Puget Sound, Washington Marketing Area", and "Order Amending the Order Regulating the Handling of Milk in the Puget Sound, Washington Marketing Area", which have been decided upon as the detailed and appropriate means of effectuating the foregoing conclusions.

It is hereby ordered. That all of this decision, except the attached marketing agreement, be published in the **FEDERAL REGISTER**. The regulatory provisions of said marketing agreement are identical with those contained in the order as hereby proposed to be amended by the attached order which will be published with this decision.

Determination of representative period. The month of September 1961 is hereby determined to be the representative period for the purpose of ascertaining whether the issuance of the attached order amending the order regulating the

handling of milk in the Puget Sound, Washington marketing area, is approved or favored by producers, as defined under the terms of the order as hereby proposed to be amended, and who, during such representative period, were engaged in the production of milk for sales within the aforesaid marketing area.

Signed at Washington, D.C., on January 5, 1962.

JAMES T. RALPH,
Assistant Secretary.

Order¹ Amending the Order Regulating the Handling of Milk in the Puget Sound, Washington, Marketing Area

§ 1125.0 Findings and determinations.

The findings and determinations hereinafter set forth are supplementary and in addition to the findings and determinations previously made in connection with the issuance of the aforesaid order and of the previously issued amendments thereto; and all of said previous findings and determinations are hereby ratified and affirmed, except insofar as such findings and determinations may be in conflict with the findings and determinations set forth herein.

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

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

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

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

¹ This order shall not become effective unless and until the requirements of § 900.14 of the rules of practice and procedure governing proceedings to formulate marketing agreements and marketing orders have been met.

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

1. Revise § 1125.16 to read as follows:

§ 1125.16 Producer-handler.

"Producer-handler" means a person who is both a dairy farmer and a handler, and who has been so designated by the market administrator upon his determination that all of the requirements of § 1125.102 have been met, and that none of the conditions therein for cancellation of such designation exists. All designations shall remain in effect until cancelled pursuant to § 1125.102(d). The Department of Institutions, State of Washington, shall be a producer-handler exempt from the provisions of §§ 1125.102 (other than paragraph (g) thereof), 1125.30 and 1125.32 with respect to milk of its own production and receipts from fluid milk plants and country plants processed or received for consumption in state institutions and with respect to movements of milk to or from a fluid milk plant or country plant.

[F.R. Doc. 62-275; Filed, Jan. 9, 1962; 8:55 a.m.]

Agricultural Stabilization and Conservation Service

[7 CFR Part 1039]

[Docket No. AO-212-A11]

MILK IN MILWAUKEE, WIS., MARKETING AREA

Notice of Extension of Time for Filing Exceptions to Recommended Decision on Proposed Amendments to Tentative Marketing Agreement and to Order

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and the applicable rules of practice and procedure governing the formulation of marketing agreements and marketing orders (7 CFR Part 900), notice is hereby given that the time for filing exceptions to the recommended decision with respect to the proposed amendments to the tentative marketing agreement and to the order regulating the handling of milk in the Milwaukee, Wisconsin marketing area, which was issued December 22, 1961 (26 F.R. 12580), is hereby extended to January 24, 1962.

Signed at Washington, D.C., on January 4, 1962.

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

[F.R. Doc. 62-276; Filed, Jan. 9, 1962; 8:55 a.m.]

PROPOSED RULE MAKING

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 2]

[Docket No. 14476; FCC 62-6]

INTERNATIONAL TELECOMMUNI- CATION UNION

Notification Relative to Radio As- tronomy Observatories and Fre- quencies; Notice of Proposed Rule Making

1. Notice is hereby given of proposed rule making in the above-entitled matter.

2. The Administrative Radio Conference, Geneva (1959), conferred recognition on the Radio Astronomy Service. Pursuant to ratification of the Geneva (1959) Radio Regulations by this country on October 4, 1961, Part 2 of the Commission's rules was amended to reflect, among other things, most of the Geneva provision for the radio astronomy service.

3. The ability of the radio astronomy service to share frequencies with other services has not been specifically determined. However, in view of the extremely low-level signals involved in radio astronomical observations, this service requires a considerable degree of protection from man-made radio emissions.

4. Recommendation 32 of the international Radio Regulations recognizes the necessity for protection of the radio astronomy service and paragraph 4 of that Recommendation reads in part as follows: "administrations should notify to the Secretary General the locations of observatories in their countries and those of the bands allocated in the Table of Frequency Allocations that are in use at each observatory; and that the Secretary General should communicate this information to Members and Associate Members * * *".

5. Although paragraph 4 of Recommendation 32 requests notification of radio astronomical observations only in those bands allocated to the radio astronomy service, a list of all frequencies being observed during a particular period is considered of value for the purpose of information. Observations on out-of-band frequencies cannot normally be expected to receive any measure of protection from interference caused by duly authorized radio stations, inasmuch as such bands cannot be permitted to go unused in the normal assignment of frequencies to stations in the various radio services. However, if an extremely important out-of-band requirement develops, radio astronomers may petition the Commission to amend the rules to afford recognition of the radio astronomy service in the new band(s) for whatever possible protection can be extended to the service.

6. Nationally, the following bands have been allocated exclusively to the radio astronomy service. In the two lowest bands, 40.66-40.7 and 73-74.6 Mc/s, stations authorized prior to December 1, 1961, and still holding a valid

authorization as of that date, are permitted to continue to operate. No new stations will be authorized in any of these bands however.

RADIO ASTRONOMY SERVICE

40.66-40.7 Mc/s	10,680-10,700 Mc/s
73.0-74.6 Mc/s	15,350-15,400 Mc/s
1400-1427 Mc/s	19,300-19,400 Mc/s
2690-2700 Mc/s	31,300-31,500 Mc/s
4990-5000 Mc/s	

In addition, the following bands may be used nationally for radio astronomy observations on a secondary basis:

2495-2505 kc/s	19990-20010 kc/s
4995-5005 kc/s	24990-25010 kc/s
9995-10005 kc/s	404-406 Mc/s
14990-15010 kc/s	

It should be noted, pursuant to § 2.105 (g) (Note 2) set forth below, that as a secondary service in the above bands the radio astronomy service: (a) Cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date; and (b) can claim protection, however, from harmful interference from stations of other secondary service(s) to which frequencies may be assigned at a later date.

7. In view of the foregoing, it is proposed to amend Subpart B of Part 2, as set forth in the Appendix below, pursuant to the authority contained in sections 303(c), (f), and (r) of the Communications Act of 1934, as amended.

8. All interested persons are invited to file, on or before February 16, 1962, comments supporting or opposing the proposal set out below, or outlining any modifications or counter-proposals the parties may wish to submit. Comments in reply thereto may be submitted on or before February 26, 1962. The Commission will consider all comments filed hereunder prior to taking final action in this matter provided that, notwithstanding the provisions of § 1.213 of the rules, the Commission will not be limited solely to the comments filed in this proceeding.

9. In accordance with the provisions of § 1.54 of the Commission's rules and regulations, the original and 14 copies of all statements, briefs or comments filed shall be furnished the Commission.

Adopted: January 3, 1962.

Released: January 5, 1962.

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

It is proposed that Subpart B of Part 2 of the Commission's rules and regulations be amended as follows:

Subpart B of Part 2 of the Commission's rules and regulations is revised as follows:

The provisions of §§ 2.104 and 2.105 are incorporated into amended § 2.105 and a new § 2.104 is added as follows:

§ 2.104 Radio Astronomy notification.

Paragraph 4 of Recommendation 32 adopted by the International Telecommunication Union's Ordinary Administrative Radio Conference, Geneva (1959), provides for the notification of Members and Associate Members relative to radio

astronomy observations being conducted throughout the world. Pursuant to this Recommendation, it is requested that each radio astronomy observatory file an annual report with the Federal Communications Commission, Washington, D.C., each January 1, supplying the following information, which will be forwarded to the International Telecommunication Union for distribution to its various Members and Associate Members.

(a) Location of observatory (nearest city, town, or recognizable hamlet).

(b) Geographic coordinates of observatory.

(c) Frequencies allocated nationally to the radio astronomy service on which observations are being made, and a brief statement of the purpose(s) of the observations.

(d) Frequencies allocated nationally to the radio astronomy service on which observations are planned to be made during the forthcoming calendar year, and a brief statement of the purpose(s) of the observations.

(e) Frequencies not allocated nationally to the radio astronomy service on which observations are planned to be made during the forthcoming calendar year, and a brief statement of the purpose(s) of the observations.

§ 2.105 Application and format of the Table of Frequency Allocations.

(a) In the Table of Frequency Allocations below 25 Mc/s, the authority extended to stations in the fixed service, unless otherwise specified, extends only to those stations in the following categories of service:

(1) Aeronautical fixed.

(2) Fixed (in U.S. possessions and Alaska).

(3) International fixed public.

(b) In the Table of Frequency Allocations between 5,000 and 25,000 kc/s, the authority extended to stations in the mobile service, unless otherwise specified, extends only to those stations in the following categories of service:

(1) Aeronautical mobile.

(2) Maritime mobile.

(c) Columns 1, 2, 3, and 4 of the Table of Frequency Allocations indicate the allocation applicable on a worldwide basis or in Region 2 in accordance with the Geneva Radio Regulations.

(d) In Column 6 (above 25 Mc/s) the letter G means Federal Government radio stations, i.e., those belonging to and operated by the United States. The symbol NG means other than Federal Government radio stations, i.e., those whose frequencies are assigned by the Commission.

(e) Column 10 lists certain frequencies which have national or international significance and are used for specific standardized purposes. These frequencies may be made available for assignment to stations which conform to the nature of service or station listed in Column 11 opposite the assignable frequency. The assignment and use of the frequencies listed in Column 10 is limited to those stations which, by definition, are included in the services and classes of stations (Column 8 or 9) to which the frequency band (Column 7) is allocated.

(f) In Column 11 "Services" are in large block print and "stations" in small print.

(g) Where, in Columns 2, 4, and 8, a band is indicated as allocated to more than one service, such services are listed in the following order:

(1) Services, the names of which are printed in all capital letters (example: FIXED); these services are called "primary" services;

(2) Services, the names of which are italicized and are printed with the first letter capitalized and all others small type (example: *Radionavigation*); these services are called "permitted" services;

(3) Services, the names of which are printed as in (2) above, but not italicized (example: Mobile); these are called "secondary" services, which are on a non-interference basis to the primary and permitted services.

NOTE 1. Geneva Radio Regulation No. 138: Permitted and primary services have equal rights, except that, in the preparation of frequency plans, the primary service, as compared with the permitted service, shall have prior choice of frequencies.

NOTE 2. Geneva Radio Regulation No. 139: Stations of a secondary service: (a) Shall not cause harmful interference to stations of primary or permitted services to which frequencies are already assigned or to which frequencies may be assigned at a later date; (b) cannot claim protection from harmful interference from stations of a primary or permitted service to which frequencies are already assigned or may be assigned at a later date; (c) can claim protection, however, from harmful interference from stations of the same or other secondary service(s) to which frequencies may be assigned at a later date.

(h) The following symbols are used to designate footnotes in the Table of Frequency Allocations.

(1) Any footnote consisting only of digits, e.g. (170), denotes a paragraph in the Geneva (1959) Radio Regulations. Where such a footnote is applicable, without modification, to the national Table of Frequency Allocations, the symbol appears in the national table as well as in Column 1, 2, 3, or 4.

(2) Any footnote consisting of the letters US followed by one or more digits, e.g., US1, denotes a stipulation the application of which is a matter of agreement between the Commission and other appropriate Government agencies.

(3) Any footnote consisting of the letters NG followed by one or more digits, e.g., NG1, is a stipulation applicable to non-Government stations.

[F.R. Doc. 62-260; Filed, Jan. 9, 1962; 8:52 a.m.]

I 47 CFR Part 31

[Docket No. 14273; FCC 62-43]

TELEVISION BROADCAST STATIONS (PALM SPRINGS, INDIO, SAN DIEGO, CALIFORNIA)

Table of Assignments; Further Notice of Proposed Rule Making

1. Notice is hereby given of further proposed rule making in the above-entitled matter.

2. On July 26, 1961 the Commission granted the application of Norman H. Rogers for Channel 18 at San Bernardino, California. The proposed transmitter site of the grantee is only 50 miles from the reference point in Palm Springs to which Channel 19 is assigned and therefore the San Bernardino proposal did not meet the 55 mile adjacent channel separation required by § 3.610(c)(1) of the rules.

3. As there was no operating station, construction permit outstanding, or application on file for Channel 19 at Palm Springs the Commission on September 13, 1961 adopted a notice of proposed rule making to amend its Television Table of Assignments by deleting Channel 19 from Palm Springs and assigning it to Indio, California.

4. H & B Communications Corporation (formerly Transcontinent Communications Systems, Inc.) filed comments opposing the deletion of Channel 19 from Palm Springs stating that at the time of the issuance of the Commission's notice of proposed rule making it had for some time been preparing and intended to file in the near future an application for the Palm Springs channel; that in November 1958 when the Commission assigned Channel 19 to Palm Springs the mileage separation between the center of San Bernardino and the center of Palm Springs was 47 miles; that on July 26, 1961 when the Commission granted the application of Norman H. Rogers to operate Station KCHU at San Bernardino on Channel 18 the KCHU site was only 49.7 miles from the Palm Springs reference point whereas the rules require a separation of 55 miles; that it intends to file an application for Channel 19 at Palm Springs specifying a site located some 6 1/2 miles east-northeast from the center of Palm Springs and 53 miles from the KCHU site; that the proposed site would be some two miles less than the 55 mile adjacent channel separation required by the rules; that prior to the issuance of the notice of proposed rule making it had made extensive local surveys to determine the availability of sites meeting the required 55 mile separation and that no such site was found to be practicable; that the only suitable area from which to serve Palm Springs is located in the Indio Hills to the east and northeast of the city; that the only site in this area found meeting the requirements of having road access and commercial power available was that which it proposed to use; that its proposed site provides a line of site path to Desert Hot Springs, California, a community of some 3,000 persons to which the proposed station would provide a first television service; and that the area along the radial from the KCHU site to the H & B proposed site is rugged mountain terrain ranging from 5,000 to 10,000 feet in the area of possible interference which area has only about 30 homes.

5. Norman H. Rogers, permittee of television Station KCHU, Channel 18, San Bernardino, California, filed reply

comments stating that should H & B file an application for Channel 19 in Palm Springs it would not oppose the granting of a waiver of § 3.610(c)(1) of the rules to permit the station to be located between 53 and 55 miles from the Station KCHU site using low power, but, should higher power than now contemplated by H & B be sought it reserves the right to consider the effect of such an operation on its service area.

6. The mileage separation problem involved in this proceeding could be resolved by assigning another UHF channel to the city of Palm Springs. Since it appears that Channel 27 may be assigned to Palm Springs by deleting it from San Diego, California, in which community the channel has not been used, and that Channel 27 would be as satisfactory for use at Palm Springs as Channel 19, we have decided to invite comments on the following proposal:

City	Channel No.	
	Present	Proposed
Palm Springs, Calif.	19+	27
Indio, Calif.		19+
San Diego, Calif.	8, 10, *15+, 27, 39, 51	8, 10, *15+, 39, 51

Unless an active interest is manifested we find it desirable in the public interest to defer action on making available a substitute UHF channel for San Diego, California, until decisions are reached in Docket 14229 concerning the future methods of assigning stations on UHF channels.

7. Since Palm Springs and Indio are within 200 miles of the United States-Mexican border the reassignment of these channels is subject to coordination with the Mexican authorities.

8. Pursuant to applicable procedure set out in § 1.213 of the Commission's rules, interested parties may file comments on or before February 5, 1962, and reply comments on or before February 19, 1962. In reaching its decision on the rule amendment which is proposed herein the Commission will not be limited to consideration of comments on record, but will take into account all relevant information obtained in any manner from informed sources.

9. Authority for the adoption of amendments proposed herein is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

10. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: January 3, 1962.

Released: January 5, 1962.

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

[F.R. Doc. 62-261; Filed, Jan. 9, 1962;
8:53 a.m.]

PROPOSED RULE MAKING

[47 CFR Part 3]

[Docket No. 14483 (RM-298); FCC 62-42]

TELEVISION BROADCAST STATIONS
(STERLING, COLORADO-CHEYENNE,
WYOMING)Table of Assignments; Notice of
Proposed Rule Making

1. Notice is hereby given of rule making in the above-entitled matter.

2. The Commission has before it a petition, filed November 3, 1961, by Richard B. Steuer, requesting rule making on a proposal to shift television Channel 3 from Sterling, Colorado, to Cheyenne, Wyoming. The proposal would amend the television Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Sterling, Colo.	3, 25-	25-
Cheyenne, Wyo.	5+	3, 5+

3. Station KFBC-TV operates on Channel 5 at Cheyenne. No stations are operating on the Sterling television assignments. Steuer Broadcasting Company, a corporation wholly owned by petitioner, holds a construction permit for Station KHQL-TV on Channel 3 at Sterling. Two applications, filed on May 11, 1961, by Sterling Television Booster Committee, Inc., are also pending for VHF television translator stations on Channels 11 and 13 at Sterling.

4. Channel 3 was originally assigned to Cheyenne in the television Table of Assignments adopted in 1952. In 1957 we reassigned Channel 3 from Cheyenne to Sterling in response to the request of Bi-States Company which desired to use the channel at Sterling for a satellite station, broadcasting programs originated by its Channel 13 station at Kearney, Nebraska (KHOL-TV).¹ Since Cheyenne had one operating station (KFBC-TV, Ch. 5) and there was no evidence of any interest by anyone in the retention of use of Channel 3 at Cheyenne at that time, we were then of the view that the public interest would be served by using the channel to provide a first needed television service in the Sterling area.

5. We authorized Bi-States Company to construct a station on Channel 3 at Sterling in June of 1958, but the station was never built. In February of 1961, we authorized Bi-States to assign its construction permit for Channel 3 at Sterling to Richard B. Steuer, the petitioner herein. Mr. Steuer, in turn, sought and obtained authority on October 19, 1961, to assign his construction permit for Channel 3 to the present petitioner, Steuer Broadcasting Company.

6. Petitioner states that he is interested in establishing a second local VHF television service at Cheyenne, which is much larger than Sterling,² and that

Channel 3 could be used for such purposes there if the Channel 3 assignment at Sterling is deleted. He states that if the subject proposal is adopted and Steuer Broadcasting Company is authorized to construct and operate a station on Channel 3 at Cheyenne, it plans to give the Cheyenne Board of Education an opportunity to telecast educational programs a minimum of 45 minutes per day, Monday through Friday, on a direct cost basis.

7. The Commission is of the view that a rule making proceeding should be instituted in order that all interested parties may submit their views and relevant data on petitioner's proposal.

8. If the Commission decides to adopt the rule amendments proposed herein, it will take such further action as may be appropriate with respect to Steuer Broadcast Company's outstanding authorization for Channel 3 at Sterling.

9. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

10. Pursuant to the applicable procedures set out in § 1.213 of the Commission's rules, interested persons may file comments on or before February 5, 1962, and reply comments on or before February 19, 1962. All submissions by parties to this proceeding or by persons acting in behalf of such parties must be made in written comments, reply comments or other appropriate pleadings.

11. In accordance with the provisions of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: January 3, 1962.

Released: January 5, 1962.

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

[F.R. Doc. 62-262; Filed, Jan. 9, 1962;
8:53 a.m.]

[47 CFR Part 3]
[Docket No. 14420; RM-287]
TELEVISION BROADCAST STATIONS
(BLOOMINGTON - INDIANAPOLIS,
INDIANA)

Table of Assignments; Order Extending Time for Filing Comments and Reply Comments

1. National Educational Television and Radio Center (NET) filed a petition December 29, 1961, requesting that time for filing comments and reply comments herein be extended. This proceeding, *inter alia*, is to explore "the question of whether more than three VHF commercial services are needed in the Indianapolis-Bloomington area and whether it would better serve the public interest and enable more effective use of VHF assignments in this area to reserve one of them for educational use."

2. NET points out its interest in commenting and that several other educational groups desire to participate in the

proceeding but that, particularly in view of the intervening holiday season, more time is needed to enable these groups to crystallize and formulate their positions in order to present meaningful proposals for the Commission's consideration.

3. It appears that the petition sets forth good cause for the extension of time requested.

4. Accordingly, it is ordered, This 2d day of January 1962, That the aforesaid petition of National Educational Television and Radio Center is granted; and that the time for filing comments herein is extended from January 10, 1962 to February 10, 1962, and that the time for filing reply comments is extended from January 25, 1962, to February 25, 1962.

5. This action is taken pursuant to authority contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended, and section 0.241(d) (8) of the Commission rules.

Released: January 4, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-263; Filed, Jan. 9, 1962;
8:53 a.m.]

[47 CFR Part 3]

[Docket No. 14484 (RM-289); FCC 62-44]

TELEVISION BROADCAST STATIONS
(MODESTO AND SAN MATEO, CALIFORNIA)Table of Assignments; Notice of
Proposed Rule Making

1. Notice is hereby given of rule making in the above-entitled matter.

2. The Commission has before it a petition, filed October 26, 1961, by the National Educational Television and Radio Center (NET), requesting rule making on a proposal to shift television Channel 14 from Modesto, California, to San Mateo, California, and to reserve the channel for noncommercial educational use at San Mateo. The proposal would amend the television Table of Assignments as follows:

City	Channel No.	
	Present	Proposed
Modesto, Calif.	14+, 58	58
San Mateo, Calif.		*14+

3. There are no stations operating on the Modesto television channel assignments, and no applications are on file for their use. Petitioner submits that Channel 14 may be reassigned from Modesto to San Mateo in conformity with minimum spacing and other technical requirements and that it would be a desirable channel to use for a non-commercial educational station to serve San Mateo and the surrounding area, which includes hilly terrain.

4. NET states that the College of San Mateo, which is part of the California Junior College system and a tuition-free, two-year college serving the major

¹ Report and Order (FCC 57-1223) adopted November 6, 1957, in Docket No. 12173 (15 Pike & Fischer RR 1622b).

² The U.S. Census for 1960 indicates that Cheyenne had a population of 43,505 and Sterling had a population of 10,751.

portion of San Mateo County, has embarked on a rapid expansion program, including construction of a new twelve and a half million dollar campus now 20 percent complete and scheduled for occupancy in the fall of 1962. If Channel 14 is assigned to San Mateo, petitioner states that the College plans to apply for and use Channel 14 for a noncommercial educational station to expand its teaching program and to meet community needs for educational, cultural and informative programming that is different from that furnished by the commercial stations serving the area.

5. The Commission is of the view that a rule making proceeding should be instituted so that all interested parties may submit their views on the NET proposal.

6. Authority for the adoption of the amendments proposed herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

7. Pursuant to the applicable procedures set out in § 1.213 of the Commission's rules, interested parties may file comments on or before February 5, 1962, and reply comments on or before February 19, 1962. In reaching its decision herein, the Commission will not be limited to consideration of comments of record, but will take into account all relevant information obtained in any manner from informed sources.

8. In accordance with the provision of § 1.54 of the rules, an original and 14 copies of all written comments and statements shall be furnished to the Commission.

Adopted: January 3, 1962.

Released: January 5, 1962.

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

[F.R. Doc. 62-264; Filed, Jan. 9, 1962;
8:53 a.m.]

Notices

DEPARTMENT OF STATE

[Delegation of Authority No. 23-F-2]

PROCUREMENT TRANSACTIONS

Amendment of Delegation of Authority

Paragraph 1b of Delegation of Authority No. 23-F dated May 26, 1961, as amended, "Subject: Delegation of Authority for Procurement Transactions", is hereby cancelled effective close of business December 31, 1961.

Dated: December 29, 1961.

HERMAN POLLACK,
Acting Assistant Secretary
for Administration.

[F.R. Doc. 62-253; Filed, Jan. 9, 1962;
8:51 a.m.]

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 55543]

[Customs Delegation Order 1, Revised—Amended]

CERTAIN OFFICERS OF BUREAU OF CUSTOMS

Delegation of Authority and Assignment of Functions

JANUARY 4, 1962.

Treasury Department Order No. 165-13, dated November 3, 1961, published as T.D. 55508, 26 F.R. 10643, among other things, established the new office of Deputy Commissioner, Division of Marine Administration in the Bureau of Customs. I have decided that this new office shall replace the office formerly designated as Chief, Division of Marine Administration.

Therefore, by virtue of the authority vested in me by Treasury Department Order No. 165, Revised (T.D. 53654; 19 F.R. 7241), Customs Delegation Order No. 1 (T.D. 53161; 17 F.R. 11705), as revised by T.D. 53694 (19 F.R. 8756); and as amended by T.D. 53914 (20 F.R. 7554), T.D. 54654 (23 F.R. 5962), and T.D. 55431 (26 F.R. 6628), is hereby further amended as follows:

Section 1(c) is amended by substituting the title of Deputy Commissioner, Division of Marine Administration, for Chief, Division of Marine Administration.

Section 4 is amended to read as follows:

4. The delegations made by this order to the Deputy Commissioners relate to decisions to be made and functions to be performed at the headquarters office of the Bureau of Customs, and no such delegation to these officers shall be interpreted as revoking or modifying any delegation made to customs field officers.

[SEAL] PHILIP NICHOLS, Jr.,
Commissioner of Customs.

[F.R. Doc. 62-252; Filed, Jan. 9, 1962;
8:51 a.m.]

Office of the Secretary

[Dept. Circ. 570, 1931 Rev. Supp. No. 21]

STATE SURETY COMPANY

Surety Companies Acceptable on Federal Bonds

JANUARY 3, 1962.

A Certificate of Authority has been issued by the Secretary of the Treasury to the following company under the Act of Congress approved July 30, 1947, 6 U.S.C., secs. 6-13, as an acceptable surety on Federal bonds.

An underwriting limitation of \$42,000.00 has been established for the company. Further details as to the extent and localities with respect to which the company is acceptable as surety on Federal bonds will appear in the next revision of Department Circular 570, to be issued as of May 1, 1962. Copies of the circular, when issued, may be obtained from the Treasury Department, Bureau of Accounts, Surety Bonds Branch, Washington 25, D.C.

State in Which Incorporated, Name of Company and Location of Principal Executive Office

Iowa, State Surety Company, Des Moines, Iowa.

[SEAL] W. T. HEFFELFINGER,
Fiscal Assistant Secretary.

[F.R. Doc. 62-251; Filed, Jan. 9, 1962;
8:51 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[047492(SD)]

MONTANA

Notice of Proposed Withdrawal and Reservation of Lands

JANUARY 2, 1962.

The Forest Service, U.S. Department of Agriculture has filed an application, Serial Number MONTANA/047492(SD) for the withdrawal of the lands described below, from location and entry under the general mining laws, subject to existing valid claims. The applicant desires the land for public and recreational use.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present

their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Montana.

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:

BLACK HILLS MERIDIAN, SOUTH DAKOTA

BLACK HILLS NATIONAL FOREST

U.S. Highway 385 Roadside Zone

A strip of land 330 feet on each side of the center line of U.S. Highway No. 385 through the following legal subdivisions:

T. 3 N., R. 3 E.,
Sec. 1: NE $\frac{1}{4}$.
T. 4 N., R. 3 E.,
Sec. 1: SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 12: S $\frac{1}{2}$, NW $\frac{1}{4}$;
Sec. 13: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 36: E $\frac{1}{2}$ E $\frac{1}{2}$.
T. 2 N., R. 4 E.,
Sec. 1: W $\frac{1}{2}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 2: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 12: NE $\frac{1}{4}$.
T. 3 N., R. 4 E.,
Sec. 6: W $\frac{1}{2}$;
Sec. 7: SE $\frac{1}{4}$, N $\frac{1}{2}$;
Sec. 17: SE $\frac{1}{4}$, W $\frac{1}{2}$;
Sec. 20: NE $\frac{1}{4}$;
Sec. 21: NW $\frac{1}{4}$, SE $\frac{1}{4}$;
Sec. 26: SW $\frac{1}{4}$;
Sec. 27: S $\frac{1}{2}$, NW $\frac{1}{4}$;
Sec. 28: NE $\frac{1}{4}$;
Sec. 35: E $\frac{1}{2}$, NW $\frac{1}{4}$.
T. 4 N., R. 4 E.,
Sec. 18: SE $\frac{1}{4}$, N $\frac{1}{2}$;
Sec. 19: SW $\frac{1}{4}$, NE $\frac{1}{4}$;
Sec. 30: NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 2 N., R. 5 E.,
Sec. 7: SW $\frac{1}{4}$;
Sec. 17: SW $\frac{1}{4}$;
Sec. 18: E $\frac{1}{2}$, NW $\frac{1}{4}$;
Sec. 20: NE $\frac{1}{4}$;
Sec. 21: SW $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 28: SW $\frac{1}{4}$, NE $\frac{1}{4}$;
Sec. 33: NE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 34: NW $\frac{1}{4}$.
T. 1 S., R. 4 E.,
Sec. 36: W $\frac{1}{2}$ SE $\frac{1}{4}$.
T. 2 S., R. 4 E.,
Sec. 1: W $\frac{1}{2}$;
Sec. 11: SE $\frac{1}{4}$;
Sec. 12: SW $\frac{1}{4}$;
Sec. 14: W $\frac{1}{2}$;
Sec. 15: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22: NE $\frac{1}{4}$ NE $\frac{1}{4}$, S $\frac{1}{2}$;
Sec. 27: W $\frac{1}{2}$;
Sec. 33: E $\frac{1}{2}$.
T. 3 S., R. 4 E.,
Sec. 4: NE $\frac{1}{4}$;
Sec. 10: SW $\frac{1}{4}$;
Sec. 15: NE $\frac{1}{4}$ NW $\frac{1}{4}$, W $\frac{1}{2}$ NE $\frac{1}{4}$;
Sec. 35: S $\frac{1}{2}$.
T. 4 S., R. 4 E.,
Sec. 2: Lot 5;
Sec. 11: E $\frac{1}{2}$;
Sec. 14: E $\frac{1}{2}$;
Sec. 23: E $\frac{1}{2}$;
Sec. 25: SW $\frac{1}{4}$;
Sec. 26: E $\frac{1}{2}$;
Sec. 36: W $\frac{1}{2}$.

T. 5 S., R. 4 E.,
Sec. 1: SW $\frac{1}{4}$;
Sec. 2: SE $\frac{1}{4}$;
Sec. 13: NW $\frac{1}{4}$, SE $\frac{1}{4}$.

T. 1 S., R. 5 E.,
Sec. 2: W $\frac{1}{2}$;
Sec. 14: SW $\frac{1}{4}$;
Sec. 15: SE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 22: N $\frac{1}{2}$ NE $\frac{1}{4}$.

T. 5 S., R. 5 E.,

Sec. 17: S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 18: S $\frac{1}{2}$ S $\frac{1}{2}$;
Sec. 20: NE $\frac{1}{4}$;
Sec. 21: N $\frac{1}{2}$;

Sec. 22: SW $\frac{1}{4}$;
Sec. 27: NW $\frac{1}{4}$ SE $\frac{1}{4}$, N $\frac{1}{2}$.

T. 1 N., R. 5 E.,
Sec. 11: NW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 14: W $\frac{1}{2}$;
Sec. 15: NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 22: NE $\frac{1}{4}$ SE $\frac{1}{4}$, NE $\frac{1}{4}$;

Sec. 23: SW $\frac{1}{4}$;

Sec. 26: W $\frac{1}{2}$;

Sec. 34: SE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35: NW $\frac{1}{4}$.

U.S. Highway No. 16, Roadside Zone

A strip of land 330 feet on each side of the center line of U.S. Highway No. 16 through the following legal subdivisions:

T. 4 S., R. 1 E.,
Sec. 1: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 2: SE $\frac{1}{4}$ SE $\frac{1}{4}$.

T. 4 S., R. 2 E.,
Sec. 1: N $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 2: S $\frac{1}{2}$;
Sec. 3: S $\frac{1}{2}$;

Sec. 4: S $\frac{1}{2}$;
Sec. 5: S $\frac{1}{2}$;

Sec. 6: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 10: N $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 3 S., R. 3 E.,
Sec. 31: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 32: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 33: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 34: S $\frac{1}{2}$ S $\frac{1}{2}$;

Sec. 35: S $\frac{1}{2}$.

T. 4 S., R. 3 E.,
Sec. 1: N $\frac{1}{2}$;

Sec. 2: NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 6: N $\frac{1}{2}$ NW $\frac{1}{4}$.

T. 3 S., R. 4 E.,
Sec. 32: SE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 33: SW $\frac{1}{4}$ NE $\frac{1}{4}$.

T. 4 S., R. 4 E.,
Sec. 5: N $\frac{1}{2}$;

Sec. 6: S $\frac{1}{2}$ N $\frac{1}{2}$.

Rimrock Highway Withdrawal

T. 2 N., R. 5 E.,

Sec. 26: S $\frac{1}{2}$ SW $\frac{1}{4}$;

Sec. 27: S $\frac{1}{2}$ SE $\frac{1}{4}$;

Sec. 33: N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$;

Sec. 35: N $\frac{1}{2}$ N $\frac{1}{2}$;

Sec. 36: NE $\frac{1}{4}$ NW $\frac{1}{4}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$.

T. 1 N., R. 6 E.,

Sec. 5: SW $\frac{1}{4}$;

Sec. 6: NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 9: NE $\frac{1}{4}$ NW $\frac{1}{4}$;

Sec. 10: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SE $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 11: S $\frac{1}{2}$.

Ditch Creek Recreation Site

T. 1 S., R. 2 E.,

Sec. 14: NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$,

E $\frac{1}{2}$ SW $\frac{1}{4}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$;

Sec. 23: E $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ NE $\frac{1}{4}$,

SW $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$, W $\frac{1}{2}$ SW $\frac{1}{4}$ SE $\frac{1}{4}$

NE $\frac{1}{4}$, E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, NW $\frac{1}{4}$ NW $\frac{1}{4}$

NE $\frac{1}{4}$ SE $\frac{1}{4}$.

Tepee Agate Area

T. 4 S., R. 2 E.,

Sec. 2: N $\frac{1}{2}$ SW $\frac{1}{4}$ (that portion north of

centerline of U.S. 16);

Sec. 3: S $\frac{1}{2}$ (that portion north of center-

line of U.S. 16);

Sec. 4: All that portion north of center-

line of U.S. 16 (excluding patented HES

405);

Sec. 5: E $\frac{1}{2}$ (that portion north of center-

line of U.S. 16);

Sec. 10: N $\frac{1}{2}$ NW $\frac{1}{4}$ (that portion north of

centerline of U.S. 16).

Harry Mills Campground

T. 4 S., R. 3 E.,

Sec. 1: NW $\frac{1}{4}$ (that portion south of U.S.

16 centerline, excluding M.S. 2134 and

PLO 1344 withdrawal);

Sec. 2: E $\frac{1}{2}$ E $\frac{1}{2}$ NE $\frac{1}{4}$ (that portion south of

U.S. 16 centerline, excluding HES 165).

Clog Gulch Water System

T. 1 S., R. 5 E.,

Sec. 11: S $\frac{1}{2}$ SE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$,

N $\frac{1}{2}$ NE $\frac{1}{4}$ NE $\frac{1}{4}$ SW $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$,

S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$ (less patent), S $\frac{1}{2}$ NW $\frac{1}{4}$

NW $\frac{1}{4}$ SW $\frac{1}{4}$ (less patent).

R. PAUL RIGTRUP,

Manager, Land Office.

[F.R. Doc. 62-228; Filed, Jan. 9, 1962;

8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Agricultural Stabilization and Conservation Service

[Amdt. 2]

AREAS OF VENUE FOR MARKETING QUOTA REVIEW COMMITTEE PANELS

Establishment

Pursuant to section 3(a)(1) of the Administrative Procedure Act (60 Stat. 238; 5 U.S.C. 1002) which requires that the field organization be published in the FEDERAL REGISTER and § 711.12 of the Marketing Quota Review Regulations (26 F.R. 10204) which provides for establishment of areas of venue for marketing quota review committee panels, notice is hereby given that the areas of venue established for the following States (26 F.R. 689, 10522) have been revised and established by the ASC State Committees as follows:

ARKANSAS

Counties of:

Area I—Clay, Conway, Craighead, Faulkner, Greene, Independence, Jackson, Lawrence, Mississippi, Poinsett, Randolph, White.

Area II—Arkansas, Crittenden, Cross, Lee, Lonoke, Monroe, Phillips, Prairie, Pulaski, St. Francis, Woodruff.

Area III—Ashley, Bradley, Calhoun, Chicot, Cleveland, Dallas, Desha, Drew, Grant, Jefferson, Lincoln, Union.

Area IV—Clark, Columbia, Garland, Hempstead, Hot Spring, Howard, Lafayette, Little River, Logan, Miller, Montgomery, Nevada, Ouachita, Perry, Pike, Polk, Saline, Scott, Sevier, Yell.

Area V—Baxter, Benton, Boone, Carroll, Cleburne, Crawford, Franklin, Fulton, Izard, Johnson, Madison, Marion, Newton, Pope, Searcy, Sharp, Stone, Van Buren, Washington, Sebastian.

CALIFORNIA

Counties of:

Area I—Del Norte, Humboldt, Lassen, Modoc, Plumas, Shasta, Sierra, Siskiyou, Tehama, Trinity.

Area II—Contra Costa, Mendocino, Sonoma, Lake, Napa, Marin, Solano.

Area III—Alpine, Amador, Butte, Colusa, El Dorado, Glenn, Inyo, Mono, Nevada, Placer, Sacramento, Sutter, Yolo, Yuba.

Area IV—Calaveras, Madera, Mariposa, Merced, San Joaquin, Stanislaus, Tuolumne.

Area V—Alameda, Monterey, San Benito, San Luis Obispo, San Mateo, Santa Barbara, Santa Clara, Santa Cruz.

Area VI—Fresno, Kern, Kings, Tulare.

Area VII—Imperial, Los Angeles, Orange, Riverside, San Bernardino, San Diego, Ventura.

GEORGIA

Counties of:

Area I—Bartow, Butts, Carroll, Catoosa, Chattooga, Cherokee, Clayton, Cobb, Coweta, Dade, DeKalb, Douglas, Fannin, Fayette, Floyd, Fulton, Gilmer, Gordon, Haralson, Heard, Henry, Meriwether, Murray, Newton, Paulding, Pickens, Pike, Polk, Rockdale, Spalding, Troup, Walker, Whitfield.

Area II—Banks, Barrow, Clarke, Columbia, Dawson, Elbert, Forsyth, Franklin, Greene, Gwinnett, Habersham, Hall, Hart, Jackson, Jasper, Lincoln, Lumpkin, McDuffle, Madison, Morgan, Oconee, Oglethorpe, Putnam, Rabun, Stephens, Taliaferro, Towns, Union, Walton, Warren, White, Wilkes.

Area III—Baker, Bibb, Calhoun, Chattooga, Clay, Crawford, Dougherty, Early, Harris, Jones, Lamar, Lee, Macon, Marion, Miller, Mitchell, Monroe, Muscogee, Quitman, Randolph, Schley, Seminole, Stewart, Sumter, Talbot, Taylor, Terrell, Upson, Webster.

Area IV—Baldwin, Bleckley, Burke, Crisp, Dodge, Dooly, Glascock, Hancock, Houston, Jefferson, Johnson, Laurens, Montgomery, Peach, Pulaski, Richmond, Telfair, Treutlen, Twiggs, Washington, Wheeler, Wilcox, Wilkins.

Area V—Atkinson, Ben Hill, Berrien, Brooks, Clinch, Coffee, Colquitt, Cook, Decatur, Echols, Grady, Irwin, Lanier, Lowndes, Thomas, Tift, Turner, Worth.

Area VI—Appling, Bacon, Brantley, Bryan, Bulloch, Camden, Candler, Charlton, Chattooga, Effingham, Emanuel, Evans, Glynn, Jeff Davis, Jenkins, Liberty, Long, McIntosh, Pierce, Screven, Tatlall, Toombs, Ware, Wayne.

IDAHO

Counties of:

Area I—Butte, Clark, Custer, Fremont, Jefferson, Lemhi, Madison, Teton.

Area II—Bannock, Bear Lake, Bingham, Bonneville, Caribou, Franklin, Oneida, Power.

Area III—Blaine, Camas, Cassia, Gooding, Lincoln, Jerome, Minidoka, Twin Falls.

Area IV—Ada, Adams, Boise, Canyon, Elmore, Gen, Owyhee, Payette, Valley, Washington.

Area V—Benewah, Bonner, Boundary, Clearwater, Idaho, Kootenai, Latah, Lewis, Nez Perce.

ILLINOIS

Counties of:

Area I—Carroll, Joe Daviess, Lee, Stephenson, Whiteside.

Area II—Bureau, Henry, Mercer, Rock Island, Stark.

Area III—Boone, DeKalb, McHenry, Ogle, Winnebago.

Area IV—Cook, DuPage, Kane, Lake, Will.

Area V—Grundy, Kankakee, Kendall, LaSalle, Marshall, Putnam.

Area VI—DeWitt, Livingston, McLean, Peoria, Tazewell, Woodford.

Area VII—Hancock, Henderson, Knox, McDonough, Warren.

Area VIII—Adams, Brown, Pike, Schuyler, Scott.

Area IX—Cass, Fulton, Logan, Mason, Menard, Morgan.

Area X—Christian, Montgomery, Sangamon, Shelby.

Area XI—Champaign, Edgar, Ford, Iroquois, Vermilion.

Area XII—Coles, Douglas, Macon, Moultrie, Piatt.

Area XIII—Clark, Crawford, Cumberland, Effingham, Jasper.

Area XIV—Edwards, Lawrence, Richland, Wabash.

Area XV—Calhoun, Greene, Jersey, Macoupin, Madison.

NOTICES

Area XVI—Bond, Clinton, Fayette, Monroe, St. Clair.

Area XVII—Clay, Franklin, Jefferson, Marion, Wayne.

Area XVIII—Gallatin, Hamilton, Saline, White.

Area XIX—Jackson, Perry, Randolph, Union, Washington, Williamson.

Area XX—Alexander, Hardin, Johnson, Massac, Pope, Pulaski.

INDIANA

Counties of:

Area I—Benton, Jasper, Lake, La Porte, Newton, Porter, Pulaski, Starke, Tippecanoe, White.

Area II—Brown, Daviess, Greene, Gibson, Knox, Lawrence, Martin, Monroe, Morgan, Owen, Sullivan.

Area III—Adams, Allen, De Kalb, Huntington, Jay, LaGrange, Noble, Steuben, Wells, Whitley.

Area IV—Boone, Clay, Fountain, Hendricks, Montgomery, Parke, Putnam, Vermillion, Vigo, Warren.

Area V—Blackford, Delaware, Grant, Hamilton, Hancock, Howard, Madison, Marion, Randolph, Tipton.

Area VI—Carroll, Cass, Clinton, Elkhart, Fulton, Kosciusko, Marshall, Miami, St. Joseph, Wabash.

Area VII—Bartholomew, Decatur, Fayette, Franklin, Henry, Johnson, Rush, Shelby, Union, Wayne.

Area VIII—Crawford, Dubois, Harrison, Orange, Perry, Pike, Posey, Spencer, Vanderburgh, Warrick, Washington.

Area IX—Clark, Dearborn, Floyd, Jackson, Jefferson, Jennings, Ohio, Ripley, Scott, Switzerland.

IOWA

Counties of:

Area I—Buena Vista, Cherokee, Clay, Dickinson, Emmet, Humboldt, Lyon, O'Brien, Osceola, Palo Alto, Plymouth, Pocahontas and Sioux.

Area II—Butler, Cerro Gordo, Floyd, Franklin, Grundy, Hancock, Hardin, Kosuth, Mitchell, Winnebago, Worth, Wright.

Area III—Allamakee, Black Hawk, Bremer, Buchanan, Chickasaw, Clayton, Delaware, Dubuque, Fayette, Howard, Jackson, Jones, Winneshiek.

Area IV—Audubon, Calhoun, Carroll, Crawford, Guthrie, Harrison, Ida, Monona, Sac, Shelby, Woodbury.

Area V—Boone, Dallas, Greene, Hamilton, Jasper, Madison, Marion, Marshall, Polk, Story, Warren, Webster.

Area VI—Benton, Cedar, Clinton, Iowa, Johnson, Linn, Louisa, Muscatine, Poweshiek, Scott, Tama, Washington.

Area VII—Adair, Adams, Cass, Clarke, Decatur, Fremont, Mills, Montgomery, Page, East Pottawattamie, West Pottawattamie, Ringgold, Taylor, Union.

Area VIII—Appanoose, Davis, Des Moines, Henry, Jefferson, Keokuk, Lee, Lucas, Mahaska, Monroe, Van Buren, Wapello, Wayne.

LOUISIANA

Parish of:

Area II—Change Cadwell to read Caldwell.

MISSOURI

Counties of:

Area I—Andrew, Atchison, Buchanan, Clay, Clinton, Daviess, DeKalb, Gentry, Harrison, Holt, Nodaway, Platte, Worth.

Area II—Caldwell, Carroll, Chariton, Grundy, Jackson, Lafayette, Lima, Livingston, Mercer, Putnam, Ray, Saline, Sullivan.

Area III—Adair, Clark, Knox, Lewis, Marion, Monroe, Ralls, Randolph, Schuyler, Scotland, Shelby.

Area IV—Audrain, Boone, Callaway, Howard, Lincoln, Montgomery, Pike, St. Charles, St. Louis, Warren.

Area V—Bates, Benton, Cass, Cole, Cooper, Henry, Johnson, Miller, Moniteau, Morgan, Pettis.

Area VI—Barton, Camden, Cedar, Dade, Dallas, Hickory, Laclede, Polk, Pulaski, St. Clair, Vernon, Webster, Wright.

Area VII—Crawford, Dent, Franklin, Gasconade, Jefferson, Maries, Osage, Phelps, St. Francois, Texas, Washington.

Area VIII—Bollinger, Cape Girardeau, Madison, Mississippi, New Madrid, Perry, Ste. Genevieve, Scott, Stoddard.

Area IX—Butler, Carter, Dunklin, Howell, Iron, Oregon, Pemiscot, Reynolds, Ripley, Shannon, Wayne.

Area X—Barry, Christian, Douglas, Greene, Jasper, Lawrence, McDonald, Newton, Ozark, Stone, Taney.

NEBRASKA

Counties of:

Area I—Banner, Box Butte, Cheyenne, Dawes, Deuel, Garden, Kimball, Morrill, Scotts Bluff, Sheridan, Sioux.

Area II—Arthur, Blaine, Brown, Buffalo, Cherry, Custer, Dawson, Grant, Hooker, Keya Paha, Lincoln, Logan, McPherson, Rock, Thomas.

Area III—Antelope, Boone, Boyd, Burt, Cedar, Cuming, Dakota, Dixon, Garfield, Greeley, Holt, Howard, Knox, Loup, Madison, Merrick, Nance, Pierce, Platte, Sherman, Stanton, Thurston, Valley, Wayne, Wheeler.

Area IV—Chase, Dundy, Frontier, Furnas, Gosper, Hayes, Hitchcock, Keith, Perkins, Red Willow.

Area V—Clay, Fillmore, Franklin, Harlan, Jefferson, Kearney, Nuckolls, Phelps, Saline, Thayer, Webster.

Area VI—Adams, Butler, Colfax, Dodge, Hall, Hamilton, Polk, Saunders, Seward, York.

Area VII—Cass, Douglas, Gage, Johnson, Lancaster, Nemaha, Otoe, Pawnee, Richardson, Sarpy, Washington.

NEW YORK

County of:

Area II—Change Oswego to read: Oswego.

NORTH CAROLINA

County of:

Area VI—Change Puplin to read: Duplin.

WISCONSIN

Counties of:

Area I—Ashland, Barron, Bayfield, Buffalo, Burnett, Chippewa, Clark, Douglas, Dunn, Eau Claire, Iron, Jackson, Pepin, Pierce, Polk, Price, Rusk, St. Croix, Sawyer, Taylor, Trempealeau, Washburn.

Area II—Brown, Door, Florence, Forest, Keweenaw, Langlade, Lincoln, Marathon, Marinette, Menominee, Oconto, Oneida, Outagamie, Portage, Shawano, Vilas, Wauaca, Wood.

Area III—Columbia, Crawford, Dane, Dodge, Grant, Green, Iowa, Jefferson, Juneau, LaCrosse, Lafayette, Monroe, Richland, Rock, Sauk, Vernon.

Area IV—Adams, Calumet, Fond du Lac, Green Lake, Kenosha, Manitowoc, Marquette, Milwaukee, Ozaukee, Racine, Sheboygan, Walworth, Washington, Waukesha, Waukesha, Winnebago.

(Sec. 3, 60 Stat. 238; 5 U.S.C. 1002; Sec. 363, 52 Stat. 63, as amended; 7 U.S.C. 1363)

Effective date: January 1, 1962.

Signed at Washington, D.C., on January 5, 1962.

E. A. JAENKE,
Acting Administrator, Agricultural Stabilization and Conservation Service.

[F.R. Doc. 62-279; Filed, Jan. 9, 1962; 8:56 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

MOORE-McCORMACK LINES, INC.

Notice of Application for Approval of Certain Cruises

Notice is hereby given that Moore-McCormack Lines, Inc., acting pursuant to Public Law 87-45, has applied to the Maritime Administration for approval of the following listed cruises:

Ship, sailing date, and itinerary

Brasil; Apr. 27, 1962; New York, Nassau, New York.

Argentina; May 1, 1962; New York, Bermuda, Nassau, New York.

Brasil; May 4, 1962; New York, Barbados, Martinique, St. Thomas, San Juan, New York.

Argentina; May 10, 1962; New York, San Juan, St. Thomas, Martinique, Trinidad, Barbados, Bermuda, New York.

Brasil; May 15, 1962; New York, Bermuda, San Juan, St. Thomas, Martinique, Barbados, Nassau, New York.

Argentina; May 24, 1962; New York, San Juan, St. Thomas, Martinique, Barbados, Cartagena, Cristobal, Nassau, New York.

Brasil; Sept. 19, 1962; New York, Bermuda, New York.

Brasil; Sept. 25, 1962; New York, Bermuda, New York.

Brasil; Oct. 2, 1962; New York, Barbados, Martinique, St. Thomas, San Juan, Nassau, Bermuda, New York.

Argentina; Oct. 24, 1962; New York, San Juan, Barbados, Trinidad, Cartagena, Nassau, New York.

Argentina; Nov. 9, 1962; New York, Port Everglades, San Juan, St. Thomas, Martinique, Barbados, Cartagena, Cristobal, Nassau, Port Everglades.

Argentina; Nov. 28, 1962; Port Everglades, San Juan, St. Thomas, Cartagena, Cristobal, Nassau, Port Everglades.

Argentina; Dec. 9, 1962; Port Everglades, St. Thomas, Martinique, Barbados, Trinidad, San Juan, Nassau, Port Everglades, New York.

Argentina; Dec. 22, 1962; New York, Nassau, Cristobal, Cartagena, Barbados, Martinique, St. Thomas, San Juan, New York.

Any person, firm or corporation having any interest, within the meaning of Public Law 87-45, in the foregoing who desires to offer data, views or arguments should submit the same in writing, in triplicate, to the Secretary, Maritime Subsidy Board, Washington 25, D.C., by close of business on January 30, 1962. In the event an opportunity to present oral argument is also desired, specific reason for such request should be included. The Maritime Subsidy Board will consider these comments and views and take such action with respect thereto as in its discretion it deems warranted.

Dated: January 5, 1962.

By order of the Maritime Subsidy Board.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 62-272; Filed, Jan. 9, 1962; 8:55 a.m.]

Office of the Secretary

[Department Order No. 168 (Rev.)]

OFFICE OF FIELD SERVICES**Organization and Functions**

The following order was issued by the Secretary of Commerce on December 19, 1961. The material appearing at 25 F.R. 1531-1532 of February 20, 1960, and at 26 F.R. 2270 of March 17, 1961, is superseded by the following:

SEC. 1. Purpose:

The purpose of this order is to describe the organization and define the functions of the Office of Field Services.

SEC. 2. Organization and Functions:

.01 The Office of Field Services is a constituent unit of the Office of the Secretary. The Office of Field Services shall be headed by a Director who shall report directly to the Under Secretary of Commerce.

.02 The Office of Field Services shall consist of the Office of the Director and the Business Service Center in Washington, D.C., the Administrative Service Office in Chicago, Illinois, and field offices located in such cities as may be designated by the Director of the Office of Field Services with the concurrence of the Under Secretary of Commerce.

.03 The Office of Field Services shall be responsible for carrying out the field programs of the Business and Defense Services Administration, the Bureau of International Programs, the Bureau of International Business Operations, and the Office of Business Economics, and such other organization units as the Secretary of Commerce may designate. In addition, it shall disseminate the reports, data, and statistical information published by the Bureau of the Census and other bureaus as they relate to the development of business.

.04 Continuing contacts with organization units whose field programs are executed under this order shall be maintained for the purpose of assisting such units in the initiation and development of programs and policies governing activities relating to their respective responsibilities and to obtain information helpful to the Business Service Center and the field offices in serving business and industry within their areas.

.05 Local and State associations, Chambers of Commerce, Boards of Trade, State development agencies, and similar organizations or groups shall be utilized to the fullest extent possible to increase the use and effectiveness of the services, facilities, and published information and data of the Department, and to develop close relationships between the Department of Commerce and such organizations and the business public in the areas they serve. To this end, the Director of the Office of Field Services is authorized to enter into formal cooperative office agreements or appropriate informal arrangements as may be feasible with such agencies.

SEC. 3. The Office of the Director:

.01 The Director, Office of Field Services, shall be responsible for formulating the policies, developing and coordinating the programs, and directing all opera-

tions of the Office of Field Services, including the organization and operation of the Business Service Center and the departmental field offices.

.02 The Deputy Director shall be the chief operating aide to the Director and shall assist in the direction of operations of the Office of Field Services and perform such other duties as the Director may assign.

.03 The Assistant Director shall assist the Director in fulfilling his responsibilities for administrative efficiency and economy in the operation of the office. He shall supervise the activities of the Administrative Service Office and perform such other duties as the Director may assign.

.04 The specific functions of the Office of the Director include but are not limited to the following:

1 Maintains contact with the operating divisions of the constituent units of the Department to develop information required by the Business Service Center and the field offices and to coordinate requests for information;

2 Reviews field programs of the constituent units of the Department designated in section 2.03; assists in developing appropriate programs based on the needs of business or on recommendations of the field offices; reviews operating procedures and instructions to determine adequacy and effectiveness as they relate to specific programs; and issues such implementing procedural and program instructions to the field offices as may be necessary;

3 Maintains liaison with the Office of Publications Management, the Office of Public Affairs and other units of the Department and other Government agencies on all matters pertaining to the distribution and sale of publications, and the distribution of manual issuances, releases, orders, and regulations to the Business Service Center and the field offices; issues the "Commerce Business Daily;" and maintains records and controls over publication sales by the field offices and accounting therefor to the Superintendent of Documents; and

4 Maintains necessary liaison with other Government agencies on matters relating to field operations.

SEC. 4. Business Service Center:

.01 A Business Service Center located in the Department of Commerce main building shall provide a focal point for business service and information concerning the functions and activities of the United States Government. The Business Service Center shall operate under the supervision of a Manager who shall report and be responsible to the Director, Office of Field Services.

.02 The functions of the Business Service Center are as follows:

1 Serves as a center for business information, providing guidance, information and service on inquiries and problems arising in dealing with any Department or Agency of the Federal Government; and coordinates all such inquiry services in the Department of Commerce;

2 Publicizes the center and promotes the services of offices and bureaus of the Department of Commerce and other de-

partments and agencies by establishing liaison with knowledgeable, responsible officials throughout Government, by evaluating inquiries and problems for referral to the appropriate individual or office for resolution, and by making initial contacts and arranging appointments; and

3 Coordinates the activities of the Commerce Department concerning educational seminars for visiting High School and College classes, including the scheduling of conferences and arranging of programs.

SEC. 5. Field Offices.

.01 Each field office shall be operated under the supervision of a Field Office Manager who shall report and be responsible to the Director of the Office of Field Services. Field Office Managers shall act as the representatives of the Department in maintaining appropriate relationships between the Department and representatives of business and industry in the areas served. (See Appendix A below for location of field offices.)

.02 The functions of the field offices are as follows:

1 *International trade.* (1) Assists in the promotion of international trade, foreign investment and travel, by advising and consulting with exporters, importers, bankers, service agencies and trade associations, with respect to market and general economic conditions abroad including import quotas, exchange restrictions and other trade controls established by foreign governments; supplying export and import statistics for commodities or manufactured products both here and abroad; furnishing trade lists and World Trade Directory reports and similar promotional media relating to the establishment of contacts with agents, distributors, producers and suppliers abroad; supplying information and assistance relating to investment, insurance, travel, transportation, communications and utilities abroad; providing information on international trade fairs to develop American industry participation; furnishing information on trade development missions and nominating industry representatives to serve on them; aiding American and foreign firms in the amicable adjustment of international trade disputes; assisting and advising American firms, trade associations and attorneys in respect to laws, regulations and services pertaining to the protection of United States industrial property rights (patents, trademarks and copyrights) abroad;

(2) Assists in the administration of the Export Control Act of 1949, as amended; by keeping businessmen informed in export control policies, regulations, and procedures; assisting in emergency handling of export license applications; and, under an appropriate delegation of authority, amending and extending licenses and certifying documents under the Import Certificate/Delivery Verification procedures; and providing technical guidance and otherwise assisting Customs Officials and Postmasters in export control matters; and

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(3) In accordance with the agreement entered into between the Department of Commerce and the Agency for International Development acts as the representative of the latter in disseminating to the business public information on the policies and programs of that agency, and assists the business community on procurement programs financed by the AID.

2 *Domestic trade.* (1) Assists businessmen and trade and industrial groups engaged in manufacturing, construction, distribution, banking, communications, advertising, publishing, transportation and other service trades by providing factual, analytical and interpretive data on commodities, products, industries, and marketing for use as basic guides for business in trade maintenance and expansion programs; maintains close contact with trade associations and other industrial and public service groups and advise such groups of activities and programs designed to promote close cooperation between them and the Department of Commerce; gathers factual information and data as may be required by the several organization units of the Department; upon request, conducts periodic studies of economic conditions throughout the area, analyzing trends and supply and demand factors for principal goods produced or consumed, marketing opportunities, sources of supply, accumulation of inventories, plans for expansion of new product facilities; maintains a business reference library with appropriate books, periodicals, reports and other printed materials of use and value to businessmen and trade and industrial groups in the area;

(2) Utilizing the services, facilities, publications, and reports of the Office of Technical Information and the National Bureau of Standards, assists businessmen on technological research and development problems and provide information on the development of new products or processes; and

(3) Maintains contact with State, local and industrial development groups to provide effective utilization of the services and facilities of the Area Redevelopment Administration on problems of labor surplus areas and assistance on community self-help development programs.

3 *Defense production activities.* Assists and advises all segments of business with respect to the orders, regulations, policies, directives, priorities, allocations, inventory controls, conservation orders and other actions of the BDSA; maintains continuing contact with industry and business so that BDSA may be kept informed of the views and reactions of business and industry on current programs and so that business and industry may in turn be kept informed as fully as possible on the activities and responsibilities of the BDSA; acts as the local contact in gathering of such information as may be required by the BDSA on a local or area basis.

SEC. 6. *Saving Provision.* Nothing in this order shall be deemed to supersede existing and currently effective Field Operations Orders, Field Administrative

Orders, Field Operations Bulletins and Field Administrative Circulars.

Effective date: December 19, 1961.

[SEAL] **JOHN PRINCE,**
*Deputy Assistant Secretary
for Administration.*

OFFICE OF FIELD SERVICES—FIELD OFFICES

Phoenix, Ariz.	Albuquerque, N. Mex.
Los Angeles, Calif.	Buffalo, N.Y.
San Francisco, Calif.	New York, N.Y.
Denver, Colo.	Greensboro, N.C.
Jacksonville, Fla.	Cincinnati, Ohio.
Miami, Fla.	Cleveland, Ohio.
Atlanta, Ga.	Portland, Oreg.
Savannah, Ga.	Philadelphia, Pa.
Honolulu, Hawaii.	Pittsburgh, Pa.
Chicago, Ill.	Charleston, S.C.
New Orleans, La.	Memphis, Tenn.
Boston, Mass.	Dallas, Tex.
Detroit, Mich.	Houston, Tex.
Minneapolis, Minn.	Salt Lake City, Utah
Kansas City, Mo.	Richmond, Va.
St. Louis, Mo.	Seattle, Wash.
Reno, Nev.	Cheyenne, Wyo.

[F.R. Doc. 62-249; Filed, Jan. 9, 1962;
8:51 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-72]

UNIVERSITY OF UTAH

Notice of Issuance of Facility License
Amendment

Please take notice that no request for a formal hearing having been filed following publication of the notice of proposed action in the FEDERAL REGISTER on October 27, 1961, 26 F.R. 10103, the Atomic Energy Commission has issued Amendment No. 4 to Facility License No. R-25 authorizing University of Utah to operate its reactor Model AGN-201, Serial No. 107 at power levels up to 100 milliwatts (thermal) at the new location in the Merrill Engineering Building on the University's campus in Salt Lake City, Utah.

Dated at Germantown, Md., this 3d day of January 1962.

For the Atomic Energy Commission.

[SEAL] **ROBERT H. BRYAN,**
*Chief, Research and Power
Reactor Safety Branch, Di-
vision of Licensing and Regu-
lation.*

[F.R. Doc. 62-229; Filed, Jan. 9, 1962;
8:47 a.m.]

[Docket No. 115-3]

CONSUMERS PUBLIC POWER DIS-
TRICT; POWER DEMONSTRATION
REACTOR PROJECT

Provisional Operating Authorization

Please take notice that pursuant to paragraph A, Page 15 of the Intermediate Decision dated December 28, 1961, in this matter and based upon a review and evaluation by this Division of the results of an inspection by the Division of Compliance with respect to the status of completion of the Hallam Nuclear Power Facility located near Hallam, Nebraska,

I have found that construction of the facility necessary for the performance of the "Dry Zero-Power Experiments" has been completed in conformity with the "Final Safeguards Report" and Supplements 1 and 2 thereto, for the Hallam Nuclear Power Facility.

Accordingly, pursuant to paragraph A, Page 15 of the above referenced decision and § 115.45, 10 CFR Part 115, Provisional Operating Authorization No. DPRA-1 effective January 2, 1962, has been issued to North American Aviation, Inc., authorizing operation of the Hallam Nuclear Power Facility only to the extent required for the conduct of the proposed "Dry Zero-Power Experiments".

Dated at Germantown, Md., this 4th day of January 1962.

For the Atomic Energy Commission.

[SEAL] **R. L. KIRK,**
*Deputy Director, Division of
Licensing and Regulation.*

[F.R. Doc. 62-295; Filed, Jan. 9, 1962;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket 12435 etc.]

MACKAY AIRLINES, INC., RENEWAL
CASE

Notice of Hearing

In the matter of applications of Mackay Airlines, Inc., and Riddle Airlines, Inc., for certificates of public convenience and necessity.

Notice is hereby given, pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a hearing in the above-entitled proceeding will be held on January 23, 1962, at 10:00 a.m., e.s.t., at the Trade Winds Hotel, Fort Lauderdale, Florida, before the undersigned examiner.

For information concerning the issues involved and other details in this proceeding, interested persons are referred to the prehearing conference report served on December 18, 1961, Board order E-17745, adopted November 20, 1961, and all other documents which are in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board.

Dated at Washington, D.C., January 5, 1962.

[SEAL] **WILLIAM J. MADDEN,**
Hearing Examiner.

[F.R. Doc. 62-273; Filed, Jan. 9, 1962;
8:55 a.m.]

FEDERAL AVIATION AGENCY

[Agency Order 9]

AVIATION RESEARCH AND DEVELOP-
MENT SERVICE

Organization and Functions

1. *Purpose.* The purpose of this Order is to prescribe the organizational structure and functions of the Aviation Research and Development Service.

2. Organizational structure. The Aviation Research and Development Service shall consist of the following organizational units:

Office of the Director:

Technical Information Staff.
European Aviation Research and Development Office.

Assistant Director for System Design:

System Design Team.

Deputy Director for Technical Programs:

System Management Division.

Research Division.

Development Division.

Experimentation Division.

Evaluation Division.

Deputy Director for Administration and Support:

Administrative Services Division.

Contracts Division.

Center Manager, National Aviation Facilities, Experimental Center:

Management Services Division.

Supporting Services Division.

Technical Services Division.

The Director, Aviation Research and Development Service, is authorized to prescribe further subdivision of organization in the Aviation Research and Development Service, provided this shall be done in writing and a copy filed with the Office of Management Services.

3. Functions of the Service. Under the general supervision of the Director and within Agency plans, policies and directives, the Aviation Research and Development Service shall:

a. Plan, design, develop, modify and test new systems, procedures, facilities, and equipment to meet the needs for safe and efficient navigation and traffic control of all civil and military aviation with the exception of those military needs peculiar to air warfare and primarily of military concern.

b. Recommend to the Deputy Administrator for Plans and Development new systems, procedures, facilities, and devices that will best serve the needs of the common air traffic control/navigation system.

c. Assist the Deputy Administrator for Plans and Development with respect to (1) the technical evaluation of research and development programs of military agencies or others that may have potential application to the needs of, or possible conflict with the common system and (2) determining whether the Federal Aviation Agency or others have the responsibility for such programs.

d. Maintain liaison with other Agency components to obtain system requirements and maximize interchange of technical data.

e. Plan and provide the necessary research, development, experimentation, and evaluation to meet the needs of the Agency with respect to improved aircraft airworthiness standards, safety regulations, and aircraft safety.

f. Direct, supervise, and conduct systems design, research, development, experimentation, and evaluation programs.

g. Provide operations research and technical research to support all Service functions.

h. Administer and operate the National Aviation Facilities Experimental Center at Atlantic City, New Jersey, and any other systems research and development facilities of the Agency.

i. Contract for research, development, experimentation, and evaluation services required in support of its programs. This may include property, utilities, and other services required at NAFEC in support of Service programs or for administrative purposes.

j. Operate and maintain aircraft and avionics used in support of Service programs.

k. Substantiate the need, as identified by ARDS or requested by other Agency components, for modifying or improving planned and installed air navigation, traffic control, communications, and related equipment, facilities and systems.

l. Develop and test modifications and improvements to the extent necessary to assure that they adequately meet system needs.

m. Obtain approval for inclusion of modifications and improvements in air navigation, traffic control, communications, and related equipment, facilities and systems through the selection procedures prescribed by Agency Order 52.

4. Office of the Director. Under the general supervision of the Director, the Office of the Director shall:

a. Direct and supervise the activities of the Aviation Research and Development Service.

b. As required, represent the Deputy Administrator for Plans and Development or the Administrator on all matters within the responsibilities of the Aviation Research and Development Service.

4.1 Technical Information Staff. Under the general supervision of the Chief, the Technical Information Staff shall:

a. Maintain liaison with other Bureaus, Services, and Offices of the Federal Aviation Agency, other governmental agencies, and the scientific, technical, and aviation community to obtain and provide information required for research and development.

b. Coordinate required briefings and assist appropriate Divisions in preparing briefing material.

c. Provide and coordinate program status information for distribution outside the Service.

d. Coordinate and monitor all activities of the Service concerned with international matters, such as those concerning IGI, ICAO, ITU, IATA, etc.

4.2 European Aviation Research and Development Office. Under the general supervision of the Chief, the European Aviation Research and Development Office shall:

a. Coordinate, conduct, and maintain, between European countries and the Aviation Research and Development Service, and as required by the Federal Aviation Agency and the U.S. Government, a program for the exchange of aviation research and development information.

b. Represent the Director of the Aviation Research and Development Service, and as required, the Federal Aviation Agency and the U.S. Government, in jointly sponsored research and development programs with European countries.

5. Functions of the Assistant Director for System Design. The Assistant Director for System Design shall:

a. Direct and supervise the activities of the System Design Team to create a comprehensive system design for the Nation's air traffic control and navigation system.

b. Assist the Director in formulating policies for the Aviation Research and Development Service.

5.1 System Design Team. Under the general supervision of the Assistant Director for System Design, the System Design Team shall:

a. Create and recommend to the Director, a comprehensive system design for the Nation's air traffic control and navigation system.

b. Provide guidance to the Deputy Director for Technical Programs on programs and projects essential to carry out the research and development program to achieve the optimum system design and evaluate the feasibility of its implementation.

c. Coordinate the system design with other components of the Agency as appropriate.

d. Prepare briefings, seminars, and papers on system design for discussion with the Technical Advisory Board and with other organizations outside of the Agency as directed.

e. Consult with designated Department of Defense representatives on the integration of military requirements in the National aviation system design.

6. Functions of the Deputy Director for Technical Programs. The Deputy Director for Technical Programs shall:

a. Direct and supervise the technical program activities of the Aviation Research and Development Service within the limits of Service objectives, policies, and directives.

b. Assist the Director in formulating policies for the Aviation Research and Development Service.

6.1 System Management Division. Under the general supervision of the Chief, the System Management Division shall:

a. Plan and manage all technical programs from conception through evaluation.

b. Be the point of contact for an action office of the Aviation Research and Development Service for all operational requirements requiring research and development activity.

c. Define and formulate research and development programs which will fulfill requirements.

d. Recommend the initiation of projects for modifying or improving planned and installed air navigation, traffic control, communications, and related equipments, facilities, and systems.

e. Formulate and keep current the Service Five Year Plan.

f. Be responsible for reporting on the adequacy in terms of content, timeliness, deficiencies, etc., of all technical programs from program formulation through evaluation.

g. Set and maintain priorities for technical programs within the Service.

h. Prepare progress reports for all technical programs.

i. Represent the Service in the review and approval of plans and specifications prepared by other Agency components.

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j. Represent and coordinate the activities of the Aviation Research and Development Service with respect to related military programs.

k. Prepare all Selection Memoranda for submission to the Administrator.

6.2 *Research Division*. Under the general supervision of the Chief, the Research Division shall:

a. Conduct applied research as required to establish the feasibility of using specific scientific principles, equipment, or advances in the state-of-the-art to make improvements in efficiency and safety of aircraft operations.

b. Conduct human factors research in support of ARDS programs, and provide human factors services.

c. Study and assess the logistical impact of the introduction of new systems.

6.3 *Development Division*. Under the general supervision of the Chief, the Development Division shall:

a. Plan, establish specifications for and supervise all equipment development of the Service.

b. Apply the results of research analysis, experimentation, and evaluation in development of new equipment systems.

c. Provide technical consultation and assistance in system implementation by the Agency.

6.4 *Experimentation Division*. Under the general supervision of the Chief, the Experimentation Division shall:

a. Provide experimentation services for air traffic control, aircraft safety, and other aviation support systems and equipment.

b. Provide technical services as required in connection with developmental equipments to other divisions of the Service.

6.5 *Evaluation Division*. Under the general supervision of the Chief, the Evaluation Division shall:

a. Conduct evaluation of systems, equipment, and procedures, to determine suitability to meet established criteria.

b. Demonstrate the operational capabilities of systems, equipment, and procedures developed by the Service to other Government agencies and private user organizations.

7. *Functions of the Deputy Director for Administration and Support*. The Deputy Director for Administration and Support shall:

a. Direct and supervise the administrative and support activities of the Aviation Research and Development Service within the limits of Service objectives, policies and directives.

b. Assist the Director in formulating policies for the Aviation Research and Development Service.

c. Direct the review of the Service budget.

7.1 *Administrative Services Division*. Under the general supervision of the Chief, the Administrative Services Division shall:

a. Recommend Service budget policy and direct the formulation of the Service budget.

b. Recommend Service policy on resources, accounting, personnel, training, security, supply, and general services.

c. Recommend Service policy relating to office equipment, space, mail distribu-

tion, messenger service, communications, records management, and transportation, and provide these services in Washington.

d. Coordinate the Service's overall resources requirements.

e. Perform financial management functions, and personnel coordination and liaison in Washington.

f. Provide the Service in Washington with information services, including operation of a technical data and file room, and a reports center.

g. Provide the Service with management analysis services.

h. Review and publish all Service Orders, Practices, and Bulletins.

7.2 *Contracts Division*. Under the general supervision of the Chief, the Contracts Division shall:

a. Recommend Service policy for contracting activities within the scope of the authority of the Service.

b. Conduct all Service contracting activities performed except those delegated for performance at NAFEC.

c. Compile and maintain a master list of prospective bidders.

d. Direct and carry out all administrative phases of negotiations, preparation, execution, and termination of contracts and agreements except those delegated for performance at NAFEC.

e. Coordinate with the Office of the General Counsel to insure Service compliance with all applicable policies, statutes, and regulations for contracting activities.

f. Provide the necessary liaison with the Office of Management Services and with technical, legal, inspection, auditing and other groups having functions relating to Service contracts.

8. *Office of the Center Manager—NAFEC*. Under the general supervision of the Center Manager, the Office of the Center Manager shall:

a. Direct and supervise the administrative and support activities of the Aviation Research and Development Service within the limits of Service plans, policies, and directives at the National Aviation Facilities Experimental Center.

b. Advise the Deputy Director for Administration and Support in formulating policies and plans which will affect administrative and support functions at NAFEC.

c. Act as the representative of the Office of the Director for community and public relations for NAFEC.

8.1 *Management Services Division*. Under the general supervision of the Chief, the Management Services Division shall:

a. Coordinate the budget preparation and perform financial management functions for activities located at NAFEC.

b. Direct and administer the NAFEC personnel, training, and personnel security programs.

c. Direct and administer NAFEC accounting and fiscal services.

d. Provide management analysis services at NAFEC.

e. Provide contracting services performed at NAFEC.

8.2 *Supporting Services Division*. Under the general supervision of the Chief, the Supporting Services Division shall:

a. Provide activities at NAFEC with services relating to office equipment, space, mail distribution, messenger services, communications, reproduction, and records management.

b. Plan, furnish, maintain, allocate, and protect the supporting plant, property, and administrative facilities for the National Aviation Facilities Experimental Center.

c. Provide activities at NAFEC with such services as local transportation, first aid, industrial and motor vehicle safety inspection, and the receipt, storage, and issuance of supplies.

d. Manage and operate a library and information retrieval service at NAFEC.

e. Manage the airport.

8.3 *Technical Services Division*. Under the general supervision of the Chief, the Technical Services Division shall:

a. Provide the Service with computation, simulation, measurement and other technical support services for Service programs.

b. Provide for operation, maintenance, and modification of aircraft for Service programs.

c. Plan, manage, and schedule all technical facilities at NAFEC.

9. *Effective date*. This order is effective immediately. It supersedes Agency Order 9 (Revised) of October 16, 1960, and Agency Bulletin 61-1 dated January 13, 1961. All other Orders or parts thereof issued prior to this date which are inconsistent or in conflict with this Order are amended or superseded accordingly.

N. E. HALABY,
Administrator.

[F.R. Doc. 62-254; Filed, Jan. 9, 1962;
8:51 a.m.]

[OE Docket No. 61-CE-66]

PROPOSED RADIO ANTENNA STRUCTURE

Determination of No Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace: The Tri-County Broadcasting Company, Sauk Rapids, Minnesota, proposes to construct a radio antenna structure near Sauk Rapids, Minnesota, at latitude 45°35'48" north, longitude 94°09'26" west. The overall height of the structure would be 1,344 feet above mean sea level (262 feet above ground).

Objections were made in response to the circularization by the State of Minnesota Department of Aeronautics and the National Association of State Aviation Officials on the bases that the proposed structure would exceed the State of Minnesota Regulations and the horizontal surface criteria of the Joint Industry/Government Tall Structures Committee as applied to the Whitney Memorial Airport, St. Cloud, Minnesota;

would be a hazard to Visual Flight Rules operations in the area; and would have an adverse effect upon a planned VOR Instrument Approach Procedure to the northeast/southwest runway of the Whitney Memorial Airport. The Airline Pilots Association objected on the bases that the proposed structure would exceed the criteria of the JIGTSC and this Agency's TSO-N18. At the FAA Kansas City Regional Airspace Meeting, the State of Minnesota Department of Aeronautics advised that the proposed structure exceeds the approach slope criteria contained in the zoning ordinances adopted by the City of St. Cloud and the State of Minnesota hopes to have a VOR instrument approach procedure approved using the State owned St. Cloud State TVOR located on this airport.

The proposed structure would be located approximately 1.7 miles northeast of the airport reference point of the Whitney Memorial Airport, St. Cloud, Minnesota. The Agency study disclosed that there is no current instrument approach procedure for this airport and no plans have been filed with this Agency for the establishment of an instrument approach procedure based on the use of the St. Cloud State TVOR. Part 626 of the regulations of the Administrator, § 626.12(b), precludes this Agency from considering the effect of a proposed structure on a prospective instrument approach procedure not on file with this Agency as of the filing date of the Notice of Proposed Construction or Alteration. The study further disclosed that although the proposed structure would penetrate the criteria of the JIGTSC and this Agency's TSO-N18, this factor would result in no substantial adverse effect upon VFR operations at the Whitney Memorial Airport.

No other aeronautical operations, procedures or minimum flight altitudes would be affected by the proposed structure.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33; 26 F.R. 5292), it is concluded that the proposed structure, at the location and mean sea level elevation specified herein, would have no substantial adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation provided that the structure is obstruction marked and lighted in accordance with Federal Communications Commission rules.

This determination is effective as of the date of issuance and will become final 30 days thereafter, provided that no appeal herefrom under § 626.34 (26 F.R. 5292) is granted. Unless otherwise revised or terminated a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 626.35; 26 F.R. 5292).

Issued in Washington, D.C., on December 27, 1961.

JOSEPH VIVARI,
Acting Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 62-231; Filed, Jan. 9, 1962;
8:48 a.m.]

[OE Docket No. 61-CE-75]
**PROPOSED TELEVISION ANTENNA
STRUCTURE**

**Determination of No Hazard to Air
Navigation**

The Federal Aviation Agency has circularized the following proposal to interested persons for aeronautical comment and has conducted a study to determine its effect upon the safe and efficient utilization of airspace: The South Dakota Television, Inc., Aberdeen, South Dakota, proposes to construct a television antenna structure near Crocker, South Dakota, at latitude 45° 06' 32" north, longitude 97° 53' 30" west. The overall height of the proposed structure would be 3,048 feet above mean sea level (1,288 feet above ground).

Objections were made in response to the circularization by the Air Transport Association of America on the basis that the proposed structure would require an increase from 3,000 feet above mean sea level to 3,500 feet above mean sea level in the minimum en route instrument flight rules altitude on VOR Federal Airway No. 24 between the Aberdeen, South Dakota, VOR and the Watertown, South Dakota, VOR. The Aircraft Owners and Pilots Association objected on the basis that the proposed structure would exceed 1,000 feet above ground and would appear to violate Part 626 of the Regulations of the Administrator. At the FAA Kansas City Informal Airspace Meeting the ATA withdrew its objection. The AOPA was not represented at this meeting. The South Dakota Aeronautics Commission requested that special consideration be given to the Visual Flight Rules flyway requirements in that area.

The proposed structure would be located 5.3 miles west of Crocker, South Dakota, and 8.7 miles southwest of the centerline of Victor 24. It would require an increase from 3,000 feet MSL to 3,500 feet MSL in the MEA on Victor 24 between the Aberdeen VOR and the Watertown VOR. The 1961 peak day instrument flight rules traffic count for this segment of airway was 1 flight. The Agency study disclosed that this increase in MEA would have no substantial adverse effect upon IFR operations. During fiscal year 1961, there were 200 VFR general aviation flight plans filed between the Aberdeen and Watertown Airports. Of these flights, 180 were filed via direct route and 20 via airways. The study disclosed that the proposed structure would not be located in close proximity to these or other known routes generally used by VFR operations. The proposed structure would exceed the criteria contained in Part 626 of the regulations of the Administrator. However, the study further disclosed that this factor would have no substantial adverse effect upon aeronautical operations.

No other aeronautical operations, procedures or minimum flight altitudes would be affected by the proposed structure.

Therefore, pursuant to the authority delegated to me by the Administrator (14 CFR 626.33; 26 F.R. 5292), it is concluded

that the proposed structure, at the location and mean sea level elevation specified herein, would have no substantial adverse effect upon aeronautical operations, procedures or minimum flight altitudes; and it is hereby determined that this structure would not be a hazard to air navigation, provided that the structure be obstruction marked and lighted in accordance with applicable Federal Communications Commission rules.

This determination is effective as of the date of issuance and will become final 30 days thereafter, provided that no appeal herefrom under § 626.34 (26 F.R. 5292) is granted. Unless otherwise revised or terminated a final determination hereunder will expire 18 months after its effective date or upon earlier abandonment of the construction proposal (§ 626.35; 26 F.R. 5292).

Issued in Washington, D.C., on December 28, 1961.

JOSEPH VIVARI,
Acting Chief,
Obstruction Evaluation Branch.

[F.R. Doc. 62-232; Filed, Jan. 9, 1962;
8:48 a.m.]

**FEDERAL COMMUNICATIONS
COMMISSION**

[FCC 62-7]

**STATEMENT OF ORGANIZATION, DEL-
EGATIONS OF AUTHORITY, AND
OTHER INFORMATION**

Inspection of Records

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 3d day of January 1962;

The Commission having under consideration sections 0.404 and 0.406 of its rules and regulations pertaining to records of the Commission which are open to the public for inspection, and the necessity to amend the aforementioned sections;

It appearing, that the amendments to the rules ordered herein codify existing practice, are procedural in nature, and that therefore the notice and effective date provisions of section 4 of the Administrative Procedure Act are inapplicable; and

It further appearing, that the authority for the adoption of these rules is contained in sections 4(i) and 303(r) of the Communications Act of 1934, as amended.

It is ordered, That effective January 15, 1962, Part 0 of the Commission's rules and regulations is amended as set forth below.

(Sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interprets or applies sec. 303, 48 Stat. 1082, as amended; 47 U.S.C. 303)

Released: January 5, 1962.

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

NOTICES

1. In section 0.404, paragraph (a) is amended and a new paragraph (g) is added as follows:

SEC. 0.404 Public reference rooms.

(a) The Broadcast and Docket Reference Room. Here the public may inspect all broadcast applications and files relating thereto, lists designated in section 0.406 (g), (h), and (i), dockets relating to all Commission matters which have been designated for hearing or which are the subject of rule making proceedings, any other docketed matters, and undocketed petitions for rule making.

(g) The Equipment and Systems Branch of the Technical Research Division of the Office of the Chief Engineer. Here the public may inspect the Radio Equipment List (list of type-approved and type-accepted equipment).

2. In section 0.406, paragraph (e) is redesignated paragraph (k), paragraph (g) is amended, and new paragraphs (e), (h), (i), and (j) are added as follows:

SEC. 0.406 Inspection of records.

(e) The Master Frequency Records (Standard Form 128) are available for public inspection in the offices of the Frequency Registration and Notification Branch of the Frequency Allocations and Treaty Division, Office of Chief Engineer.

(g) Lists of frequency assignments to radio stations authorized by the Commission are recapitulated periodically by means of a machine record system. All stations licensed by the Commission are included, except the following: Aircraft, Amateur, Citizens (except Class A), Civil Air Patrol, and Disaster. The resulting documents, the F.C.C. Service Frequency Lists, consist of several volumes arranged by Nature of Service, in frequency order, including station locations, call signs and other technical particulars of each assignment. These documents are available for public examination at each of the Commission's Field Engineering and Monitoring Bureau field offices (see section 0.49), and in Washington, D.C., at the Commission's Broadcast and Docket Reference Room, and in the offices of the Frequency Registration and Notification Branch of the Frequency Allocations and Treaty Division, Office of Chief Engineer. They may be purchased from the Seabrooke Printing Co., 514 10th Street N.W., Washington 4, D.C.

(h) Pursuant to the North American Regional Broadcast Agreement and the U.S./Mexican Agreement, appropriate countries are notified of standard broadcast station assignments as they are made. The information thus supplied by notice includes frequency, station location, call letters, power and other technical particulars. Every six months, a recapitulative list containing this information for all existing standard broadcast stations, arranged in frequency order, is prepared by the Commission. This is the so-called NARBA List. These lists are available for public examination

at each of the Commission's Field Engineering and Monitoring Bureau field offices (see section 0.49), and in Washington, D.C., at the Commission's Broadcast and Docket Reference Room. They may be purchased from the Seabrooke Printing Co., 514 10th Street NW., Washington 4, D.C.

(i) Periodically the Commission prepares lists containing information about authorized broadcast stations and pending applications for such stations as set forth below. These lists, which are prepared by an addressing machine, contain frequency, station location, and other particulars. They are available for public examination at the Commission's Broadcast and Docket Reference Room, Washington, D.C., and may be purchased from Cooper-Tren', Inc., 1130 19th Street NW., Washington 6, D.C.

(1) For standard broadcast stations the lists are arranged as follows:

(i) Authorized stations arranged in frequency order, alphabetically by state and city, and by call letters.

(ii) Pending applications for new stations and major changes in existing facilities arranged in frequency order and alphabetically by state and city.

(2) For FM broadcast stations the lists are arranged as follows:

(i) Authorized stations arranged by call letters and alphabetically by state and city.

(ii) Pending applications for new stations and major changes in existing facilities arranged alphabetically by state and city.

(3) For television broadcast stations only one list is prepared. This list contains authorized stations and pending applications for new stations and major changes in existing facilities, and is arranged alphabetically by state and city.

(4) For television broadcast translator stations only one list is prepared. This list contains authorized stations and pending applications for new stations and major changes in existing facilities and is arranged alphabetically by state and city.

(j) Lists of type-approved and type-accepted equipment (the Radio Equipment Lists) are prepared periodically by the Commission. These documents are available for public examination at each of the Commission's Field Engineering and Monitoring Bureau field offices (see section 0.49) and in Washington, D.C., in the offices of the Equipment and Systems Branch of the Technical Research Division of the Office of the Chief Engineer.

[F.R. Doc. 62-265; Filed, Jan. 9, 1962; 8:54 a.m.]

[Docket No. 14477; FCC 62-46]

**ALLOCATION OF FREQUENCY BANDS
FOR RADIO ASTRONOMY**

Notice of Inquiry

1. The Administrative Radio Conference, Geneva, 1959, gave recognition to radio astronomy as a new radio service meriting status in the international Table of Frequency Allocations. The new service was permitted access to a number of frequency bands by virtue of

footnotes to the Table of Frequency Allocations and only the band 1400-1427 Mc/s was allocated exclusively to the radio astronomy service on a world-wide basis.¹

2. Subsequent to the 1959 Geneva Conference, the Commission, in consultation with the Office of Civil and Defense Mobilization (recently renamed the Office of Emergency Planning (OEP)) and the Interdepartment Radio Advisory Committee (IRAC), came to the conclusion that it would be difficult to administer frequency bands wherein sharing was permitted between radio astronomy observatories and radio stations in other radio services. Consequently, the Commission's notice of proposed rule making in Docket No. 13928, adopted January 25, 1961, recommended that the national Table of Frequency Allocations be amended to provide exclusive allocations for radio astronomy in a considerable number of those frequency bands wherein the international Radio Regulations provided only footnote status. In certain other bands the Commission's proposal could recommend only secondary status for the new service. All comments filed with the Commission relative to its radio astronomy proposals in Docket No. 13928 were favorable. As a result, the Commission's Second Memorandum Opinion and Order adopted October 18, 1961, to become effective December 1, 1961, adopted its earlier radio astronomy proposals without change.

3. The Administrative Radio Conference, Geneva, 1959, also adopted Recommendation 36 wherein an Extraordinary Administrative Radio Conference (EARC) is tentatively scheduled for the latter part of 1963, to deal with the matter of frequency allocations for space radiocommunication. Although radio astronomy was not intended initially to be a subject for discussion at such an EARC, there is a rapidly growing sentiment throughout the scientific community to attempt to have it placed on the agenda, should that conference be convened, in an effort to obtain international allocation status comparable to that presently afforded within the United States.

4. The attached document, "Preliminary Views of the United States of America—Frequency Allocations for Radio Astronomy,"¹ has been developed in anticipation of the above EARC and in response to the stated requirements of government and non-government radio astronomy interests. It is emphasized that this document does not constitute a U.S. position for presentation at the tentatively scheduled 1963 EARC for space radiocommunication but is designed to elicit the comments and reactions of other governments with respect to initial planning in this area. In the event the Administrative Council of the International Telecommunication

¹ This exclusive allocation is modified somewhat by footnote No. 350 which reads as follows: "In Albania, Bulgaria, Hungary, Poland, Roumania, Czechoslovakia and the U.S.S.R., the band 1400-1427 Mc/s is also allocated to the fixed service and the mobile, except aeronautical mobile, service."

Union (ITU) should take action to add frequency allocations for the radio astronomy service as a separate agenda item for the above mentioned EARC, the attached views² would be relevant. All parties having an interest in that conference are requested to comment specifically on the desirability of such action by the ITU.

5. The preliminary views propose the allocation of the following bands to the radio astronomy service on a world-wide, exclusive basis, except as indicated:

40.66-40.70 Mc/s.
73.0-74.6
328.6-335.4 (secondary to the aeronautical radionavigation service).
1400-1427
1664.4-1668.4 (secondary to meteorological satellites).
2690-2700
4990-5000
10.68-10.7 Gc/s.
15.35-15.4
19.3-19.4
31.3-31.5
88.0-90.0

6. Ideally, an allocation structure designed for the radio astronomy service should provide spectrum space at the more important spectral lines and also provide for continuum studies by designating frequency bands in octaves throughout the spectrum. It will be noted that the above bands are not fully responsive to the desires of radio astronomers, particularly in the latter regard. The bands 1400-1427 and 1664.4-1668.4 Mc/s are associated with the spectral lines of hydrogen and the hydroxyl complex, respectively, whereas the others represent an effort to meet the octave concept with a minimum of impact upon existing radio services. The band 40.66-40.70 Mc/s, for example, is only 40 kc/s wide rather than 500 kc/s as suggested by radio astronomers. This band, however, is in a very heavily congested portion of the spectrum and it is only because of unusual circumstances that even 40 kc/s appears usable on a world-wide basis for the radio astronomy service. At the present time, the center frequency of this band, 40.68 Mc/s, is designated in the Radio Regulations and in the national Table of Frequency Allocations for industrial, scientific and medical devices (ISM), which are required to contain their emissions within the band 40.66-40.70 Mc/s. Because this places a stringent technical requirement upon ISM devices designed for 40.68 Mc/s, there has been virtually no development anywhere in the world. The preliminary views propose to delete any provision for ISM in this band, allocating it exclusively to radio astronomy.

7. The proposal at 73.0-74.6 Mc/s would make the band exclusively radio astronomy on a world-wide basis. This would be an expansion of the existing footnote status for Region 2 (the Americas). Should this be adopted by a future radio conference, those operations presently permitted to use the band on a "grandfather clause" basis would be in derogation of the new Regulations and would be required to move if they caused

interference to the radio astronomy service of other countries.

8. Following the octave concept, one would expect to find additional bands proposed in the vicinity of 150-160 Mc/s and 600-650 Mc/s. The lower band, however, is in what is undoubtedly the most heavily congested portion of the spectrum with literally thousands of land mobile systems spread throughout every state in the Union. The upper band falls within the UHF TV band. A possible solution for the radio astronomy service at these orders of frequency can be considered only as a very long range objective.

9. Attention is invited to the fact that the attached views² would delete the existing provision for radio astronomy at 404-406 Mc/s, substituting 328.6-335.4 Mc/s in its stead. This change is proposed on the ground that 328.6-335.4 Mc/s is better suited to the needs of the radio astronomy service on a long term basis and the allocation of two bands to radio astronomy, in the same portion of the spectrum, cannot be justified. The continuing expansion of meteorological aid operations in the band 404-406 Mc/s, coupled with increasing space satellite needs, is expected to render the band less and less useful for radio astronomy observations as time goes on.

10. With the exception of the band 88-90 Gc/s, which is well above that portion of the radio spectrum allocated to specific radio services, the bands remaining which have not been discussed are precisely those radio astronomy bands now specified in footnotes to the international Table of Frequency Allocations in the Radio Regulations. The attached views² propose exclusive allocation to radio astronomy in each case.

11. The Commission offers herein for public comment the "Preliminary Views of the United States of America—Frequency Allocations for Radio Astronomy".² Following study of the comments received in response to this Notice of Inquiry, the Commission, in consultation with the Office of Emergency Planning (OEP), expects to make such modifications in the attached statement² as appear to be appropriate and practicable. It is anticipated that the resultant statement would then be transmitted to the Department of State with a recommendation that it be distributed abroad through appropriate channels so that the ideas and reactions of other countries can be obtained and taken into account.

12. Inasmuch as the attached statement² has been prepared for international study, it is inappropriate to indicate the ultimate national provisions which might be applied to any given band. Additionally, since this document represents only preliminary views, it is reasonable to expect that it may be changed somewhat before it reaches the status of a U.S. proposal to an international conference empowered to allocate frequency space for the radio astronomy service. Following such a conference, and depending upon the results thereof, it then will be appropriate to perfect domestic arrangements for implementation of the new allocations.

13. Any interested person is invited to file comments with the Commission concerning this matter on or before February 16, 1962. Comments in response to initial comments may be filed on or before February 26, 1962. Due to the interest expected to be expressed in the subject of radio astronomy and the extensive intra-governmental coordination necessary to formulate a national position on this subject, it is requested that an original and 39 copies of each comment be furnished to the Commission.

Adopted: January 3, 1962.

Released: January 5, 1962.

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

[F.R. Doc. 62-266; Filed, Jan. 9, 1962;
8:54 a.m.]

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[Docket No. 14394 etc.; FCC 61-1511]

FLOWER CITY TELEVISION CORP., ET AL.

Order Designating Applications for Consolidated Hearing on Stated Issues

In re applications of Flower City Television Corporation, Rochester, New York, Docket No. 14394, File No. BPCT-2929; Genesee Valley Television Co., Inc., Rochester, New York, Docket No. 14395, File No. BPCT-2944; for construction permits for new television broadcast stations. In re applications of Rochester Area Educational Television Association, Inc., Rochester, New York, Docket No. 14459, File No. BPCT-2943; Star Television, Inc., Rochester, New York, Docket No. 14460, File No. BPCT-2948; Community Broadcasting, Inc., Rochester, New York, Docket No. 14461, File No. BPCT-2953; Heritage Radio and Television Broadcasting Co., Inc., Rochester, New York, Docket No. 14462, File No. BPCT-2961; Ivy Broadcasting Company, Inc., Rochester, New York, Docket No. 14463, File No. BPCT-2963; Main Broadcast Co., Inc., Rochester, New York, Docket No. 14464, File No. BPCT-2964; The Federal Broadcasting System, Inc., Rochester, New York, Docket No. 14465, File No. BPCT-2966; Citizens Television Corp., Rochester, New York, Docket No. 14466, File No. BPCT-2967; Rochester Broadcasting Corporation, Rochester, New York, Docket No. 14467, File No. BPCT-2972; Rochester Telecasters, Inc., Rochester, New York, Docket No. 14468, File No. BPCT-2974; for construction permits for new television broadcast stations.

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 27th day of December 1961;

The Commission having under consideration the applications Rochester Area Educational Television Association, Inc. (BPCT-2943), Star Television, Inc. (BPCT-2948), Community Broadcasting, Inc. (BPCT-2953), Heritage Radio and Television Broadcasting Co. (BPCT-2961), Ivy Broadcasting Company, Inc.

² Filed as part of the original document.

NOTICES

(BPCT-2963), Main Broadcasting Co., Inc. (BPCT-2964), The Federal Broadcasting System, Inc. (BPCT-2966), Citizens Television Corp. (BPCT-2967), Rochester Broadcasting Corporation (BPCT-2972), Rochester Telecasters, Inc. (BPCT-2974) captioned above, each requesting a construction permit for a new television broadcast station to operate on Channel 13 in Rochester, New York; and

It appearing, that on November 21, 1961, the Commission designated for hearing two applications (BPCT-2929 and BPCT-2944) each requesting a construction permit for Channel 13 in Rochester, New York (FCC-61-1367, Docket Nos. 14394 and 14395); and

It further appearing, that the above-captioned applications (BPCT-2943, 2948, 2953, 2961, 2963, 2964, 2966, 2967, 2972, 2974) were on file on November 20, 1961, the day preceding the date on which the prior applications were designated for hearing, and are mutually exclusive and entitled to comparative consideration therewith; and

It further appearing, that the above-captioned applications propose antenna locations in the vicinity of the antennas of Standard Broadcast Stations WBBF, WVET, WHEC, and WSAY; that the installation and operation of the television antennas as proposed are possible and feasible without adversely affecting the ability of the Stations WBBF, WVET, WHEC and WSAY to operate in accordance with the terms of their licenses, but that appropriate proof thereof should be submitted after installation of any of the proposed antennas; and that a grant, if made, of any of the above-captioned applications should be subject to the condition in this respect as follows:

The construction authorized herein is subject to the condition that the ability of Standard Broadcast Stations WBBF, WVET, WHEC and WSAY to operate in accordance with the terms of their licenses shall not be adversely affected thereby, particularly with respect to their radiation patterns, and that at least five field intensity measurements on each radial established during the last proof of performance for each of these standard broadcast stations shall be submitted with the television application for license to prove that such patterns have not been materially affected.

It further appearing, that Rochester Area Educational Television Association, Inc., and Rochester Telecasters, Inc., propose a share-time operation; and

It further appearing, that the above-captioned applications are mutually exclusive with the exception that the applications of Rochester Area Educational Television Association, Inc., and Rochester Telecasters, Inc. are complementary and mutually contingent and considered together are mutually exclusive with the other applications; and

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

(a) The proposal of Star Television, Inc. (BPCT-2948). Based on information contained in the application, it appears that cash in the approximate amount of \$981,000 will be required for construction and initial operation of the

proposed station. It appears that construction and operation will be financed, in part, by means of a line of credit from the Central Trust Bank in the amount of \$1,000,000. This loan is subject to the condition that the applicant has paid in capital and loans by stockholders of not less than \$600,000. This condition has not been met and, therefore, it cannot be determined that Star Television, Inc. is financially qualified.

(b) The proposal of Ivy Broadcasting Company, Inc. (BPCT-2963).

1. The applicant has pending an application (BPCT-2949) for a construction permit for a new television broadcast station to operate on Channel 9 in Syracuse, New York. In the event both applications were to be granted, it appears that substantial overlap would result. Under such circumstances and assuming a grant of the Syracuse application, it appears appropriate to consider the size, extent and location of the areas served and to be served; the extent of the overlap involved; the number of persons served; the number of persons residing within the overlap area; the extent of other competitive service to the areas in question; the extent to which the stations will rely on the same revenue and program sources; the nature of the programming that the stations will present, with particular reference to the particular need of the communities they are designed to serve; the advertising practices of the stations; the source of program material and talent for each station; and such other factors as will tend to demonstrate that the overlap involved will not be in contravention of § 3.636(a)(1) of the Commission's rules.

2. Based on information contained in the application, it appears that cash in the approximate amount of \$1,310,000 will be required for construction and initial operation of the proposed station. Applicant proposes to finance the costs of construction and operation by means of a bank loan of \$1,000,000 and existing capital of \$75,000. With respect to existing capital, the applicant's balance sheet shows that current assets exceed current liabilities by only \$10,000. In addition, it appears that current liabilities are understated since Commission records show that the current portion of long term debts has not been included as a current liability. Moreover, the applicant has pending an application (BPCT-2949) for a permit to construct a television broadcast station on Channel 9 in Syracuse, New York and in connection therewith proposes the use of existing capital for financing the cost of construction and initial operation. In view of the foregoing, it cannot be determined that Ivy Broadcasting, Inc., is financially qualified to construct and operate the proposed station.

(c) The proposal of Main Broadcasting Co., Inc. (BPCT-2964).

1. Based on information contained in the application, it appears that cash in the approximate amount of \$570,000 will be required for construction and initial operation of the proposed station. The applicant proposes to finance the construction and initial operation by means of a bank loan of \$500,000 and stock

subscriptions of \$100,000 from the four stockholders. The balance sheets submitted for the stockholders do not disclose current and liquid assets in excess of current liabilities sufficient in amount to meet their commitments. Consequently, it cannot be determined that applicant is financially qualified to construct and operate the proposed television broadcast station.

2. The electrical center and gain for the type antenna proposed do not correspond with data filed with the Commission by the manufacturer. It is necessary, therefore, to determine the correct antenna gain and/or electrical center of the proposed antenna.

(d) The Federal Broadcasting System, Inc. (BPCT-2966). It appears that the site elevation figure utilized in determining the antenna height above average terrain and the antenna height above sea level and the heights affected thereby is in error.

It further appearing that upon due consideration of the above-captioned applications (BPCT-2943, 2948, 2953, 2961, 2963, 2964, 2966, 2967, 2972, and 2974), the Commission finds that Rochester Area Educational Television Association, Inc., is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; that Star Television, Inc., is legally and technically qualified to construct, own and operate the proposed television broadcast station and is otherwise qualified except with respect to issue "1" below; that Community Broadcasting, Inc., is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; that Heritage Radio and Television Broadcasting Co., Inc., is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; that Ivy Broadcasting Company, Inc., is legally and technically qualified to construct, own and operate the proposed television broadcast station and is otherwise qualified except with respect to issues "2" and "3" below; that Main Broadcast Co., Inc., is legally qualified to construct, own and operate the proposed television broadcast station, is technically so qualified except with respect to issue "4" below and is otherwise qualified except with respect to issue "5" below; that The Federal Broadcasting System, Inc., is legally and financially qualified to construct, own and operate the proposed television broadcast station and is technically and otherwise qualified except with respect to issue "6" below; that Citizens Television Corp. is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; that Rochester Broadcasting Corporation is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station; and that Rochester Telecasters, Inc., is legally, financially, technically and otherwise qualified to construct, own and operate the proposed television broadcast station.

It is ordered, That pursuant to section 309(3) of the Communications Act of

1934, as amended, the above-captioned applications (BPCT-2943, 2948, 2953, 2961, 2963, 2964, 2966, 2967, 2972, and 2974) are designated for hearing and consolidated into the pending proceeding in Docket Nos. 14394 and 14395 upon the following issues:

1. To determine whether Star Television, Inc., is financially qualified to construct, own and operate the proposed television broadcast station.

2. To determine whether Ivy Broadcasting Company, Inc., is financially qualified to construct, own and operate the proposed television broadcast station.

3. To determine, assuming a grant of Ivy Broadcasting Company's application (BPCT-2949) for Channel 9, Syracuse, New York, whether a grant of the subject application would contravene the provisions of § 3.636 of the Commission's rules.

4. To determine the correct antenna gain and/or electrical center of the antenna proposed by Main Broadcast Co., Inc.

5. To determine whether Main Broadcast Co., Inc., is financially qualified to construct, own and operate the proposed television broadcast station.

6. To determine the exact elevation above mean sea level of the antenna site proposed by The Federal Broadcasting System, Inc., and other elevations that would be affected thereby.

7. To determine on a comparative basis which of the mutually exclusive operations proposed in the above-captioned applications would best serve the public interest, convenience and necessity in light of the significant differences among the applicants as to:

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

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

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

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

It is further ordered, That issues "7" and "8" of this order shall supersede the issues specified in the Commission's Order of November 15, 1961 (FCC 61-1367) in Docket Nos. 14394 and 14395.

It is further ordered, That the time and place of the consolidated hearing will be specified in a subsequent order.

It is further ordered, That the issues in the above-entitled 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 applicants will give reasonable assurance that the proposals set forth in the applications will be effectuated.

It is further ordered, That to avail themselves of the opportunity to be heard, the applicants, pursuant to § 1.140

of the Commission's rules, in person or by attorney, shall, within twenty (20) days of the mailing of this order, file with the Commission in triplicate a written appearance stating an intention to appear on the date fixed for the hearing and present evidence on the issues specified in this order.

It is further ordered, That, the applicants herein and the applicants previously designated for hearing in Docket Nos. 14394 and 14395 shall, pursuant to § 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.

Released January 5, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-267; Filed, Jan. 9, 1962;
8:54 a.m.]

[Docket No. 14076, etc.; FCC 61-1350]

KENT-RAVENNA BROADCASTING CO., ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Kent-Ravenna Broadcasting Co., Kent, Ohio, Docket No. 14076, File No. BP-13749; et al., for construction permits.

1. The Commission has before it for consideration a petition to enlarge, change, and clarify issues, filed May 15, 1961, by Carnegie Broadcasting Corporation; pleadings filed in response thereto; and a motion to strike, motion for leave to file reply, and reply, tendered June 23, 1961, by Carnegie.

2. This proceeding was designated for hearing by Commission order, 26 F.R. 3658, April 28, 1961. The instant pleadings principally involve four applications:

Petty Durwood Johnson, tr/as Radio Trumbull, Niles, Ohio. Requests: 1510 kc, 500 w, D.
Monroeville Broadcasting Co., Monroeville, Pa. Requests: 1510 kc., 250 w, D.
Carnegie Broadcasting Corp., Pittsburgh, Pa. Requests: 1510 kc, 50 kw, DA, D.
Miners Broadcasting Service, Inc. (WMBA), Ambridge-Aliquippa, Pa. Has: 1460 kc, 500 w, DA, D (Ambridge, Pa.). Requests: 1510 kc, 10 kw, DA, D (Ambridge, Aliquippa, Pa.).

SECTION 307(b) CONSIDERATIONS

3. A number of the hearing issues in this proceeding look toward a determination of various matters relating to the ultimate determination under section 307(b) of the Act, quoted in paragraph 6, infra. These issues read substantially as follows:¹

¹ By Order, FCC 61M-829, May 11, 1961, an application for Green Tree, Pennsylvania, was dismissed and reference thereto in the issues has been deleted. By Memorandum

9. To determine, in light of their location and urban and industrial characteristics, and other relevant factors, whether Monroeville, Pennsylvania, is a separate community with respect to Pittsburgh, Pennsylvania, for the purposes of 47 U.S.C. 307(b);

10. To determine, in the light of 47 U.S.C. 307(b), which of the instant proposals would best provide a fair, efficient, and equitable distribution of radio service;

11. To determine, if Monroeville is a separate community with respect to Pittsburgh, and if Monroeville is selected as having the greater need for a new facility, whether the proposal of Carnegie Broadcasting Corporation will provide service to Monroeville;

12. To determine, if (a) Monroeville and Pittsburgh are separate communities, and (b) Monroeville is deemed to have a greater need for the new facility and (c) Carnegie Broadcasting Corporation will provide service to Monroeville, which of the proposals of Monroeville Broadcasting Company or Carnegie Broadcasting Corporation would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the said 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; and

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

13. To determine, if Monroeville is found not to be a separate community, whether the proposal therefor will provide service to Pittsburgh;

14. To determine, if (a) Monroeville is not a separate community and (b) the proposal for Monroeville provides service to Pittsburgh and (c) Pittsburgh is determined to have the greater need for the new facility, which of the proposals of Monroeville Broadcasting Company or Carnegie Broadcasting Corporation would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the said 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; and

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

4. Alleging that certain of the foregoing issues need revision and clarification, and that further issues should be added, Carnegie contends:

Opinion and Order, 26 F.R. 5378, June 15, 1961, an issue was added and existing issues 8-16 were renumbered 9-17 (the cited issues reflect this renumbering).

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a. There should be a "separate community" issue and a "contingent standard comparative" issue with respect to Pittsburgh vis-a-vis Ambridge-Aliquippa;

b. The comparison contemplated by Issue 12 would literally come into play even if Carnegie's 50 kw proposal were to be ultimately preferred under 307(b) (because of greater "efficiency"), and thus, it should be made clear that this comparison becomes necessary only if section 307(b) is not determinative;

c. Engineering (coverage) factors are relevant to the contingent standard comparative issues and this should be made clear;

d. The issues overlook the possibility that Pittsburgh and Monroeville may be separate, that Pittsburgh may have the greater need and that the Monroeville applicant may serve Pittsburgh, thus requiring comparison of Carnegie and Monroeville; and

e. In Issue 14, if Monroeville and Pittsburgh are not separate, there would be no choice to make, and therefore clause (c) should be deleted.

5. Consideration of the matters at hand requires an analysis of 47 USC 307 (a) and (b) which state:

(a) The Commission, if public convenience, interest, or necessity will be served thereby, subject to the limitations of this Act, shall grant to any applicant therefor a station license provided for by this Act.

(b) In considering applications for licenses, and modifications and renewals thereof, when and insofar as there is demand for the same, the Commission shall make such distribution of licenses, frequencies, hours of operation, and of power among the several States and communities as to provide a fair, efficient, and equitable distribution of radio service to each of the same.

The heart of 47 USC 307(b) is the mandate "to provide a fair, efficient, and equitable distribution of radio service", and to do so "among the several States and communities". Read in the light of the requirement of 47 USC 307(a) that an application may be granted only if the "public convenience, interest, or necessity" would be served thereby, it is axiomatic that the requirements of 307(b) must be a constant consideration of the Commission and that the Commission must look to these directives in reviewing applications for broadcasting facilities. In making a choice between mutually exclusive applications, it is essential that all those relevant considerations which bear on "fair, efficient, and equitable distribution" must be weighed and balanced on the particular facts of each individual proceeding. We will here review some of those considerations and will discuss them as they relate to "fair and equitable" and "efficient" distribution.

6. The Commission has by rule² established, in the standard broadcast band, three broad classes of channels, designating one class for primarily local service and two classes for primarily wide area and regional service. Commission rules require each applicant to make a definitive showing of the entire area it proposes to serve, to specify some community and State as its station lo-

cation, and requires certain engineering specifications to be met for such station location or "principal city". Implicit in these rules is the requirement that every station provide two types of service—a reception service for its entire proposed service area and a transmission service (i.e., outlet for local expression) for its proposed community of station location. It is recognized that some proposals may be so designed that the entire service area does not extend to any appreciable degree beyond the principal community itself; and that other proposals may contemplate an entire service area and population considerably greater than its station location. In each case, however, every proposal must look to providing both a transmission and reception service. In determining the relative needs of the proposed service areas for the respective proposed reception services where multiple applications are involved, principal reliance is had on the relative populations and extent of the areas proposed to be served and the number of reception services presently available to each of the proposed service areas and portions thereof.

7. The relative needs for a transmission service are weighed primarily in the light of the number of standard broadcast facilities in each of the communities and the populations of these communities. Whether a given concentration of population constitutes a community for purposes of 307(b) must, of course, be decided under the facts of each case and in accordance with the provisions of our Rules. It is not necessary for present purposes to list the various indicia of a "community"; that this question is present at some stage in every 307(b) determination is, however, clear. In this connection, see § 3.30 of our rules, and on order cited in 1 RR 53.156(a) (FCC 61-1157). In determining equitable distribution of broadcast facilities, the Commission will look to the relative needs of the respective proposed service areas for a reception service, and will also look to the relative needs of each of the principal communities for a new transmission service.

8. In determining which of the mutually exclusive proposals (whether for the same community or different communities) best meets the "efficient" distribution requirement of section 307(b), the types or classes of frequencies involved, the areas which would receive service, and the power and hours of operation proposed are relevant. Material to this consideration is whether a regional or local frequency is proposed for a regional or local use, as the case may be, or whether the power proposed for the frequency applied for is not suited to the use which is proposed. The importance of the transmission aspects may diminish where the proposal is designed to serve a wide area, and the importance of the reception aspects of the proposed service may be considerably secondary to its transmission aspects where the use of local channels is contemplated. In every case the amount of interference such proposals will cause and receive is relevant.

9. The application of these criteria has been complicated by the fact that in recent years there have been increasing numbers of applications for suburban area communities which conflicted with applications for those suburbs' principal cities. See, for example, Huntington Broadcasting Company, 6 RR 569 (1950); Manchester Broadcasting Co., 14 RR 219 (1958); Michigan Broadcasting Company, 20 RR 221 (1960). Recognizing the Commission's traditional view of attaching great importance to proposals that would provide a community with its first transmission service, central city applicants frequently have raised questions as to whether the suburb was in fact a community separate from the central city, and issues have been requested to permit the central city applicant to show that actually the suburb did not have that identity of interest which required a first transmission outlet, or that if it did, the proposal therefor was an inefficient use of frequency. As in the instant proceeding, such requested issues are complex and presuppose facts which are often in dispute. Since the problems underlying such requested issues are part of the overall 307(b) question, the Commission will in the future consider them as encompassed by the standard 307(b) issue. This will serve to relieve both the parties and the Commission of the necessity of attempting to predict the course of the proceeding by tailoring issues to facts not yet established, and will leave in the Hearing Examiner the responsibility of determining, on the basis of a showing made by any of the parties to the proceeding, what facets of the problem should be explored at the hearing. Should it be determined that the suburb is a separate community for 307(b) purposes, a choice between mutually exclusive proposals for the city and its suburb is to be made in the light of the criteria pertinent to a determination of which proposal would provide the more efficient and equitable distribution of broadcast facilities.

10. A second problem which has been presented with increasing frequency is the so-called reciprocal service consideration, e.g., where applicant A will by engineering standards provide primary service to applicant B's community. In some such instances, where B's community was favored under 307(b), applicant A has contended that it is entitled to comparative consideration with applicant B. To be entitled to comparative consideration, applicant A must not only provide primary service to B's community, but must also meet the same requirements imposed on applicant B by § 3.30 of our rules as to studio location and program origination. In the usual case, the latter requirements could not be met by applicant A, and should it desire comparative consideration with B it would in most instances be necessary for it to request an issue as to whether the requirements of § 3.30 should be waived. A request for such issue should be directed to the Commission. If, under such issue, it is determined that the requirements of that section should be waived, and if applicant A provides primary service to community B, compara-

tive consideration of the two applicants is in order.

11. We wish to emphasize that those equitable and efficient factors relevant to any particular proceeding can be determined only with regard to the particular facts of the case, and they must be weighed and balanced to reach an ultimate conclusion as to which applications would best serve the public interest, convenience, and necessity. In such cases as are designated for hearing it will be necessary for the Hearing Examiner to determine, under the designated 307(b) issue, the necessity for inquiry into any particular facet of this problem as it relates to the circumstances before him and to what extent any proffered evidence is desirable or necessary. When considering the multiple and complex questions involved with regard to mutually exclusive applicants, whether for the same or different communities, only in those situations in which, after the balancing of all those factors necessary in any particular case, neither proposal can be awarded a significant preference under section 307(b), will the Commission look to the standard comparative issue to make a choice between the proposals.³

12. With the foregoing discussion as a guide, we will now consider the specific questions raised by Carnegie. Its requested separate community issue, paragraph 4a, *supra*, is unnecessary, since it would only determine whether a denominated station community has such identity of interest as to require a transmission service and whether the proposal for that community constitutes an efficient use of frequencies. Henceforth, the Commission regards this matter as encompassed within the standard 307(b) issue, here Issue 10. In conformity with this view, Issue 9 will be deleted as unnecessary. Carnegie asserts, paragraph 4b, *supra*, that Issue 12 requires that it be compared with Monroeville under the standard comparative issue even if it is ultimately preferred on 307(b) grounds. Should it be determined that separate communities are not involved, and that the two "communities" are only one community in contemplation of section 307(b), the efficient and equitable requirements nonetheless continue to be applicable.⁴ As we have noted, if an applicant obtains a significant ultimate

³ As in the past, a contingent comparative issue will be included among the issues specified in the designation order where, under the facts then available, it appears that 307(b) considerations may not be determinative. Should such an issue not be included in the designation order, the Commission will, upon request of any of the parties, consider the addition of a contingent comparative issue should it subsequently appear that 307(b) considerations may not be determinative.

⁴ Because different service areas would usually be involved in the two proposals, the equitable considerations are applicable. *Television Corporation of Michigan v. FCC*, 21 RR 2107 (C.A.D.C., 1961).

⁵ Should it be determined that the two communities are not separate, a question may arise as to whether either, or both, of the proposals continue to meet the requirements of the rules as to the service to be provided to the single, larger community.

preference on a 307(b) issue, a further comparison of the applicants is unnecessary. Should it appear that a significant preference cannot be awarded under section 307(b), a comparison of the applicants under the standard comparative issue would be necessary; if such an issue was not included as a contingent issue in the designation order, a request for the addition of such an issue should be addressed to the Commission. Since, under the circumstances presented in this case, 307(b) considerations might not in every instance be decisive, we will add a contingent standard comparative issue, applicable to all applicants of this proceeding that must resort thereto. This action also meets Carnegie's request, paragraph 4a, *supra*, for a new standard comparative issue. In view of the scope of the matters subject to consideration under the standard 307(b) issue, and in view of our inclusion of the contingent standard comparative issue as to all of the applicants, there is no need for Issues 11 through 16, and they will accordingly be deleted. Carnegie seeks assurance, paragraph 4(c), *supra*, that engineering (coverage) factors will be relevant to the standard comparative issue; it is clear, from an examination of the contingent standard comparative issue, that a choice between applicants is to be made not only under the standard comparative criteria but also in the light of the "foregoing" issues, which includes the 307(b) issue and, hence, coverage considerations. The question of "reciprocal service", paragraph 4d, *supra*, is already encompassed by the 307(b) issue, and a separate issue is not necessary. In view of the deletion of Issue 14, Carnegie's contention in paragraph 4e, *supra*, becomes moot.

FINANCIAL QUALIFICATIONS

13. Carnegie seeks financial issues with regard to both Radio Trumbull and Miners. The petition in this respect fails to comply with 47 CFR 1.12(a)(2);⁶ these questions are not properly addressed to the Commission and will not be considered, as neither will Carnegie's motion to strike, motion for leave to file reply, and reply; and pursuant to 47 CFR 1.12(c) the parties will be required to file additional copies with the Chief Hearing Examiner for his action.

Accordingly, it is ordered, This 15th day of November 1961, that the petition

⁶ 47 CFR 1.12 states: "(a) A separate pleading should be filed: * * * (2) For each request which, under Part O, the Commission's Statement of Organization, Delegations of Authority, and Other Information, will be acted upon by different Bureau or Offices * * *

"(c) Where pleadings are filed containing requests which should be acted upon under said Part O by different Bureau or Offices, the petitioner may, except in case of a request for stay, be requested to file additional copies of the original pleading within a specified period of time. In such case the action on the pleading will be held in abeyance during the period so specified. In case of failure to timely comply with said request, the original pleading will be returned without consideration. The time within which responsive pleadings to such pleadings should be filed will be computed from the date of timely compliance with said request."

to enlarge, change, and clarify issues, filed May 15, 1961, by Carnegie Broadcasting Corporation is granted to the extent indicated by the foregoing discussion and following ordering clauses, and is denied in all other respects;

It is further ordered, That issues 10, 11, 12, 13, 14, 15 and issue 16 concerning Kettering, Ohio, are deleted, and that the following issue is added:

10. To determine, in the event it is concluded that a choice between the instant applications cannot be made on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest in the 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 the proposed station;

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

(c) The programming service proposed in each of the instant applications; and that the remaining issues herein are hereby renumbered as shown below:

1. To determine the areas and populations which would receive primary service from each of the instant proposals, except the proposal of Station WMBA, Ambridge-Aliquippa, Pennsylvania, 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 WMBA and the availability of other primary service to such areas and populations.

3. To determine the nature and extent of the interference, if any, that each of the instant proposals would cause to and receive from each other and the interference that each of the instant proposals would receive from all other existing standard broadcast stations, the areas and populations affected thereby, and the availability of other primary service to the areas and populations affected by interference from any of the instant proposals.

4. To determine whether the following proposals would cause objectionable interference to the stations indicated below, 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:

Proposals and Existing Stations
BP-13783, Television Corporation of Michigan, Inc.; BP-13068 (WABJ), Adrian, Mich. Recd: 1490 kc, 250 w, 1 kw-LS, U.
BP-13834, Speidel Broadcasting Corp. of Ohio; WCKY, Cincinnati, Ohio, 50 kw, DA-LS, U; BP-12725 (WKBV), Richmond, Ind. Recd: 1490 kc, 250 w, 1 kw-LS, U.
BP-13846, Community Service Broadcasters, Inc.; KJBK, Detroit, Mich., 1 kw, 10 kw-LS, DA-2, U.

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5. To determine whether the interference received by each instant proposal from any of the other proposals herein and any existing station would affect more than ten percent of the percent of the population within its normally protected primary service area in contravention of § 3.28(c)(3) of the Commission rules and, if so, whether circumstances exist which would warrant a waiver of said section.

6. To determine whether the instant proposals of Portage County Broadcasting Corporation and Miners Broadcasting Service, Inc. are consistent with the requirements of § 3.30(b) of the Commission rules to warrant an authorization for dual city operation.

7. To determine whether James E. Vaughn, George W. Vaughn and Ralph J. Bitzer d/b as WXEN is financially qualified to construct and operate its proposed station.

8. To determine whether Portage County Broadcasting Corporation would have available to it the funds shown in its application.

9. 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.

10. To determine, in the event it is concluded that a choice between the instant applications cannot be made on considerations relating to section 307(b), which of the operations proposed in the above-captioned applications would better serve the public interest in the 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 the proposed station.

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

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

11. To determine, in the event it is concluded pursuant to Issue 9 that one of the proposals for Xeniz, Ohio should be favored, which of the proposals of James E. Vaughn, George W. Vaughn and Ralph J. Bitzer d/b as WXEN or R. Roy Stoneburner, Paul W. Stoneburner and Vernon H. Baker d/b as Greene County Radio would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the said 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.

12. To determine, in the event it is concluded pursuant to Issue 9 that either the City of Kent or Ravenna, Ohio has the greatest need for a new facility, which of the proposals of Kent-Ravenna Broadcasting Co. or Portage County Broadcasting Corp. would better serve the public interest, convenience and necessity in the light of the evidence adduced under the issues herein and the record made with respect to the significant differences between the said 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.

13. To determine whether Petty Durwood Johnson is financially qualified to construct his proposal herein, taking into consideration his existing financial status and such capital commitments as he may have undertaken.

14. To determine what efforts have been made by Petty Durwood Johnson to ascertain the programming needs and interests of the area he proposes to serve, and the manner in which he proposes to meet such needs and interests.

15. 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 additional copies, expressly directed to the attention of the Chief Hearing Examiner, of the foregoing petition and related pleadings and Carnegie's motion to strike, motion for leave to file reply, tendered June 23, 1961, are to be filed within seven days of the release of this Memorandum Opinion and Order.

Released: January 4, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-268; Filed, Jan. 9, 1962;
8:54 a.m.]

[Docket Nos. 14404, 14405; FCC 62M-19]

**KWTX BROADCASTING CO. (KWTX)
AND KERRVILLE BROADCASTING
CO. (KERV)**

**Statement and Order After
Prehearing Conference**

In re applications of KWTX Broadcasting Company (KWTX), Waco, Texas, Docket No. 14404, File No. BP-13806; Kerrville Broadcasting Company (KERV), Kerrville, Texas, Docket No. 14405, File No. BP-14050; for construction permits.

At a prehearing conference today, the transcript of which, when available, will be incorporated by reference, the following table was set:

1. Exchange of applicants' affirmative direct written cases; by February 12, 1962.

2. Receipt of notification of witnesses desired for cross-examination; by February 26, 1962.

3. Hearing—Rescheduled from February 1 to Monday, March 5, 1962, at 10 a.m., in the offices of the Commission, Washington, D.C.

So ordered, This 4th day of January 1962.

Released: January 5, 1962.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-269; Filed, Jan. 9, 1962;
8:54 a.m.]

[Docket Nos. 14275, 14276; FCC 62M-13]

**LITTLE JOE ENTERPRISES (WJOE) AND
SARASOTA-CHARLOTTE BROAD-
CASTING CORP.**

Order Continuing Hearing Conference

In re applications of Robert D. Sidwell, tr/as Little Joe Enterprises (WJOE), Ward Ridge, Florida, Docket No. 14275, File No. BP-14059; Sarasota-Charlotte Broadcasting Corporation, Englewood, Florida, Docket No. 14276, File No. BP-14211; for construction permits.

The Hearing Examiner having under consideration his order dated December 7, 1961 released December 8, 1961 which, among other things, scheduled a further prehearing conference in the above-entitled proceeding for January 9, 1962; and

It appearing that on December 29, 1961, the above applicants filed a Joint Request for Action on Applications pursuant to the provisions of §§ 1.316 and 1.363 of the Commission's rules, which request, if granted, will render unnecessary an evidentiary hearing in these proceedings; and

It further appearing, that on December 29, 1961, pursuant to the agreement attached to the above-mentioned Joint Petition, Robert D. Sidwell, tr/as Little Joe Enterprises (WJOE) filed a Petition for Leave to Amend; and

It further appearing that the orderly conduct of the Commission's business requires that the prehearing conference now scheduled for January 9, 1962 be continued pending Commission action on the above-mentioned pleadings;

It is ordered, This the 4th day of January 1962 on the motion of the Hearing Examiner that the further prehearing conference now scheduled to begin January 9, 1962 is continued to a date to be announced after the Commission has acted on the above-mentioned Joint Request for Action on Applications.

Released: January 5, 1962.

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

[F.R. Doc. 62-270; Filed, Jan. 9, 1962;
8:54 a.m.]

[Docket Nos. 14473, 14474]

**PENINSULA TELEVISION RELAY CORP.
AND EASTERN SHORE MICROWAVE
RELAY CO.**

**Memorandum Opinion and Order
Designating Applications for Con-
solidated Hearing on Stated Issues**

In re applications of Peninsula Television Relay Corporation, Salisbury, Maryland, Docket No. 14473, File Nos. 2604/2605-C1-P-60; Eastern Shore Microwave Relay Company, Salisbury, Maryland, Docket No. 14474, File No. 3423-C1-P-60; for construction permits for common carrier point-to-point microwave relay stations.

1. The Commission, by its Chief of the Common Carrier Bureau acting under delegation of authority, pursuant to section 0.262 of the Commission's rules, has before it for consideration, the respective applications of Peninsula Television Relay Corporation (hereinafter called Peninsula); and Martin F. Malarkey, d/b as Eastern Shore Microwave Relay Company (hereinafter called Eastern); for construction permits for point-to-point microwave relay systems.¹

2. The Peninsula application, filed on April 6, 1960, requests authorization to construct a two-hop four-channel point-to-point common carrier microwave radio relay system originating near Claibourne, Maryland, and terminating at a point near Salisbury, Maryland, which will enable the applicant to relay off-the-air pickup of TV broadcast signals, pursuant to customers' orders, from stations in Baltimore, Maryland, and Washington, D.C., to customers at Salisbury, Maryland. In addition, the applicant will provide Radio Station WBOC, at Salisbury, Maryland, with an audio channel to be used by this customer to enable it to rebroadcast material originating over FM stations at Annapolis, Maryland; Baltimore, Maryland, and Washington, D.C. Peninsula and its proposed customer, Peninsula TV Relay Corporation, are wholly owned subsidiaries and are directly controlled by WBOC, Inc., the licensee of WBOC-TV and WBOC-FM, Peninsula's other customers. WBOC, Inc., is a wholly owned subsidiary and is directly or indirectly controlled by A. S. Abell Company, the licensee of station WMAR-TV, Baltimore, Maryland. Consequently, a question exists as to whether there is a need for the holding out of this communication common carrier service in view of the apparent absence of any present or prospective request for such service from any public subscribers, i.e., subscribers not directly controlling or controlled by, or under direct or indirect common control with the applicant.

¹ The captioned applications of Peninsula were dismissed by staff action on March 10, 1961, because of Peninsula's failure to timely file information requested in a Commission letter, dated February 21, 1961. The application of Eastern was, on the same date, granted. The Commission, on May 17, 1961, vacated the action dismissing Peninsula's applications, vacated and set aside the grant of Eastern's application, and restored all the applications to pending status.

3. The Eastern application, filed on June 24, 1960, requests authorization to construct a one-hop four-channel point-to-point common carrier microwave radio system originating at Cambridge, Maryland, and terminating at a point near Salisbury, Maryland, which will enable the applicant to relay pursuant to the customer's order, off-the-air pickup of TV broadcast signals from stations in Baltimore, Maryland, and Washington, D.C., to its customer at Salisbury, Maryland. With regard to Eastern, questions remain as to the nature and extent of the interests existing between the applicant and its proposed customer, Delmarva Community Television Corporation; and as to whether Delmarva Community Television Corporation is a public subscriber, i.e., a subscriber not directly controlling or controlled by, or under direct or indirect common control with the applicant. In the event Eastern fails to meet the burden of proof on this issue, a further question will have to be resolved, namely, whether there is a need for a holding out of this communication common carrier service in view of the apparent absence of any present or prospective request for such service from any public subscriber, as previously defined.

4. In view of the fact that the respective applicants propose to provide what appears to be an essentially identical service to its proposed customers in Salisbury, Maryland, a question is also presented as to the need for two like common carrier point-to-point microwave radio systems.

5. Except as otherwise indicated below, we find and conclude that each of the applicants is legally, financially, and technically qualified to become a licensee for the service proposed.

6. In view of the foregoing: *It is ordered*, That pursuant to the provisions of section 309(e) of the Communications Act of 1934, as amended, the above entitled application are designated for hearing, in a consolidated proceeding, to be held at the Commission's offices in Washington, D.C. on a date to be hereafter specified, upon the following issues:

(a) To determine the need for Peninsula's holding out of this particular common carrier service in view of the apparent absence of any present or prospective request for such service from any public subscribers, i.e., subscribers not directly controlling or controlled by, or under direct or indirect common control with the applicant.

(b) To determine the nature and extent of the interests existing between the applicant, Martin F. Malarkey, Jr., d/b as Eastern Shore Microwave Relay Company, and Delmarva Community Television Corporation.

(c) To determine whether Delmarva Community Television Corporation is a public subscriber, i.e., a subscriber not directly controlling or controlled by, or under direct or indirect common control with the applicant.

(d) To determine, in the event Eastern fails to meet the burden of proof under issue (c), the need for Eastern's holding out of this particular common carrier service in view of the apparent

absence of any present or prospective request for such service from any public subscribers, as defined in issue (c).

(e) To determine the comparative facts with respect to the proposed facilities, personnel, rates, regulations, practices, and services of each applicant.

(f) To determine the subscribers who may be expected to receive service from the proposed facilities of Peninsula and Eastern, respectively, and the public need for either or both services.

(g) To determine, in the light of the evidence adduced on the foregoing issues, whether the public interest, convenience, or necessity would be served by a grant of either, or both, of the respective applications.

It is further ordered, That the Chief, Common Carrier Bureau is made a party to the proceeding herein;

It is further ordered, That the parties desiring to participate herein shall file their appearances in accordance with § 1.140 of the Commission's rules.

Adopted: December 28, 1961.

Released: January 3, 1962.

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

[F.R. Doc. 62-271; Filed, Jan. 9, 1962;
8:55 a.m.]

HOUSING AND HOME FINANCE AGENCY

Public Housing Administration DESCRIPTION OF AGENCY AND PROGRAMS

**Acting Regional Director, Puerto Rico
Regional Office**

Section I, Description of Agency and Programs, is hereby amended as follows:

Paragraph F is amended by changing the list of officials authorized to serve as Acting Regional Director in the Puerto Rico Regional Office to read as follows:

1. Alberto Hernandez, Assistant Director for Development.
2. Jose R. Janer, Regional Management Coordinator.

Approved: January 3, 1962.

MARIE C. McGuire,
Commissioner.

[F.R. Doc. 62-240; Filed, Jan. 9, 1962;
8:50 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 192]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JANUARY 5, 1962.

The following letter-notices of proposals to operate over deviation routes for operating convenience only with serv-

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ice at no intermediate points have been filed with the Interstate Commerce Commission, under the Commission's deviation rules revised, 1957 (49 CFR 211.1 (c) (8)) and notice thereof to all interested persons is hereby given as provided in such rules (49 CFR 211.1(d) (4)).

Protests against the use of any proposed deviation route herein described may be filed with the Interstate Commerce Commission in the manner and form provided in such rules (49 CFR 211.1(e)) at any time but will not operate to stay commencement of the proposed operations unless filed within 30 days from the date of publication.

Successively filed letter-notices of the same carrier under the Commission's deviation rules revised, 1957, will be numbered consecutively for convenience in identification and protests if any should refer to such letter-notices by number.

MOTOR CARRIERS OF PROPERTY

No. MC 82 (Deviation No. 1), BEST WAY OF INDIANA, INC., 10 Cherry Street, Terre Haute, Ind., filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Indianapolis, Ind., over Indiana Highway 67 to the junction of Indiana Highway 39, thence over Indiana Highway 39 to Martinsville, Ind., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Indianapolis, over Indiana Highway 37 to Martinsville, and return over the same route.

No. MC 222 (Deviation No. 3), NEW YORK CONSOLIDATED FREIGHTWAYS CORPORATION, 715 South 25th Avenue, Bellwood, Ill., filed December 26, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of U.S. Highway 40 and Interstate Highway 70S over Interstate Highway 70S to junction Interstate Highway 80S (Pennsylvania Turnpike) at or near Interchange 8, thence over Interstate Highway 80S to Philadelphia, Pa., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Philadelphia over U.S. Highway 30 to Mansfield, Ohio, thence over U.S. Highway 30-N to Delphos, Ohio, thence over U.S. Highway 30 to junction U.S. Highway 41, thence over U.S. Highway 41 to Chicago, Ill. (also between Mansfield and Delphos, over U.S. Highway 30-S); from Pittsburgh, Pa., over U.S. Highway 19 to Washington, Pa.; and from Philadelphia over U.S. Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to St. Louis, Mo., and return over the same routes.

No. MC 2202 (Deviation No. 31), ROADWAY EXPRESS, INC., 147 Park

Street, P.O. Box 471, Akron 9, Ohio, filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route between Muskegon and Grand Rapids, Mich., over Interstate Highway 196, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Grand Rapids over U.S. Highway 16 to junction U.S. Highway 31, thence over U.S. Highway 31 to Muskegon, and return over the same route.

No. MC 2202 (Deviation No. 32), ROADWAY EXPRESS, INC., 147 Park Street, P.O. Box 471, Akron 9, Ohio, filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route between Dayton and Toledo, Ohio, over Interstate Highway 75, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Dayton over U.S. Highway 25 via Wapakoneta, Lima, and Findlay, Ohio, to Toledo, and return over the same route.

No. MC 2990 (Deviation No. 4), BLUE ARROW TRANSPORT LINES, INC., 525 Burton Street SW, Grand Rapids, Mich., filed December 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Jackson, Mich., over Interstate Highway 94 to junction U.S. Highway 20, near Michigan City, Ind.; (B) From Chicago, Ill., over the Indiana Tollway to Exit 8, thence over Indiana Highway 13 to the Michigan-Indiana State line, thence over Michigan Highway 103 to junction U.S. Highway 112; and (C) from Chicago, Ill., over city streets to the Calumet Expressway, thence over the Calumet Expressway to the Kingery Expressway, thence over the Kingery Expressway to Gary, Ind., and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Bay City, Mich., over U.S. Highway 23, via Saginaw, Mich., to Flint, Mich., thence over Michigan Highway 21, via Owosso and Grand Rapids, Mich., to Holland, Mich., thence over U.S. Highway 31 to Benton Harbor, Mich., and thence over U.S. Highway 12, via Michigan City, Ind., to Chicago, Ill.; from Bay City over the above-specified route to Benton Harbor, thence over U.S. Highway 12 to junction Indiana Highway 212, thence over Indiana Highway 212 to junction U.S. Highway 20, thence over U.S. Highway 20 to Chicago; and from New Buffalo, Mich., over U.S. Highway 112 to junction U.S. Highway 127, thence over U.S. Highway 127 to Jackson, Mich., and return over the same routes.

No. MC 10761 (Deviation No. 14), TRANSAMERICAN FREIGHT LINES,

INC., 1700 North Waterman Avenue, Detroit 9, Mich., filed December 14, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route between Cincinnati, and Columbus, Ohio, over Interstate Highway 71, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati over U.S. Highway 22 to junction U.S. Highway 62, thence over U.S. Highway 62 to Columbus, and return over the same route.

No. MC 10761 (Deviation No. 15), TRANSAMERICAN FREIGHT LINES, INC., 1700 North Waterman Avenue, Detroit 9, Mich., filed December 15, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highway 55 to St. Louis, Mo., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From St. Louis over U.S. Highway 67 to Alton, Ill., thence over Illinois Highway 140 to Hamel, Ill., and thence over U.S. Highway 66 to Chicago; and from Chicago over U.S. Highway 54 via Kankakee and Onargo, Ill., to junction Illinois Highway 48, thence over Illinois Highway 48 to junction U.S. Highway 66, thence over U.S. Highway 66 to St. Louis, and return over the same routes.

No. MC 18459 (Deviation No. 2), BRITTON MOTOR SERVICE, INC., 185 Eaton Avenue, St. Paul 7, Minn., filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Eau Claire, Wis., over Interstate Highway 90 to Chicago, Ill., and (B) from Eau Claire, Wis., over Interstate Highways 90 and 94, via Milwaukee, Wis., to Chicago, and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Eau Claire over U.S. Highway 12 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to junction U.S. Highway 14, thence over U.S. Highway 14 to Chicago; and from Eau Claire, over U.S. Highway 12 to junction U.S. Highway 16, thence over U.S. Highway 16 to Wisconsin Highway 36, thence over Wisconsin Highway 36 to junction Wisconsin Highway 83, thence over Wisconsin Highway 83 to junction Illinois Highway 173, thence over Illinois Highway 173 to junction Interstate Highway 94, and return over the same routes.

No. MC 30073 (Deviation No. 4), JOHNSON FREIGHT LINES COMPANY, INC., 420 Sixth Avenue, South Nashville, Tenn., filed December 26, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general*

commodities, with certain exceptions, over a deviation route as follows: From Nashville, Tenn., over U.S. Highway 41 to junction unnumbered county highway, 2 miles north of Pelham, Tenn., thence over unnumbered county highway to junction Interstate Highway 24, thence over Interstate Highway 24 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction U.S. Highway 41, thence over U.S. Highway 41 to Atlanta, Ga., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Nashville, over U.S. Highway 41 to Atlanta, and return over the same route.

No. MC 52629 (Deviation No. 4), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville 3, Ky., filed December 20, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of Interstate Highway 64 and U.S. Highway 60, just east of Middletown (Jefferson Co.), over Interstate Highway 64 to junction Frankfort Interchange, approximately one mile west of Frankfort, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Louisville, Ky., over U.S. Highway 60 to junction Kentucky Highway 151, thence over Kentucky Highway 151 to junction Kentucky Highway 35, thence over Kentucky Highway 35 to junction U.S. Highway 62, thence over U.S. Highway 62 to junction U.S. Highway 60, thence over U.S. Highway 60 to Lexington, Ky., and return over the same route.

No. MC 52629 (Deviation No. 5), HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville 3, Ky., filed December 20, 1961. Carrier proposes to operate as a *common carrier* by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Covington, Ky., over Interstate Highway 75 to the junction of U.S. Highway 25 and Interstate Highway 75 at Dry Ridge, Ky., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Cincinnati, Ohio, over U.S. Highway 25 to Lexington, Ky., and return over the same route.

No. MC 65987 (Deviation No. 3), WILSON TRUCK COMPANY, INC., 176 Lafayette Street, Nashville, Tenn., filed December 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over a deviation route as follows: From a point approximately two miles north of Pelham, Tenn., over unnumbered county highway to junction Interstate Highway 24, thence over In-

terstate Highway 24 to junction U.S. Highway 64, west of U.S. Highway 41 at Monteagle, Tenn., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Nashville, Tenn., over U.S. Highway 41 to Chattanooga, Tenn., and return over the same route.

No. MC 69116 (Deviation No. 9), SPECTOR FREIGHT SYSTEM, INC., 3100 South Wolcott Avenue, Chicago 8, Ill., filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highways 90 and 94 to Eau Claire, Wis., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chicago over U.S. Highway 12 to junction U.S. Highway 14, thence over U.S. Highway 14 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to Whitewater, Wis., thence over U.S. Highway 12 to junction U.S. Highway 53, east of Eau Claire, thence over U.S. Highway 53 to Eau Claire, and return over the same route.

No. MC 69224 (Deviation No. 3), H & W MOTOR EXPRESS COMPANY, 3000 Elm Street, Dubuque, Iowa, filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions over deviation routes as follows: (A) From Chicago, Ill., over Interstate Highways 90 and 94 to Minneapolis-St. Paul, Minn. (when completed, and until completed U.S. Highway 14 or 51 will be used between Rockford, Ill., and Beloit, Wis., and between Janesville and Madison, Wis.); U.S. Highway 12 will be used between Wisconsin Dells and Eau Claire, Wis., also, from Chicago over U.S. Highway 20 to junction Illinois Highway 5, thence over Illinois Highway 5 to Rockford, Ill.), and (B) From Dubuque, Iowa over U.S. Highway 20 to East Dubuque, Ill., thence over Illinois and Wisconsin Highways 35 to La Crosse, Wis., thence over U.S. Highway 61 to the Minneapolis-St. Paul, Minn., Commercial Area, and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Chicago, over U.S. Highway 20 to Dubuque, thence over U.S. Highway 52 to the Minneapolis-St. Paul, Minn., Commercial Zone; from Rockford, over U.S. Highway 20 to Dubuque, thence over U.S. Highway 52 to the Minneapolis-St. Paul, Minn., Commercial Zone; and from Dubuque over U.S. Highway 52 to the Minneapolis-St. Paul, Minn., Commercial Zone, and return over the same routes.

No. MC 78643 (Deviation No. 3), HART MOTOR EXPRESS, INC., 2417 North Cleveland, St. Paul 13, Minn., filed December 26, 1961. Attorney Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Chicago, Ill., over Interstate Highway 90 to Madison, Wis., thence over Interstate Highways 90 and 94 to Tomah, Wis., thence over Interstate Highway 94 to St. Paul, Minn., (B) from Madison, Wis., over Interstate Highway 94 to Milwaukee, Wis., thence over Interstate Highway 94 to Chicago, Ill., and (C) from Tomah, Wis., over Interstate Highway 90 to La Crosse, Wis., thence over U.S. Highway 61 to Minneapolis and St. Paul, Minn., and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Chicago over U.S. Highway 20 to Marengo, Ill., thence over Illinois Highway 23 to junction U.S. Highway 14, thence over U.S. Highway 14 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to junction U.S. Highway 12, thence over U.S. Highway 12 to Minneapolis, also from Chicago over U.S. Highway 12 to Minneapolis; from Madison over U.S. Highway 18 to Milwaukee, thence over Waukesha County Highway A to junction U.S. Highway 45, thence over U.S. Highway 45 to junction U.S. Highway 12, thence over U.S. Highway 12 to Chicago; and from Tomah, over U.S. Highway 12 to Minneapolis, and return over the same routes.

No. MC 106456 (Deviation No. 5), SUPER SERVICE MOTOR FREIGHT CO., Fessler Lane, Nashville, Tenn., filed December 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Kingsport, Tenn., over U.S. Highway 11W to a point approximately 2½ miles west of Bristol, Tenn., thence over Interstate Highway 81 to junction U.S. Highway 11, approximately 2½ miles north of Abingdon, Va., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Kingsport over U.S. Highway 11W to Bristol, thence over U.S. Highway 11 to a point beyond Abingdon, and return over the same route.

No. MC 108586 (Deviation No. 2), STEFFKE FREIGHT CO., 3100 South Wolcott Avenue, Chicago 8, Ill., filed December 18, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Chicago, Ill., over Interstate Highways 90 and 94 to Eau Claire, Wis., and return over the same route, for operating convenience only,

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serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chicago, over U.S. Highway 20 to Rockford, Ill., thence over U.S. Highway 41 to junction Wisconsin Highway 73, thence over Wisconsin Highway 73 to junction Wisconsin Highway 13, thence over Wisconsin Highway 13 to junction U.S. Highway 10, thence over U.S. Highway 10 to junction U.S. Highway 12, thence over U.S. Highway 12, to Eau Claire, and return over the same route.

No. MC 110166 (Deviation No. 1), TENNESSEE CAROLINA TRANSPORTATION, INC., 905 Mile End Avenue, Nashville 7, Tenn., filed December 26, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Knoxville, Tenn., over Interstate Highway 40 to junction U.S. Highway 70, approximately 2 miles west of Kingston, Tenn., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Nashville, Tenn., over U.S. Highway 70S to McMinnville, Tenn., thence over U.S. Highway 70S to junction U.S. Highway 70N, thence over U.S. Highway 70 to junction U.S. Highway 11, thence over U.S. Highway 11 to Knoxville, and from Nashville over U.S. Highway 70N to junction U.S. Highway 70S, thence over U.S. Highways 70 and 11 as above; and from Chattanooga, Tenn., over U.S. Highway 11 to Knoxville, and return over the same routes.

No. MC 110166 (Deviation No. 2), TENNESSEE CAROLINA TRANSPORTATION, INC., 905 Mile End Avenue, Nashville 7, Tenn., filed December 26, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of U.S. Highway 41 and an unnumbered county highway, approximately two miles north of Pelham, Tenn., over unnumbered county highway to junction Interstate Highway 24, thence over Interstate Highway 24 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction U.S. Highway 41, and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Nashville, Tenn., over U.S. Highway 41 to Chattanooga, Tenn., and return over the same route.

No. MC 111231 (Deviation No. 16), JONES TRUCK LINES, INC., 610 East Emma Avenue, Springdale, Ark., filed December 18, 1961. Carrier's representative B. J. Wiseman, same address. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From the junction of Missouri Highways 25 and 77, over Missouri Highway 77 to junction U.S. Highway 61, thence over U.S.

Highway 61 to junction Missouri Highway 84, thence over Missouri Highway 84 to Kennett, Mo., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From St. Louis, Mo., over U.S. Highway 61 to Jackson, Mo., thence over Missouri Highway 25 to the Missouri-Arkansas State line, and return over the same route.

No. MC 111594 (Deviation No. 3), CENTRAL WISCONSIN MOTOR TRANSPORT COMPANY, P.O. Box 200, Wisconsin Rapids, Wis., filed December 26, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Eau Claire, Wis., over Interstate Highway 94 to junction Interstate Highway 90, near Tomah, Wis., thence over Interstate Highway 90 to junction Interstate Highway 94, thence over Interstate Highways 90 and 94, to junction said highways, approximately one mile northeast of Madison, Wis., thence over Interstate Highway 90 to Chicago, Ill., and (B) from Eau Claire, Wis., over Interstate Highway 94 to junction Interstate Highway 90, near Tomah, Wis., thence over Interstate Highways 90 and 94 to the junction of said highways, approximately one mile northeast of Madison, Wis., thence over Interstate Highway 94, via Milwaukee, Wis., to Chicago, Ill., and return over the same routes, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Eau Claire over U.S. Highway 12 to junction Wisconsin Highway 89, thence over Wisconsin Highway 89 to junction U.S. Highway 14, thence over U.S. Highway 14 to Chicago, Ill., and from Eau Claire over U.S. Highway 12 to Madison, thence over Wisconsin Highway 30 to Milwaukee, thence over Wisconsin Highway 32 to the Wisconsin-Illinois State Line, thence over Illinois Highway 42 to Chicago, and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Deviation No. 73), THE GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago, Ill., filed December 22, 1961. Attorney Robert J. Bernard, same address. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Chicago, Ill., over Congress Expressway to junction U.S. Highway 20 at Elmhurst, Ill., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Chicago over city streets to Oak Park, Ill., thence over U.S. Highway 20 to Elmhurst, and return over the same route.

No. MC 2890 (Deviation No. 11), AMERICAN BUSLINES, INC., 1805 Leavenworth Street, Omaha 2, Nebr.

filed December 22, 1961. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Webb City, Mo., over relocated U.S. Highway 66 to junction U.S. Highway 166, thence over U.S. Highway 166 to junction Missouri Highway 43, south of Joplin, Mo., and return over the same route, for operating convenience only, serving no intermediate points. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Webb City U.S. Highway 171 (formerly U.S. Highway 66) to junction Missouri Highway 43, thence over Missouri Highway 43 to Joplin, and return over the same routes.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-245; Filed, Jan. 9, 1962;
8:50 a.m.]

[Notice 415]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 5, 1962.

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 carriers 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 2202 (Sub-No. 223), filed December 7, 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), serving the new Plant Site of The Jeffrey Manufacturing Company at or near Belton, S.C., as an off-route point in connection with applicant's present authorized regular route operations.

NOTE: Applicant states that in MC-F 6161 it was authorized to own, control, and operate M & R Transportation Co., Inc., MC 62274.

HEARING: February 14, 1962, at the U.S. Court Rooms, Columbia, S.C., before Joint Board No. 177.

No. MC 31600 (Sub-No. 517), filed December 6, 1961. Applicant: P. B.

MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham 54, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry commodities* (except cement, salt, sugar, flour, ferro-alloys, fly ash, and building materials as defined by the Commission in 61 M.C.C. 666), in bulk, in tank or hopper-type vehicles, from points in Worcester County, Mass., to points in New Jersey, New York and Pennsylvania.

HEARING: February 15, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles B. Heinemann.

No. MC 52709 (Sub-No. 154), filed January 2, 1962. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Applicant's attorney: Thomas F. Kilroy, Suite 610, 1000 Connecticut Avenue NW, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Boyertown, Downingtown, Morgantown, Philadelphia, and Pottstown, Pa., to points in Arizona, California, Colorado, Kansas, Missouri, New Mexico, Oklahoma, Arkansas, and Texas.

HEARING: January 15, 1962, at the U.S. Custom House Building, Second and Chestnut Streets, Philadelphia, Pa., before Examiner Henry A. Cockrum.

No. MC 59264 (Sub-No. 28), filed November 28, 1961. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Printing ink and printing ink components*, in bulk, in tank vehicles, from Monmouth Junction, N.J., to Philadelphia, Pa.

HEARING: February 12, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 59264 (Sub-No. 29), filed November 28, 1961. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Insulating oil*, in vacuum and pressure tank vehicles, *electrical cable* (power transmission system) *requiring the use of special equipment in the transportation of and for the installation of cable at point of installation, and related materials, equipment and supplies in the same vehicle when the transportation thereof is incidental to the transportation by carrier of the above-described electrical cable*, from Bayonne and Paterson, N.J., and Yonkers, N.Y., to points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, West Virginia, Tennessee, Kentucky, Alabama, Mississippi, Ohio, Indiana, Illinois, Michigan, Texas, Wisconsin, and the District of Columbia, and *empty containers or other such incidental facilities* (not specified) used

in transporting the above-described commodities, on return.

HEARING: February 13, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Henry A. Cockrum.

No. MC 61396 (Sub-No. 87), filed December 28, 1961. Applicant: HERMAN BROS. INC., P.O. Box 189, Omaha, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer compounds, fertilizer ingredients and fertilizer*, in bulk, from Sanborn and Mason City, Iowa, and points within ten (10) miles of each, to points in Minnesota, North Dakota, South Dakota, and Nebraska, and *returned and rejected shipments* of the above-specified commodities, on return.

HEARING: January 23, 1962, in Room 393, Federal Building, and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Examiner James Anton.

No. MC 66900 (Sub-No. 25), filed November 27, 1961. Applicant: HOUFF TRANSFER, INCORPORATED, P.O. Box 61, Weyers Cave, Va. Applicant's attorney: Spencer T. Money, Mills Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Paper, pulpboard, and fibreboard*, from Hopewell, Va., to Gettysburg, Mt. Wolf, and Washington, Pa., and *empty containers or other such incidental facilities* (not specified), used in transporting the above-specified commodities, on return.

HEARING: February 13, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 250.

No. MC 78787 (Sub-No. 44), filed December 22, 1961. Applicant: PACIFIC MOTOR TRUCKING COMPANY, a corporation, 110 Market Street, San Francisco 11, Calif. Applicant's attorney: John MacDonald Smith, 65 Market Street, San Francisco 5, Calif. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *New automobiles and new trucks*, in initial movements, in truckaway and driveaway service, from the site of General Motors Corporation's assembly plant at Fremont, Calif., to Hawthorne, Carson City, Minden, Austin, Tonopah, and Yerington, Nev., and points in Nevada which are stations on the rail lines of Southern Pacific Company.

NOTE: Applicant states the proposed service is an extension of existing operations from Oakland, Calif., to the same destinations, authorized in MC 78787 and Subs 23, 31, and 34 thereunder. It is further noted that applicant is a wholly owned subsidiary of Southern Pacific Company, a carrier by railroad. Applicant has common control authority under MC 78786 and Subs thereunder, therefore dual operations may be involved.

HEARING: February 6, 1962, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 78, or, if the Joint Board waives its right to participate before Examiner F. Roy Linn.

No. MC 95540 (Sub-No. 393), filed January 2, 1962. Applicant: WATKINS MOTOR LINES, INC., Albany Highway, Thomasville, Ga. Applicant's attorney: Joseph H. Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Boyertown, Downingtown, Morgantown, Philadelphia, and Pottstown, Pa., to points in Arkansas.

NOTE: The purpose of this application is to include a request for authority to transport the above-named commodities to points in the State of Arkansas, which State was inadvertently omitted from the filing in application No. MC 95540 (Sub-No. 381).

HEARING: January 15, 1962, in Room 300, U.S. Custom House Bldg., Second and Chestnut Streets, Philadelphia, Pa., before Examiner Henry A. Cockrum.

No. MC 103993 (Sub-No. 356), (AMENDMENT), filed October 9, 1961, published FEDERAL REGISTER, issue December 20, 1961, amended January 2, 1962, republished as amended this issue. Applicant: MORGAN DRIVE-AWAY, INC., 500 Equity Building, Elkhart, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service from points in Florida (except from Clearwater, Boca Raton, Jasper, Ocala, Sebring, Lake City, Fla., and points within five (5) miles of Lake City, and the plant site of General Coach Works, Inc., near Travers, Fla.), to points in the United States, including Alaska (but excluding Hawaii), and (2) *Campers and camper coaches*, designed for installation on pickup trucks, in initial movements, in towaway and truckaway method, from points in Florida to points in the United States (except Hawaii), and (3) *empty containers or other such incidental facilities* (not specified), used in transporting the commodities specified in (1) and (2), on return.

NOTE: The purpose of this republication is to include items (2) and (3).

HEARING: Remains as assigned, February 9, 1962, at the U.S. Court Rooms, Tampa, Fla., before Examiner James H. Gaffney.

No. MC 106965 (Sub-No. 184), filed December 5, 1961. Applicant: M. I. O'BOYLE & SON, INC., doing business as O'BOYLE TANK LINES, 1825 Jefferson Place NW, Washington 6, D.C. Applicant's attorney: Dale C. Dillon (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible oils*, in bulk, in tank vehicles, from Baltimore, Md., to (a) points in Delaware on and south of Delaware Highway 273 from the intersection of Delaware Highway 273 and U.S. Highway 13 to Christiana, Del., on and south or west of Delaware Highway 7 from Christiana, Del., to the Delaware-Pennsylvania State line, (b) points in Pennsylvania on and south of Pennsylvania Highway 41 from the Delaware-Pennsylvania State line to Cochranville,

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Pa., on and west of U.S. Highway 122 from Cochranville, Pa., to Pottsville, Pa., on and north of U.S. Highway 209 from Pottsville, Pa., to Tamaqua, Pa., on and west of U.S. Highway 309 from Tamaqua, Pa., to Wilkes-Barre, Pa., on and south of Pennsylvania Highway 115 from Wilkes-Barre, Pa., to Williamsport, Pa., and on and west of U.S. Highway 220 from Williamsport, Pa., to the Pennsylvania-Maryland State line, (c) points in Virginia on and east of U.S. Highway 522 from the Virginia-West Virginia State line to Powhatan, Va., on and north of U.S. Highway 60 from Powhatan, Va., to Richmond, Va., on and north of U.S. Highway 360 from Richmond, Va., to Reedville, Va., and to points in Accomack and Northampton Counties, Va., and (d) points in the District of Columbia.

NOTE: Applicant states it is under common control with O'Boyle Tank Lines, Incorporated, a Virginia Corporation.

HEARING: February 16, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Bernard J. Hasson, Jr.

No. MC 107107 (Sub-No. 187), filed November 27, 1961. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Candy and confectionery and ingredients thereof, chocolate, cocoa, coating, syrup, and (2) advertising, promotional, and display materials, and premiums, from points in Berks County, Pa., to points in Florida.

HEARING: February 12, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

No. MC 107107 (Sub-No. 188), filed November 27, 1961. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Food, food ingredients, food coloring, food preservatives, and (2) advertising, promotional and display materials, and premiums, from Baltimore, Md. to points in Florida.

HEARING: February 13, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 107107 (Sub-No. 189), filed November 27, 1961. Applicant: ALTERMAN TRANSPORT LINES, INC., P.O. Box 65, Allapattah Station, Miami 42, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods from Nashville, Tenn., to points in Florida, Alabama, and Georgia, with service to Alabama and Georgia restricted to partial delivery of shipments on which final delivery is to be made in Florida.

HEARING: February 14, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Harold P. Boss.

No. MC 107496 (Sub-No. 215) (CORRECTION), filed November 9, 1961, published FEDERAL REGISTER issue Decem-

ber 13, 1961, corrected December 13, 1961, republished as corrected this issue. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa.

NOTE: The purpose of this republication is to show the origin point in previous publication to be that of "Princeton, Indiana", in lieu of "Princeton, Inc."

HEARING: Remains as assigned January 25, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 107515 (Sub-No. 375), (AMENDMENT), filed November 16, 1961, published FEDERAL REGISTER, issue December 13, 1961, amended December 22, 1961, republished as amended this issue. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW, Atlanta 10, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-17 Grant Building, Atlanta 3, Ga. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) Frozen foods, (2) Chilled citrus products and, (3) chilled citrus juice, in bulk, in tank vehicles, from points in Cameron, Hidalgo, and Willacy Counties, Tex., to points in Alabama, Georgia, Florida, North Carolina, South Carolina, Virginia, and Tennessee. RESTRICTION: With the authority to be performed herein to be subject to the restriction that shipments to Memphis, Tenn., shall be restricted to those for partial unloading and subsequent delivery at destinations in the other states named.

NOTE: Applicant states "J. L. Lawhon, President of Refrigerated Transport and owner of $\frac{1}{2}$ of the stock holds permits as a contract carrier, which authorize the transportation of carbonated beverages". The purpose of this republication is to show a change in the origin points.

HEARING: Remains as assigned, January 26, 1962, at the Southland Hotel, Dallas, Tex., before Examiner William N. Culbertson.

No. MC 107698 (Sub-No. 28), filed December 26, 1961. Applicant: BONANZA, INC., P.O. Box 5526, Southeast 28th and Sooner Road, Oklahoma City 10, Okla. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, and potato products not frozen, from points in Washington, Oregon, and Idaho to points in Texas, New Mexico, Kansas, Louisiana, and Arkansas, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.

HEARING: February 5, 1962, at the Public Utilities Commission, State House, Boise, Idaho, before Examiner Donald R. Sutherland.

No. MC 108449 (Sub-No. 133) (AMENDMENT), filed September 20, 1961, published issue of December 20, 1961, amended December 27, 1961, and republished as amended this issue. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road C, St. Paul 13, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to

operate as a common carrier, by motor vehicle, over irregular routes, transporting: Fertilizer compounds (manufactured fertilizers), urea, ammonium nitrate fertilizer, and superphosphate, from Port Cargill, Minn., and points within one mile thereof, to points in Iowa, Minnesota, North Dakota, South Dakota, Wisconsin, and Nebraska and returned and rejected shipments of the above-specified commodities, on return.

NOTE: The purpose of this republication is to remove the restrictions on the commodities as previously published and to add the State of Nebraska as a destination State.

HEARING: Remains as assigned February 5, 1962, in Room 393, Federal Building, U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Examiner Henry C. Darmstader.

No. MC 109637 (Sub-No. 195), filed December 29, 1961. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Applicant's representative: H. N. Nunnally (same as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Liquefied petroleum gases, in bulk, in tank vehicles, from the pipeline terminal site of the Texas Eastern Transmission Corporation located near Oakland City, Ind., to points in Illinois.

NOTE: Applicant states it is under common control with Alabama Tank Lines, Inc., Louisville, Ky. J. F. Baird, Stockholder and Director of Alabama Tank Lines, Inc. J. A. Gammon, Stockholder, President, and Director of applicant, is also Executive Vice-President and Director of Alabama Tank Lines, Inc.

HEARING: January 25, 1962, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 110098 (Sub-No. 29), filed December 6, 1961. Applicant: ZERO REFRIGERATED LINES, a corporation, 815 Merida Street (Station A, Box 4066), San Antonio 7, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: Frozen foods, (1) from points in California, Oregon, and Washington to points in Arizona and (2) from points in California to points in New Mexico.

HEARING: February 5, 1962, at the Public Utilities Commission, State House, Boise, Idaho, before Examiner Donald R. Sutherland.

No. MC 110525 (Sub-No. 487), filed December 22, 1961. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (a) Conduits and pipe made of cement and asbestos fibre, attachments, parts, fittings and connections therefor, cement and asbestos fibre, and sealing and adhesive materials, (b) containers, backs, dividers, skids, pallets, or other shipping devices used in connection with out-bound transportation of the above-described commodities, from Rootstown and Ravenna, Ohio, and points within five (5) miles of each, to points in the United States on and east of U.S. High-

way 85, and (c) *returned, damaged and rejected shipments* of conduits and pipe made of cement and fibre, and above-related materials, on return.

NOTE: Applicant holds contract carrier authority in MC 117507 and Subs thereunder.

HEARING: January 31, 1962, at the New Post Office Building, Columbus, Ohio, before Examiner Warren C. White.

No. MC 114019 (Sub-No. 76), filed December 29, 1961. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago 29, Ill. Applicant's attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lard, fats, and greases, and mixtures and blends thereof*, in bulk, in tank vehicles, from Louisville, Ky., to points in Illinois, Indiana, Iowa, Michigan, Wisconsin, Ohio, Pennsylvania, New York, New Jersey, Minnesota, Missouri, and Nebraska.

HEARING: January 10, 1962, at the U.S. Court Rooms, Louisville, Ky., before Examiner Samuel Horwich.

No. MC 114098 (Sub-No. 32), filed November 28, 1961. Applicant: LOWTHER TRUCKING COMPANY, a corporation, 521 Penman Street, P.O. Box 2115, Charlotte 1, 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 irregular routes, transporting: *Pipe and pipe fittings, meter boxes, manhole frames and covers* from Swan (near Tyler), Tex., and points within five miles thereof, to points in Alabama, Connecticut, Delaware, District of Columbia, Florida, Georgia, Kentucky, Maine, Maryland, Massachusetts, Mississippi, New Hampshire, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, South Carolina, Tennessee, Vermont, Virginia, and West Virginia.

HEARING: February 14, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner A. Lane Cricher.

No. MC 115322 (Sub-No. 25), filed November 29, 1961. Applicant: J. M. BLYTHE, doing business as J. M. BLYTHE MOTOR LINES, P.O. Box 489, 2939 Orlando Drive, 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 meat*, from Wilmington, Del., to points in North Carolina, South Carolina, Tennessee, Georgia, Alabama, Mississippi, Louisiana, and Florida.

HEARING: February 14, 1962, at the Office of the Interstate Commerce Commission, Washington, D.C., before Examiner Abraham J. Essrick.

No. MC 116273 (Sub-No. 7), filed December 21, 1961. Applicant: D & L TRANSPORT, INC., 3800 South Laramie Avenue, Cicero 50, Ill. Applicant's attorney: William B. Adams, Pacific Building, Portland, Oreg. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum*

products, in bulk, in tank vehicles, from points in the Chicago, Ill., Commercial Zone, as defined by the Commission, to points in Colorado, Wyoming, Nebraska (on and west of U.S. Highway 83), and South Dakota (on and west of U.S. Highway 83).

HEARING: January 11, 1962, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 118808 (Sub-No. 3), filed November 30, 1961. Applicant: A. B. C. EXPRESS COMPANY, Fifth Street and Columbia Avenue, Philadelphia 22, Pa. Applicant's attorney: Anthony C. Vance, 2001 Massachusetts Avenue NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such commodities as are dealt in by department stores*, between Philadelphia, Pa., and Moorestown, N.J., and New York City, N.Y.

HEARING: February 15, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lyle C. Farmer.

No. MC 123643 (REPUBLICATION), filed May 31, 1961, published in the FEDERAL REGISTER, issues of June 28 and August 2, 1961, and republished this issue. Applicant: C. J. BLICKHAN, doing business as BLICK'S TRUCK SERVICE, Quincy, Ill., and No. MC 123709 (REPUBLICATION), filed May 31, 1961, published in the FEDERAL REGISTER, issues of June 28 and August 2, 1961, and republished this issue. Applicant: ALVIN J. JANSEN, Quincy, Ill. Applicants' attorney: Thomas P. Rose, Jefferson Building, Jefferson City, Mo. The subject proceedings were heard on a consolidated record together with six other applications seeking similar authority in the same general area. The two subject applications were amended at the hearing so as to broaden the scope of the authority sought. A Report of the Commission, division 1, decided December 18, 1961, and served December 26, 1961, finds that the present and future public convenience and necessity require operation by the respective applicants as *common carriers* by motor vehicle, in interstate or foreign commerce, over irregular routes, of *road construction materials and building materials* (except cement), in bulk, in dump vehicles, between points in Hancock, Pike, and Adams Counties, Ill., and points in Marion, Lewis, Clark, Shelby, Monroe, and Knox Counties, Mo., except Quincy, Ill., and the commercial zone thereof. The Report further provides that any person or persons who might have been prejudiced by the allowance of the amendment broadening the scope, may, within 30 days from the date of this republication of the authority granted, file an appropriate pleading.

No. MC 123681 (Sub-No. 1) (CLARIFICATION), filed November 24, 1961, published FEDERAL REGISTER issue of December 20, 1961, republished as corrected and clarified this issue. Applicant: WIDING TRANSPORTATION, INC., 3347 Northwest St. Helens Road, Portland 10, Oreg. Applicant's attorney: Earle V. White, Fifth Avenue Building, 2130 Southwest Fifth Avenue, Portland 1, Oreg. Au-

thority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ferro-nickel pigs*, from the plant site of Hanna Nickel Smelting Co., at or near Riddle, Oreg., to Portland, Oreg.

NOTE: The purpose of this republication is to strike reference to the transportation of liquid petroleum products on return.

HEARING: Remains as assigned: February 13, 1962, at the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 172, or, if the Joint Board waives its right to participate, before Examiner Donald R. Sutherland.

No. MC 123984 (CLARIFICATION), filed October 12, 1961, published FEDERAL REGISTER, issue of December 20, 1961, and republished as clarified, this issue. Applicant: COPEY TRAILERS, INC., 606 Board of Trade Building, Indianapolis, Ind. Applicant's attorney: John P. McMahon, 44 East Broad Street, Columbus, Ohio. Notice of the filing of the subject application was published in the FEDERAL REGISTER December 20, 1961. This is to advise that the portion of the commodity description reading: "in and on trailers" should read "general commodities, in or on trailers". Further, the base points in the application are Sharon, Pa., and Leavittsburg, Ohio, and the radial points named in the previous publication are all stations on the Erie-Lackawanna Railroad Company's lines.

HEARING: Remains as assigned January 29, 1962, at the Old Post Office Building, Cleveland, Ohio, before Examiner Joseph A. Reilly.

No. MC 124045, filed December 1, 1961. Applicant: D. R. LINGENFELTER, Claysburg, Pa. Applicant's attorney: Christian V. Graf, 407 North Front Street, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, from Mapleton (Huntingdon County) and McVeytown (Mifflin County), Pa., to points in New York, New Jersey, Delaware, Maryland, West Virginia, Ohio, and the District of Columbia.

HEARING: February 16, 1962, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Isadore Freidson.

MOTOR CARRIERS OF PASSENGERS

No. MC 58915 (Sub-No. 43), filed December 26, 1961. Applicant: LINCOLN TRANSIT CO., INC., U.S. Highway 46, East Paterson, N.J. Applicant's attorney: Robert E. Goldstein, 24 West 40th Street, New York 18, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express, and newspapers* in the same vehicle with passengers, within the city of Newark, N.J., from the junction of Port Street and New Jersey Turnpike Interchange Road 14, over Port Street and Terminal Street to the Port of New York Authority Marine Terminal Port Newark, N.J., and return over the same route, serving all intermediate points.

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HEARING: January 31, 1962, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 119.

No. MC 123895 (Sub-No. 1) (CORRECTION), filed August 3, 1961, published *FEDERAL REGISTER* issue December 28, 1961, corrected December 30, 1961, republished as corrected this issue. Applicant: H. B. SHEARIN AND WALTER LUTES, doing business as SHEARIN & LUTES TRANSPORTATION SERVICE, Route 2, Box 326-A, Blytheville, Ark. Applicant's attorney: Louis Tarlowski, Rector Building, Little Rock, Ark. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Migrant workers, and their baggage*, in the same vehicle with passengers, between the Port of Entry at Hidalgo, Tex., on the International Boundary Line between the United States and Mexico, and points in Mississippi County, Ark.

NOTE: The purpose of this republication is to show that the proposed operations will be conducted as a *contract carrier* in lieu of *common carrier* operations as set forth in previous publication in error.

HEARING: Remains as assigned, February 7, 1962, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 152, or, if the Joint Board waives its right to participate before Examiner Leo M. Pellerzi.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING IS REQUESTED

MOTOR CARRIERS OF PROPERTY

No. MC 8964 (Sub-No. 19), filed December 22, 1961. Applicant: WITTE TRANSPORTATION COMPANY, a corporation, 2481 North Cleveland Avenue, St. Paul 13, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment); (1) Between Winona, Minn., and Mondovi, Wis., from Winona over Mississippi River Bridge to junction with Wisconsin Highway 35, thence north over Wisconsin Highway 35 to Alma, Wis., thence over Wisconsin Highway 37 to Mondovi, 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 regular-route operations; (2) Between junction U.S. Highway 10 and U.S. Highway 63 west of Ellsworth, Wis., and Red Wing, Minn., from junction U.S. Highway 10 and U.S. Highway 63, over U.S. Highway 63 to Red Wing, 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 regular-route operations; (3) Between Menomonie, Wis. and junction Wisconsin Highway 25 and U.S. Highway 10, from Menomonie over Wisconsin Highway 25 to junction U.S. Highway 10, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with appli-

cant's presently authorized regular-route operations.

No. MC 13367 (Sub-No. 4) (CORRECTION), filed December 8, 1961, published *FEDERAL REGISTER*, issue of December 20, 1961, and republished as corrected this issue. Applicant: ROBERT MERLEY, Box 1312, New Carlisle, Ind. Applicant's representative: William L. Carney, 105 East Jennings Avenue, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat scraps, tankage and dried blood*, from Milwaukee, Wis., to points in Ohio, Illinois, Indiana, and the lower peninsula of Michigan.

NOTE: The purpose of this republication is to show applicant's representative's address as shown above in lieu of 2248 Parkview Place as shown in previous publication.

No. MC 22167 (Sub-No. 17), filed December 26, 1961. Applicant: CONSOLIDATED COPPERSTATE LINES, a corporation, 1220 West Washington Boulevard, Montebello, Calif. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. 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), from Houston, Tex., to the site of Rice University Research Center located approximately 9 miles from the Houston, Tex., city limits; from Houston over U.S. Highway 75 to its intersection with Farm-Market Road 528, thence over Farm-Market Road 528 to the Rice University Research Center (also from Houston over the Spencer Highway and Red Bluff Road to its intersection with Kirby Road, thence over Kirby Road to its junction with Farm-Market Road 528, thence over Farm-Market Road 528 to the Rice University Research Center), and return over the same routes, serving no intermediate points, but serving the area of Rice University Research Center and coordinating the service with that rendered under other authority held by applicant.

NOTE: Applicant states it owns 99.93 percent of the capital stock of Valley Motor Lines, Inc., MC 963, and 100 percent of the capital stock of Valley Express Company, MC 29807.

No. MC 22179 (Sub-No. 2) (AMENDMENT), filed July 7, 1961, published issue of July 19, 1961, amended September 6, 1961, and republished, as amended, this issue. 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) including *Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment*, (1) between Memphis, Tenn., and Oxford, Miss., and (2) between Grenada and Oxford, Miss.;

(1) from Memphis over U.S. Highway 51 to junction Mississippi Highway 6 at Batesville, Miss.; thence 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 carrier's regular route operations between Memphis and Oxford and between Memphis and Grenada; and (2) from Grenada over U.S. Highway 51 to junction Mississippi Highway 6 at Batesville; thence 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 carrier's regular route operations between Grenada and Oxford and between Memphis and Grenada.

NOTE: The amendment clarifies the routes proposed to be utilized, and the origin and destination points. And, in addition, broadens the scope of the commodities proposed to be transported.

No. MC 110525 (Sub-No. 488), filed December 28, 1961. Applicant: CHEMICAL TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Ronald N. Cobert, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid chemicals*, in bulk, in tank vehicles, from Coshocton, Ohio, to Granite City, Ill.

NOTE: Applicant is also authorized to conduct operations as a *contract carrier* in Permit MC 117507 therefore dual operations may be involved.

No. MC 112617 (Sub-No. 101) (AMENDMENT), filed November 22, 1961, published in *FEDERAL REGISTER* issue of December 6, 1961, amended December 28, 1961, and republished, as amended, this issue. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from Bowling Green, Ky., to points in Tennessee (except points in the Nashville, Tenn., Commercial Zone and except petroleum chemicals from Bowling Green, Ky., to Elizabethton and Kingsport, Tenn.)

NOTE: The purpose of this republication is to delete "asphalt" as shown in the previous publication and to add the restriction: "except petroleum chemicals from Bowling Green, Ky., to Elizabethton and Kingsport, Tenn."

No. MC 112668 (Sub-No. 24), filed December 28, 1961. Applicant: HARVEY R. SHIPLEY & SONS, INC., Finksburg, Md. Applicant's representative: Donald E. Freeman, 97 Uniontown Road, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Salt*, in bulk, (1) between points in Maryland, and (2) between points in Maryland on the one hand, and on the other, points in Fauquier, Fairfax, Loudoun, and Prince William Counties, Va., Berk-

ley, Jefferson, and Morgan Counties, W. Va., and the District of Columbia.

No. MC 123078 (Sub-No. 1), filed December 26, 1961. Applicant: EVAN D. WHEELER, doing business as E. D. WHEELER & SONS, 2229 Washington Boulevard, Baltimore 30, Md. Applicant's representative: Donald E. Freeman, 97 Uniontown Road, Westminster, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles* (including automobiles), wrecked and disabled, by standard wrecker trucks, between Baltimore, Md., on the one hand, and, on the other, points in Virginia and the District of Columbia.

NOTICE OF FILING OF PETITIONS

No. MC 105632 (PETITION FOR MODIFICATION OF KEY POINT RESTRICTIONS AND REVISION OF CERTIFICATE OF PUBLIC CONVENIENCE AND NECESSITY), filed November 21, 1961. Petitioner: CENTRAL OF GEORGIA MOTOR TRANSPORTATION COMPANY AND CENTRAL OF GEORGIA RAILWAY COMPANY, Savannah, Ga. Petitioner's attorney: James I. Collier, Jr., P.O. Box 2126, Savannah, Ga. By petition filed November 25, 1961, petitioner requests the Commission to enter an order reopening the proceeding and modifying the key-point restrictions embraced in petitioner's Certificate No. MC 105632, specifically that portion contained on sheet 6 of consolidated Certificate MC 105632, dated February 19, 1960, so as to eliminate therefrom the key points of Millen and Americus, Ga., and Andalusia, and Alexander City, Ala. 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 an appropriate pleading.

No. MC 115915 (Sub-No. 3) (PETITION FOR APPROVAL OF ADDITIONAL SHIPPERS), filed November 29, 1961. Petitioner: FRED E. HAGEN, doing business as HAGEN TRUCK LINES, Sioux City, Iowa. Petitioner's attorney: J. Max Harding, 605 South 12th Street, Lincoln, Nebr. The subject application, as originally filed and published in the FEDERAL REGISTER sought authority for the transportation of meat and packing house products, as described by the Commission, from Omaha, Nebr., to points in North Dakota, South Dakota, and a specified area in Iowa. An Order was entered by division 1 on May 18, 1961, and a Permit issued, dated December 21, 1961, granting the authority with certain conditions, and limiting the service to be performed to be that for Wilson & Co., only. The petition filed November 29, 1961, requests the Commission approve the addition of contracts with Swift & Company, Cudahy Packing Company, and Armour & Co., all of Omaha, Nebr., to the Permit in MC 115915 (Sub-No. 3). Any person or persons desiring to object to the addition of the additional shippers, may, within 30 days from the date of this publication in the FEDERAL REGISTER, file a protest thereto.

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 110325 (Sub-No. 28), filed December 19, 1961. Applicant: TRANSCON LINES, a corporation, 1206 Maple Avenue, Los Angeles 15, Calif. Applicant's attorney: Lee Reeder, Suite 1010, 1012 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *General commodities* (except (a) used household goods and personal effects not packed, (b) automobiles, trucks and buses, viz.: new and used, finished or unfinished passenger automobiles including jeeps, ambulances, hearses, and taxis; freight automobiles, automobile chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis, (c) livestock, viz.: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfit, sows, steers, stags or swine, (d) commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment, (e) liquids, compressed gases, commodities in semi-plastic form, and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semi-trailers or a combination of such highway vehicles, (f) commodities when transported in bulk in dump trucks or in hopper type trucks, (g) commodities when transported in motor vehicles equipped for mechanical mixing in transit, (h) logs); between points in the San Francisco, Calif. Territory, as described by applicant in note (1) below. (2) *Sugar*; between San Francisco, Salinas, and Manteca, Calif., on the one hand, and, on the other, San Jose, Calif.

NOTE: (1) Applicant states the San Francisco Territory in which it proposes to operate includes all the City of San Jose and that area embraced by the following boundary: Beginning at the point the San Francisco-San Mateo County Boundary Line meets the Pacific Ocean; thence easterly along said boundary line to a point 1 mile west of U.S. Highway 101; southerly along an imaginary line 1 mile west of and paralleling U.S. Highway 101 to its intersection with Southern Pacific Company right of way at Arastradero Road; southeasterly along the Southern Pacific Company right of way to Pollard Road, including industries served by the Southern Pacific Company spur line extending approximately 2 miles southwest from Simla to Permanente; easterly along Pollard Road to W. Parr Avenue; easterly along West Parr Avenue to Capri Drive; southerly along Capri Drive to East Parr Avenue; easterly along East Parr Avenue to the Southern Pacific Company right of way; southerly along the Southern Pacific Company right of way to the Campbell-Los Gatos city limits; easterly along said limits and the prolongation thereof to the San Jose-Los Gatos Road; northeasterly along San Jose-Los Gatos Road to Foxworthy Avenue; easterly along Foxworthy Avenue to Almaden Road; southerly along Almaden Road to Hillsdale Avenue; easterly along Hillsdale Avenue to U.S. Highway 101; northwesterly along U.S.

Highway 101 to Tully Road; northeasterly along Tully Road to White Road; northwesterly along White Road to McKee Road; southwesterly along McKee Road to Capitol Avenue; northwesterly along Capitol Avenue to State Highway 17 (Oakland Road); northerly along State Highway 17 to Warm Springs; northerly along the unnumbered highway via Mission San Jose and Niles to Hayward; northerly along Foothill Boulevard to Seminary Avenue; easterly along Seminary Avenue to Mountain Boulevard; northerly along Mountain Boulevard and Moraga Avenue to Estates Drive; westerly along Estates Drive, Harbor Drive and Broadway Terrace to College Avenue; northerly along College to Dwight Way; easterly along Dwight Way to Berkeley-Oakland boundary line; northerly along said boundary line to the campus boundary of the University of California; northerly and westerly along the campus boundary of the University of California to Euclid Avenue; northerly along Euclid Avenue to Marin Avenue; westerly along Marin Avenue to Arlington Avenue; northerly along Arlington Avenue to U.S. Highway 40 (San Pablo Avenue); northerly along U.S. Highway 40 to and including the city of Richmond; southwesterly along the highway extending from the City of Richmond to Point Richmond; southerly along an imaginary line from Point Richmond to the San Francisco Waterfront at the foot of Market Street; westerly along said waterfront and shore line to the Pacific Ocean; southerly along the shore line of the Pacific Ocean to the point of beginning. Also, within five miles laterally of all points and places on State Highway 17 between San Jose and junction with State Highway 9, and within five miles laterally of all points and places on State Highway 9 between junction with State Highway 17 and Hayward. (2) The application is directly related to a section 5 application No. MC-F-8028, published in the FEDERAL REGISTER, issue of December 28, 1961.

No. MC 112617 (Sub-No. 104), filed December 19, 1961. Applicant: LIQUID TRANSPORTERS, INC., P.O. Box 5135, Cherokee Station, Louisville, Ky. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over a regular route, transporting: *General commodities*, including 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 Hardinsburg, Ky., and Louisville, Ky., from Hardinsburg over U.S. Highway 60 to Irvington, Ky., thence over Kentucky Highway 448, via Brandenburg, Ky., to junction U.S. Highway 60, thence over U.S. Highway 60 to Louisville, and return over the same route, serving all intermediate points on that portion of the above-designated route between Hardinsburg, Ky., and the junction of combined U.S. Highways 60 and 31-W at Tip-Top, Ky.

NOTE: This application is directly related to MC-F-8029; applicant requests that they be handled concurrently.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under section

NOTICES

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-7962 (ALL STATES FREIGHT, INC.—MERGER—ALL STATES FREIGHT, INC., OF INDIANA) published in the September 13, 1961, issue of the *FEDERAL REGISTER* on page 8583. Amendment filed January 3, 1962 seeks authority for ALL STATES FREIGHT, INC., to change its corporate domicile to the State of Rhode Island.

No. MC-F-8032. Authority sought for merger into C. A. WORTH & CO., 350 Second Street, San Francisco 7, Calif., of the operating rights and property of UNITED TRANSFER COMPANY-CARLEY & HAMILTON, INC., 1717 17th Street, San Francisco 3, Calif., and for acquisition by SIGNAL TRUCKING SERVICE, LTD., 4455 Fruitland Avenue, Los Angeles 58, Calif., and in turn by JOHN E. CARROLL, also of Los Angeles, Calif., of control of such rights and property through the transaction. Applicants' attorney: Geo. M. Carr, Berol, Loughran & Geernaert, 100 Bush Street, San Francisco 4, Calif. Operating rights sought to be merged: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between points in San Francisco County, Calif., on the one hand, and, on the other, points in Oakland, Berkeley, Alameda, Emeryville, Albany, and Piedmont, Calif., between points in San Francisco County, Calif., and between points in Oakland, Berkeley, Alameda, Emeryville, Albany, and Piedmont, Calif.; and *general merchandise*, between points in San Francisco, Calif., between points in Oakland, Calif., and between San Francisco, Calif., on the one hand, and, on the other, Bayshore, Brisbane, South San Francisco, Richmond, Alameda, Albany, Berkeley, El Cerrito, Emeryville, Oakland, Piedmont, and San Leandro, Calif.; operations under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act, in the State of California, as more specifically described in MC-31114 Sub-1 and MC-31114 Sub-3. C. A. WORTH & CO. is authorized to operate under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act in the State of California. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8034. Authority sought for purchase by H. W. TAYNTON COMPANY, INC., 40 Main Street, Wellsboro, Pa., of the operating rights and property of ITHACA TRANSPORTATION SERVICE, INC., 716 West Clinton Street, Ithaca, N.Y., and for acquisition by TIOGA SAVINGS AND TRUST COMPANY, PAUL TAYNTON and ROBERT TAYNTON, all of Wellsboro, Pa., ACTING AS CO-EXECUTORS OF THE ESTATE OF HORACE W. TAYNTON, of control of such rights and property through the purchase. Applicants' attorneys: Robert DeKroyft, 233 Broadway, New York 7, N.Y., and Bowes & Millner, 1060 Broad Street, Newark, N.J. Operating rights sought to be transferred: *General commodities*, excepting, among others,

household goods and commodities in bulk, as a *common carrier* over irregular routes from Ithaca, N.Y., and points within 20 miles of Ithaca, to New York, N.Y., and points in Hudson, Essex, Bergen, Sussex, Morris, and Middlesex Counties, N.J., and from New York, N.Y., and points in Hudson, Essex, Bergen, Sussex, Morris, and Middlesex Counties, N.J., to Ithaca, N.Y., and points within 40 miles of Ithaca; *agricultural commodities*, from Ithaca, N.Y., and points within 30 miles of Ithaca, to New York, N.Y., and points in Hudson, Essex, Bergen, Sussex, Morris, and Middlesex Counties, N.J.; *honey*, from Ithaca, N.Y., and points within 50 miles of Ithaca, to New York, N.Y., and points in Hudson, Essex, Bergen, Sussex, Morris, and Middlesex Counties, N.J.; *sugar*, from Edgewater, N.J., to Westfield, Wellsboro, Blossburg, Canton, and Mansfield, Pa., Deposit, Hancock, Roscoe, Livingston Manor, Liberty, Jeffersonville, Callicoon, Monticello, South Fallsburg, Ellenville, Wurtsboro, Windsor, and Ithaca, N.Y., and points within 50 miles of Ithaca, and *glass bottles*, from Port Allegany, Pa., to Baltimore, Md. Vendee is authorized to operate as a *common carrier* in Pennsylvania, New York, New Jersey, Delaware, Ohio, Maryland, Rhode Island, Massachusetts, West Virginia, Connecticut, Indiana, and Kentucky. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8035. Authority sought for purchase by FOBER FREIGHT LINES, INC., 2 Kimball Street, Chicopee, Mass., of a portion of the operating rights of H & B FREIGHTWAYS, INC. (JOHN H. KRICK, TRUSTEE), Totoket Road, North Branford, Conn., and for acquisition by ALBERT J. FOBER, 60 Cabot Street, Chicopee, Mass., of control of such rights through the purchase. Applicants' attorneys: Reuben Kaminsky, 410 Asylum Street, Hartford, Conn., and Gerald W. Brownstein, 157 Church Street, New Haven, Conn. 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 New York, N.Y., and Pawcatuck, Conn., between Saybrook, Conn., and Norwichtown, Conn., between Norwich, Conn., and Pawcatuck, Conn., between Westbrook, Conn., and Deep River, Conn., between New Haven, Conn., and Hartford, Conn., between New Haven, Conn., and Chesire, Conn., between Bridgeport, Conn., and Plainville, Conn., and between New Haven, Conn., and Seymour, Conn., serving all intermediate and certain off-route points. Vendee is authorized to operate as a *common carrier* in New Hampshire, Connecticut, Rhode Island, Massachusetts, and New York. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8036. Authority sought for purchase by RED STAR EXPRESS LINES OF AUBURN, INCORPORATED, doing business as RED STAR EXPRESS LINES, 24-50 Wright Avenue, Auburn, N.Y., of the operating rights and property of GERALD N. SPRINGER and HUGH R. SPRINGER, a partnership,

doing business as SPRINGER'S EXPRESS LINES, 430 North West Street, Syracuse, N.Y., and for acquisition by JOHN BISGROVE, 264 East Genesee Street, Auburn, N.Y., of control of such rights and property through the purchase. Applicants' attorney: Leonard A. Jaskiewicz, Dow, Lohnes and Albertson, 600 Munsey Building, Washington 4, D.C. 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 Syracuse, N.Y., and Cortland, N.Y., serving all intermediate and certain off-route points; several alternate routes for operating convenience only; and operations under the Second Proviso of section 206(a)(1) of the Interstate Commerce Act, in the State of New York, as more specifically described in No. MC-32665 Sub-5. Vendee is authorized to operate as a *common carrier* in New York, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-59135 Sub-13 is a matter directly related.

No. MC-F-8037. Authority sought for control by PUGET SOUND FREIGHT LINES, Pier 62, Seattle 1, Wash., of ALASKA-SEATTLE MOTOR EXPRESS, INC., Pier 62, Seattle 1, Wash., and for acquisition by C. H. CARLANDER, H. E. LOVEJOY, INDIVIDUALLY AND AS CO-EXECUTOR OF THE ESTATE OF EDITH R. LOVEJOY, G. W. FOSS, J. KNOX WOODRUFF, JEAN LOVEJOY, INDIVIDUALLY AND AS CO-EXECUTRIX OF THE ESTATE OF EDITH R. LOVEJOY, L. S. CARLANDER, all of Pier 62, Seattle 1, Wash., and PEOPLES NATIONAL BANK OF WASHINGTON, in Seattle, AS CO-EXECUTOR OF THE ESTATE OF EDITH R. LOVEJOY, 1414 Fourth Avenue, Seattle 1, Wash., of control of ALASKA-SEATTLE MOTOR EXPRESS, INC., through the acquisition of PUGET SOUND FREIGHT LINES. Applicants' attorney: Charles J. Keever, 2112 Washington Building, P.O. Box 340, Seattle 1, Wash. Operating rights sought to be controlled: Authority applied for under application filed December 26, 1961, in Docket No. MC-124119 to transport, as a *common carrier* over irregular routes, *general commodities*, between points in Alaska east of an imaginary line constituting a southward extension of the International Boundary Line between the United States (Alaska) and Canada (Yukon Territory); between points in Washington and Oregon on the one hand and points in Alaska east of an imaginary line constituting a southward extension of the International Boundary Line between the United States (Alaska) and Canada (Yukon Territory) on the other hand. PUGET SOUND FREIGHT LINES is a water *common carrier* of commodities generally operating in interstate and foreign commerce on Puget Sound and adjacent inland waters of the State of Washington and in British Columbia waters under Certificate No. W-505 issued by this Commission. It is affliated

ated with PUGET SOUND TRUCK LINES, INC., Pier 62, Seattle 1, Wash., which is authorized to operate as a *common carrier* in Washington and Oregon. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-8033. Authority sought for purchase by W. R. CHESTER, an individual, doing business at TRENTON-ST. JOSEPH COACHES, 1801 South Ninth Street, St. Joseph, Mo., of a portion of the operating rights of TRANSCONTINENTAL BUS SYSTEM, INC., 315 Continental Avenue, Dallas 7, Texas. Applicant's attorney: C. Zimmerman, P.O. Box 730, Wichita, Kansas. Operating rights sought to be transferred: *Passengers and their baggage*, and express, and newspapers, in the same vehicle, as a *common carrier* over a regular route from Kansas City, Mo., to Monroe City, Mo., via Excelsior Springs and Carrollton, Mo., serving all intermediate points. Vendee is authorized to operate as a *common carrier* in Missouri and Kansas. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-246; Filed, Jan. 9, 1962;
8:50 a.m.]

[No. 33606]

GORDONS TRANSPORTS, INC., ET AL.

Assignment for Oral Argument

JANUARY 5, 1962.

Gordons Transports, Inc., et al. v. Strickland Transportation Company, et al.; investigation and suspension Docket No. M-13964¹, substituted rail service between East St. Louis and New Orleans.

Notice: The above-entitled proceedings are assigned for oral argument on February 6, 1962, at 10:00 o'clock a.m., United States standard time, at the Office of the Interstate Commerce Commission, Washington, D.C., before the Commission.

These proceedings present for consideration issues which may involve certain important general principles governing so-called substituted rail-for-motor operation through the use of trailer-on-flat car service. Among them are whether, or under what conditions, a regular route motor common carrier of general commodities, in the movement of traffic it is certificated to handle from origin to destination, may, under motor carrier billing and rates, use or hold itself out

¹ Embraces also Investigation and Suspension Docket No. M-14022 (as supplemented), Substituted Service Between Chicago, Ill., and New Orleans, La., Investigation and Suspension Docket No. M-14089, Substituted Service Between Little Rock, Ark., and New Orleans, La., Fourth Section Application No. 36573, Substituted Service-Illinois Central Railroad Company; Fourth Section Application No. 36625, Same Title; Fourth Section Application No. 36655, Same Title; and Fourth Section Application No. 36682, Strickland Transportation Co., Inc.

as using in whole or in part the operations performed by a railroad in transporting trailers on flat cars, in a so-called substituted rail-for-motor service, with or without having on file with this Commission, and in effect, specific tariffs providing for such service; or whether such through transportation is actually a joint motor-rail-motor operation by connecting carriers which should be so reflected in the tariffs, and which need not be subject to any of the criteria generally applied in authorizing motor service over alternate routes, but which as to each separate segment of the motor operation must be covered by the carrier's certificate.

Those who are not parties to these proceedings but are interested in a determination of the principles involved may, without intervention, apply for an allotment of time at the oral argument. Requests for allotment of time by those who desire to participate in the oral argument should be addressed to the Secretary of the Commission and mailed so as to reach the Commission at least 10 days before the date of the argument.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-244; Filed, Jan. 9, 1962;
8:50 a.m.]

[No. MC-C-3446]

SERVICE TRUCKING CO., INC.

Request for Order

JANUARY 5, 1962.

In the matter of Service Trucking Co., Inc., Federalsburg, Maryland.

Petitioner holds authority in Certificate No. MC-75185, which is here pertinent as follows: Agricultural commodities, live and dressed poultry, canned goods, preserved foods, forest products, seafood, and empty containers, from points in Delaware, Maryland, and Virginia east of Chesapeake Bay and south of the Chesapeake and Delaware Canal, to Norfolk, Portsmouth, and Richmond, Va., points in New Jersey, the District of Columbia, points in Maryland on and east of U.S. Highway 15, points in Pennsylvania within the area bounded by a line extending from the Maryland-Pennsylvania State line along U.S. Highway 15 to Sunbury, Pa., thence along U.S. Highway 11 to Scranton, Pa., thence along U.S. Highway 6 to the Delaware River, thence along the Delaware River to the Pennsylvania-Delaware State line, thence along the Pennsylvania-Delaware and Pennsylvania-Maryland State lines to junction U.S. Highway 15, the point of beginning, including points on the highways specified, points in New York on and south of U.S. Highway 6, points in Connecticut bounded by a line commencing at the New York-Connecticut State line and extending along U.S. Highway 6 to Danbury, Conn., thence along U.S. Highway 7 to Norwalk, Conn., thence along Long Island Sound to the Connecticut-New York State line, thence along the Connecticut-New York State line to junction U.S. Highway 6, the point of beginning, including points on the highways specified, and points on

Long Island, N.Y., on and east of New York Highway 112, and points in Delaware north of the Chesapeake and Delaware Canal. General commodities, except those of unusual value, and except dangerous explosives, livestock, household goods as defined in Practices of Motor Common Carriers of Household Goods, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment, from points in the above-described destination territory to points in Delaware, Maryland, and Virginia east of Chesapeake Bay and south of the Chesapeake and Delaware Canal.

Petitioner states that under the authority set forth above, it conducts operations from points in Maryland, through a point in Delaware, principally, Bridgeville, Del. The subject petition, dated October 16, 1961, requests the Commission enter an order declaring that petitioner's Certificate authorizes interstate operations between Baltimore and points on the eastern shore of Maryland providing such operations are conducted through a sister state; the good faith of petitioner's operations between Baltimore and points on the eastern shore of Maryland so long as they are conducted through a sister state may not be challenged in a state forum for the issue of good faith has been conclusively determined by the Interstate Commerce Commission in its issuance of the Certificate.

Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of this publication of the notice of the filing of this petition, file an appropriate pleading.

Petitioner's attorney: Francis W. McInerny, Suite 602, Solar Building, 1000 16th Street NW, Washington 6, D.C.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 62-243; Filed, Jan. 9, 1962;
8:50 a.m.]

OFFICE OF EMERGENCY
PLANNING

JAMES B. ROSSER

Appointee's Statement of Business
Interests

The following statement lists the names and concerns required by subsection 710(b)(6) of the Defense Production Act of 1950, as amended.

I am a Vice President of Pullman-Standard, a division of Pullman Incorporated, and, in addition, I own 250 shares of Pullman Incorporated stock. Furthermore, I own the following shares of stock in the companies shown below:

Shares:
195—National Lead Co.
62—American Bakeries Co.
108—Commonwealth Edison Co.¹
3—Northern Illinois Gas Co.²
3—Evans Products Co.

¹ 55 shares added since last statement.

² 1 share added since last statement.

Other than the above connection with Pullman-Standard and the ownership of the stocks listed above, I do not have any affiliation, connection or interest in any other corporation, partnership, or any other business.

This amends statement published July 6, 1961 (26 F.R. 6064).

JAMES B. ROSSER.

DECEMBER 28, 1961.

[F.R. Doc. 62-230; Filed, Jan. 9, 1962; 8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 1-929]

HONOLULU OIL CORP.

Notice of Application To Strike From Listing and Registration and of Opportunity for Hearing

JANUARY 4, 1962.

In the matter of Honolulu Oil Corporation, capital stock; File No. 1-929.

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 sold its operating properties on October 18, 1961, and is in process of dissolution.

Upon receipt of a request, on or before January 19, 1962, 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. 62-233; Filed, Jan. 9, 1962; 8:48 a.m.]

NOTICES

[File No. 1-929]

HONOLULU OIL CORP.

Notice of Application to Strike From Listing and Registration and of Opportunity for Hearing

JANUARY 4, 1962.

In the matter of Honolulu Oil Corporation, capital stock; File No. 1-929.

New York 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 sold its operating properties on October 18, 1961, and is in process of dissolution.

Upon receipt of a request, on or before January 19, 1962, 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. 62-234; Filed, Jan. 9, 1962; 8:48 a.m.]

[File No. 2-16079 (22-2804)]

SOUTHWEST FOREST INDUSTRIES, INC.

Notice of Application and Opportunity for Hearing

JANUARY 3, 1962.

Notice is hereby given that Southwest Industries, Inc., (the Company) has filed an application pursuant to clause (ii) of section 310(b)(1) of the Trust Indenture Act of 1939 (the Act) for a finding by the Commission that the trusteeship of Bankers Trust Company of New York (Bankers Trust) under an indenture of the Company dated as of June 1, 1960 (1960 Indenture) which was heretofore qualified under the Act, and trusteeship

by Bankers Trust under an indenture dated as of August 1, 1961 (New Indenture) which was not qualified under the Act, is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify Bankers Trust from acting as Trustee under both indentures.

Section 310(b) of the Act, which is included in the 1960 Indenture, provides in part that if a trustee under an Indenture qualified under the Act has or shall acquire any conflicting interest (as defined therein), it shall within ninety days after ascertaining that it has such conflicting interest, either eliminate such conflicting interest or resign. Subsection (1) of this section provides, with certain exceptions stated therein, that a trustee is deemed to have conflicting interest if it is acting as trustee under a qualified indenture and is trustee under another indenture of the same obligor.

However, an issuer may sustain the burden of proving, on application to the Commission and after opportunity for hearing thereon, that trusteeship under a qualified indenture and such other indenture is not so likely to involve a material conflict of interest as to make it necessary in the public interest or for the protection of investors to disqualify such trustee from acting as trustee under either or both of such indentures.

The application alleges that:

(1) It has outstanding the following two issues of unsecured subordinated debentures which are in equal rank to one another:

(a) \$12,000,000 principal amount of its 6 1/2 percent Subordinated Income Debentures due January 1, 1985 (the 1960 Indenture) to Bankers Trust Company of New York (Bankers Trust), as Trustee. These debentures were registered under the Securities Act of 1933 (File No. 2-16079).

(b) \$3,000,000 principal amount of its 5 1/2 percent Subordinated Convertible Debentures due August 1, 1981 (the New Indenture) to Bankers Trust Company of New York (Bankers Trust), as Trustee. These debentures were privately placed and not registered under the Securities Act of 1933.

(2) The debentures issued under the New Indenture are convertible into common stock of the Company, whereas the debentures issued under the 1960 Indenture are not.

(3) Interest on the Convertible Debentures must be paid semiannually whether or not earned, whereas interest on the Income Debentures issued under the 1960 Indenture, although cumulative, is paid only if earned in accordance with tests and formulas set forth in the 1960 Indenture. These computations are not made by the Trustee but by independent accountants.

(4) The trusteeship of the Trustee under the 1960 Indenture and the New Indenture is not likely to involve a material conflict of interest as to make it

necessary in the public interest or for the protection of investors to disqualify the Trustee from acting as such under one of the Indentures because the differences mentioned above or any other differences in the terms of the Indentures are not of the type or scope which would involve the exercise of discretion on the part of the Trustee so as to result in any conflict of interest.

For a more detailed statement of the matters asserted, all persons are referred to said application which is on file in the offices of the Commission at 425 Second Street NW., Washington, D.C.

Notice is further given that an order granting the application may be issued by the Commission at any time on or after January 19, 1962, unless prior thereto a hearing upon the application is ordered by the Commission, as provided by clause (ii) of Section 310(b)(1) of the Trust Indenture Act of 1939. Any interested person may, not later than January 18, 1962, at 5:30 p.m., e.s.t., in writing, submit to the Commission, his views or any additional facts bearing upon this application or the desirability of a hearing thereon. Any such communications or request should be

addressed: Secretary, Securities and Exchange Commission, 425 Second Street, NW., Washington 25, D.C., and should state briefly the nature of the interest of the person submitting such information or requesting a hearing, the reasons for such request, and the issues of fact and law raised by the application which he desires to controvert.

By the Commission.

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 62-235; Filed, Jan. 9, 1962;
8:48 a.m.]

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[86th Cong., 2d Sess.]

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