

# 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 the Interior

Effective upon publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (d) of § 6.110 is amended as set out below.

##### § 6.110 Department of the Interior.

- \* \* \* \* \*
- (d) *Bonneville Power Administration.*  
(1) Five Area Managers.

(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. 63-7007; Filed, July 2, 1963; 8:53 a.m.]

#### PART 6—EXCEPTIONS FROM THE COMPETITIVE SERVICE

##### Department of Labor

Effective upon publication in the FEDERAL REGISTER, subparagraph (1) of paragraph (f) of § 6.313 is amended as set out below.

##### § 6.313 Department of Labor.

- \* \* \* \* \*
- (f) *Bureau of Apprenticeship and Training.*  
(1) Administrator.

(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. 63-7008; Filed, July 2, 1963; 8:53 a.m.]

## Title 7—AGRICULTURE

### Chapter IV—Federal Crop Insurance Corporation, Department of Agriculture

[Amdt. 59]

#### PART 401—FEDERAL CROP INSURANCE

##### Subpart—Regulations for the 1961 and Succeeding Crop Years

##### WHEAT CROP INSURANCE

##### Correction

In F.R. Doc. 63-6759, appearing at page 6528 of the issue for Wednesday,

June 26, 1963, the following correction is made in the amendment of the tabular material of section 8 of the wheat endorsement in § 401.32: In the entry for South Dakota, the termination date for indebtedness should read "Aug. 31" instead of "Aug. 15".

### Chapter VIII—Agricultural Stabilization and Conservation Service (Sugar), Department of Agriculture

#### SUBCHAPTER F—DETERMINATION OF NORMAL YIELDS AND ELIGIBILITY FOR ABANDONMENT AND CROP DEFICIENCY PAYMENTS

[Sugar Determination 846.3, Supp. 3]

#### PART 846—HAWAII

##### Approved Local Areas for 1962 Crop

##### § 846.6 Approved local areas for the 1962 crop.

For purposes of considering eligibility for abandonment and crop deficiency payments on 1962-crop sugarcane, the State Executive Director of the Hawaii Agricultural Stabilization and Conservation Service State Office has determined with respect to the following local producing areas that due to drought, flood, storm, freeze, disease, or insects, the actual yields of commercially recoverable sugar from the acreages planted to sugarcane on farms in each such area were below 80 percent of the applicable normal yields either for 10 percent or more of the number of such farms or for 10 percent or more of the total acres of sugarcane planted on all farms in each such area.

(a) *Hamakua Producing Area.* The combined mill areas of the Honokaa Sugar Company, Paaupau Sugar Company, Limited, and the Hamakua Mill Company located on the coastal areas of the Hamakua section of the northern portion of the County of Hawaii, and generally bounded on the upper side below the 2,300-foot elevation contour, lower regions by the ocean, and coastwise, on the Hilo side, by the Kaala Gulch, and Waipio Valley on the Kohala side.

(b) *Kohala Producing Area.* The Kohala Sugar Company mill unit located in the North Kohala area of the County of Hawaii, and bounded on the south by Kohala Mountain Forest Reserve and Parker Ranch land, on the north by the ocean, on the east by Pololu Valley, and on the west by Kahua and Parker Ranch lands.

*Statement of bases and considerations.* One of the conditions of eligibility of a sugarcane producer in Hawaii for an acreage abandonment or crop deficiency payment is that the farm of such producer is located in a local producing area in which the State Executive Director of the Hawaii Agricultural Stabilization and Conservation Service State Office determines that certain uncontrollable natural conditions have caused a pre-

scribed amount of damage to the sugarcane crop.

The purpose of this supplement is to give notice that special local producing areas have qualified under the requirements with respect to the 1962 crop of sugarcane and that any sugarcane producer operating a farm located in such areas and which is otherwise qualified may apply for payment accordingly, if he has not already done so.

(Sec. 403, 61 Stat. 932; 7 U.S.C. 1153. Interprets or applies sec. 303, 61 Stat. 930, as amended; 7 U.S.C. 1133, Pub. Law 87-535 approved July 13, 1962)

Effective date: Date of publication.

Signed at Washington, D.C., on June 28, 1963.

CHARLES M. COX,  
*Acting Deputy Administrator,  
State and County Operations.*

JUNE 28, 1963.

[F.R. Doc. 63-7024; Filed, July 2, 1963; 8:58 a.m.]

### Chapter X—Agricultural Marketing Service (Marketing Agreement and Orders; Milk), Department of Agriculture

[Milk Order Nos. 1, 2, 3, 4, 14, 15, 16]

#### PART 1001—MILK IN GREATER BOSTON, MASS., MARKETING AREA

#### PART 1002—MILK IN NEW YORK-NEW JERSEY MARKETING AREA

#### PART 1003—MILK IN WASHINGTON, D.C., MARKETING AREA

#### PART 1004—MILK IN PHILADELPHIA, PA., MARKETING AREA

#### PART 1014—MILK IN SOUTHEASTERN NEW ENGLAND MARKETING AREA

#### PART 1015—MILK IN CONNECTICUT MARKETING AREA

#### PART 1016—MILK IN UPPER CHESAPEAKE BAY (MARYLAND) MARKETING AREA

#### Order Suspending Certain Provisions

Pursuant to the provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and of the order regulating the handling of milk in the Greater Boston, Mass.; New York-New Jersey; Philadelphia, Pa.; Southeastern New England; Upper Chesapeake Bay; Washington, D.C.; and Connecticut marketing areas (7 CFR Parts 1001, 1002, 1003, 1004, 1014, 1015 and 1016), it is hereby found and determined that:

(a) The following provisions of the orders will not tend to effectuate the declared policy of the Act for the month of July 1963:

1. In § 1001.41(b), § 1002.40(e) (2), § 1003.50(b) (2), § 1004.50(b) (2), § 1014-



40(b)(2), § 1015.40(b)(2) and § 1016.50(b)(2), the words "for the applicable month".

2. In § 1001.41(b) all of the table except the words "Amount", "(cents)" and the figure "00".

3. In § 1002.40(e)(2) all of the table except the words "Amount", "(cents)" and the figure "00".

4. In § 1003.50(b)(2) all of the table except the word "Amount" and the figure "+.02".

5. In § 1004.50(b)(2) all of the table except the words "Amount", "(cents)" and the figure "+.08".

6. In § 1014.40(b)(2) all of the table except the word "Amount" and the figure "+.058".

7. In § 1015.40(b)(2) all of the table except the word "Amount" and the figure "+.058".

8. In § 1016.50(b)(2) all of the table except the word "Amount" and the figure "+.02".

(b) The following provisions of the orders will not tend to effectuate the declared policy of the Act for the month of August 1963:

1. In § 1001.41(b), § 1002.40(e)(2), § 1003.50(b)(2), § 1004.50(b)(2), § 1014.40(b)(2), § 1015.40(b)(2) and § 1016.50(b)(2) the words "for the applicable month".

2. In § 1001.41(b) all of the table except the words "Amount", "(cents)" and the figure "+.07".

3. In § 1002.40(e)(2) all of the table except the words "Amount", "(cents)" and the figure "+.07".

4. In § 1003.50(b)(2) all of the table except the word "Amount" and the figure "+.09".

5. In § 1004.50(b)(2) all of the table except the words "Amount", "(cents)" and the figure "+.15".

6. In § 1014.40(b)(2) all of the table except the word "Amount" and the figure "+.128".

7. In § 1015.40(b)(2) all of the table except the word "Amount" and the figure "+.128".

8. In § 1016.50(b)(2) all of the table except the word "Amount" and the figure "+.09".

(c) This suspension order will reduce surplus milk prices in the 10 Northeast Federal order markets (Class III in New York-New Jersey and Class II in other markets) eight cents per hundredweight under the levels which would otherwise apply in such months.<sup>1</sup>

(d) Notice of proposed rule making, public procedure thereon, and 30 days notice of effective date hereof are impractical, unnecessary, and contrary to the public interest in that:

(1) This suspension order does not require of persons affected substantial or extensive preparation prior to the effective date.

(2) This suspension order is necessary to reflect current marketing conditions

and to maintain orderly marketing conditions in the marketing areas.

(3) A public hearing on Class I and surplus milk pricing in the 10 Northeast order markets was held at New York City during the period May 6-23, 1963. At the hearing, representatives of producers and handlers urged that emergency action be taken on various proposals to reduce surplus milk prices for July and August. Subsequent to this hearing, the Department received a request for suspension action which would have the effect of decreasing the New York-New Jersey Class III price for July and August only insofar as such price applies to certain specified products included in Class III. However, it is not mechanically feasible to limit the application of any such suspension only to a portion of the products included in such class.

(4) Time does not permit the detailed analysis and the public procedures necessary to amend the orders by July 1, 1963, on the basis of evidence received at the recent public hearing.

(5) Interested parties were afforded opportunity to file written data, views or arguments concerning this suspension (28 F.R. 6356). No substantial opposition was expressed.

(6) This action should not be interpreted as a decision that the general level of surplus prices should be changed. If it is determined on the basis of the recent public hearing that such levels should not be changed or that a level other than would result from this action should prevail, appropriate adjustments would be made in surplus prices in later months.

Therefore, good cause exists for making this order effective July 1, 1963.

*It is therefore ordered,* That the aforesaid provisions of the orders are hereby suspended for the periods indicated in paragraphs (a) and (b) above.

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

Effective date: July 1, 1963.

Signed at Washington, D.C., on June 28, 1963.

JOHN P. DUNCAN, Jr.,  
Assistant Secretary.

[F.R. Doc. 63-7002; Filed, July 2, 1963; 8:52 a.m.]

## Title 10—ATOMIC ENERGY

### Chapter I—Atomic Energy Commission

#### PART 9—PUBLIC RECORDS

#### PART 20—STANDARDS FOR PROTECTION AGAINST RADIATION

#### Miscellaneous Amendments

On October 5, 1961, and January 26, 1962, the Commission published for public comment proposed amendments to Parts 9 and 20 of its regulations. The proposed amendments provided that the Commission would include in its public records (1) all reports filed by licensees, and correspondence between the licensee and the Commission concerning such re-

ports; and (2) notices of alleged violations issued by the Commission and correspondence between the Commission and the licensee concerning alleged violations. "Licensee" is defined to include holder of an authorization under 10 CFR Part 115, "Procedures for Review of Certain Nuclear Reactors Exempted From Licensing Requirements" and "license" is defined to include authorization. The proposed amendments would require the licensee to state in a separate part of a report the names of individuals who received exposure to radiation, and would exclude such information from the public records of the Commission.

Comments were received and evaluated by the staff. After considering the comments received and after further staff study, the Commission has decided to modify the proposed regulations as published for public comment by clarifying the language and by adding two new definitions to Part 9, in order to conform to similar provisions of the Commission's regulations, rules of practice (10 CFR Part 2).

The proposed amendments of § 9.3 *Inclusions*, have been reworded in order to make it clear that the Commission's public records will not include reports filed by a holder of an authorization under Part 115 with the staff elements of the Commission concerned with contract administration and with the Commission's proprietary functions or correspondence relating to such reports.

Paragraph (g) of § 9.3 has been reworded to provide explicitly that a notice of an alleged violation would not be made public until after receipt of a reply, if any, from a licensee. In the event of failure of a licensee to reply within the time prescribed in the notice, the notice would be published without a reply.

Pursuant to the Atomic Energy Act of 1954, as amended, and the Administrative Procedure Act of 1946, the following amendments of Parts 9 and 20 of the Commission's regulations are published as documents subject to codification, to be effective September 1, 1963.

1. Section 9.2 *Definitions*, is amended by adding the following paragraphs:

(g) "License" means a license, construction permit, or authorization issued by the Commission.

(h) "Licensee" means a person who is authorized to conduct activities under a license, construction permit, or authorization issued by the Commission.

(i) "Authorization" means an authorization or order issued pursuant to Part 115 of this chapter authorizing construction or operation of certain nuclear reactors.

(j) "Regulatory staff" means the Director of Regulation, the offices and divisions under his authority, and such legal counsel as may be assigned by the General Counsel.

2. Section 9.3 *Inclusions*, is amended by adding the following paragraphs:

(f) All reports required by licensees, regulations or orders and filed by a licensee after September 1, 1963 with the regulatory staff and correspondence between licensees and the regulatory staff concerning these reports.

<sup>1</sup> No specific suspension action is necessary in the Springfield, Worcester and Wilmington marketing areas since the Springfield and Worcester Class II prices are tied directly to the Greater Boston Class II price and the Wilmington Class II price is tied directly to the Philadelphia Class II price.



(g) Notices of alleged violations issued after September 1, 1963 pursuant to Subpart B of Part 2 of this chapter together with the licensee's reply, if any, and correspondence between licensees and the regulatory staff concerning alleged violations.

3. Section 9.4 *Exceptions*, is amended by adding the following paragraph:

(k) Names of individuals who have received exposure to radiation.

4. Section 20.403 *Notifications of incidents*, and § 20.405 *Reports of overexposures and excessive levels and concentrations*, are amended by adding to each of them the following paragraph:

(c) Any report filed with the Commission pursuant to this section shall be prepared so that names of individuals who have received exposure to radiation will be stated in a separate part of the report.

(Sec. 161, 68 Stat. 948, 42 U.S.C. 2201)

Dated at Germantown, Md., this 24th day of June 1963.

For the Atomic Energy Commission.

WOODFORD B. McCool,  
Secretary.

[F.R. Doc. 63-6968; Filed, July 2, 1963; 8:45 a.m.]

## Title 13—BUSINESS CREDIT AND ASSISTANCE

### Chapter I—Small Business Administration

[Rev. 3; Amdt. 8]

#### PART 121—SMALL BUSINESS SIZE STANDARDS

##### Schedule B—Industry Employment Size Standards for the Purpose of Government Procurement

On April 5, 1963, there was published in the FEDERAL REGISTER (28 F.R. 3323) Amendment 4 of the Small Business Size Standards Regulation, which included Schedule B referred to in § 121.3-8(b) of this part. Schedule B was based upon the industry descriptions contained in the 1957 edition of the Standard Industrial Classification Manual published by the Bureau of the Budget, Executive Office of the President.

The Bureau of the Budget has now issued a 1963 supplement to the 1957 edition of the Standard Industrial Classification Manual. The 1963 supplement is primarily an evaluation of industries in terms of data from the 1958 economic censuses. As a result, several new SIC industries have been established and it is necessary to establish size standards for these new industries. Except for the industry set forth below, all of the new industries have been classified in the 500 or less employees category.

The Small Business Size Standards Regulation (Revision 3) (27 F.R. 9757), as amended (27 F.R. 11313, 12438; 28 F.R. 153, 2979, 3323, 5610, 6063, 6678), is hereby further amended by adding to

Schedule B of § 121.3-8 the following industry size standard:

Census classification code	Industry	Employment size standard (number of employees)
1925	Guided missiles and space vehicles, completely assembled.....	1,000

Effective date: This amendment shall become effective July 1, 1963.

NOTE: In accordance with section 4(a) of the Administrative Procedure Act, notice of and public procedure on this Amendment 8 to Part 121, Small Business Size Standards, of Title 13, CFR is omitted as impracticable since it is found that due and timely execution of the functions of the Small Business Administration in the Government procurement of such vital items as guided missiles and space vehicles would be impeded by the notice otherwise required by section 4 of the Administrative Procedure Act.

Dated: June 26, 1963.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 63-6995; Filed, July 2, 1963; 8:50 a.m.]

#### PART 122—BUSINESS LOANS

The Small Business Administration is terminating its Deferred Participation Loan program as of July 1, 1963. In place of the Deferred Participation Loan program, the Small Business Administration is inaugurating a Guaranty Loan Plan. All deferred participation loans made by this Agency prior to publication of this Revision shall continue in full force and effect and those loans shall continue to be governed by SBA regulations which were in effect at the time that the deferred participation loan was made.

Guaranteed loans are those in which a financial institution loans funds to a small business concern, and the Small Business Administration agrees to purchase, upon default by the borrower, an agreed portion not to exceed 90 per cent of the loan outstanding at the time of default. During the time that the Small Business Administration may be obligated to purchase pursuant to its Guaranty Agreement, the financial institution may avail itself of liquidity privileges from the Small Business Administration up to the amount of the loan guaranteed by the Small Business Administration. The total maturities of such temporary advances to the financial institution from the Small Business Administration shall not exceed ninety days in any twelve-month period. No such advance shall be made the maturity of which is less than fifteen days, nor may the maturity of the advance extend beyond the maturity date of the note evidencing the loan from the financial institution to the small business concern.

The Small Business Administration Business Loan Regulation, Revision 1, as amended (13 CFR Part 28; F.R. 1284 and 2958) is hereby revoked in its entirety and the following substituted in lieu thereof:

#### PART 122—BUSINESS LOANS

Sec.	Statutory provisions.
122.0	FINANCIAL ASSISTANCE
122.1	General.
122.2	Eligibility.
122.3	Interest rates.
	TYPES OF BUSINESS LOANS
122.4	Introduction.
122.5	Deferred participation loans.
122.6	Immediate participation loans.
122.7	Direct loans.
122.8	Group corporations.
122.9	Limited loans.
122.10	Guaranteed loans.
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122.12	Early maturities immediate participations.
122.13	Simplified early maturities participations.
122.14	Purposes of loans.
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	TERMS AND CONDITIONS OF LOANS
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122.19	Charges, commissions and fees.
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122.22	Collection policy.
122.23	Sale and conversion of loans.
	LIQUIDATION OF LOANS AND SECURITY
122.24	Liquidation policy.
122.25	Foreclosure of collateral.
122.26	Sale of acquired collateral.

AUTHORITY: §§ 122.0 through 122.26 issued under section 5 of Public Law 85-536, 72 Stat. 385.

#### § 122.0 Statutory provisions.

SEC. 7. (a) The Administration is empowered to make loans to enable small-business concerns to finance plant construction, conversion, or expansion, including the acquisition of land; or to finance the acquisition of equipment, facilities, machinery, supplies, or materials; or to supply such concerns with working capital to be used in the manufacture of articles, equipment, supplies, or materials for war, defense, or civilian production or as may be necessary to insure a well-balanced national economy; and such loans may be made or effected either directly or in cooperation with banks or other lending institutions through agreements to participate on an immediate or deferred basis. The foregoing powers shall be subject, however, to the following restrictions and limitations:

(1) No financial assistance shall be extended pursuant to this subsection unless the financial assistance applied for is not otherwise available on reasonable terms.

(2) No immediate participation may be purchased unless it is shown that a deferred participation is not available; and no loan may be made unless it is shown that a participation is not available.

(3) In agreements to participate in loans on a deferred basis under the subsection, such participation by the Administration shall not be in excess of 90 per centum of the balance of the loan outstanding at the time of disbursement.

(4) Except as provided in paragraph (5), (A) no loan under this subsection shall be made if the total amount outstanding and committed (by participation or otherwise) to the borrower from the revolving fund established by this Act would exceed \$350,000; (B) the rate of interest for the Administration's share of any such loan shall be no more than 5½ per centum per annum;



and (C) no such loan, including renewals or extensions thereof, may be made for a period or periods exceeding ten years except that a loan made for the purpose of constructing facilities may have a maturity of ten years plus such additional period as is estimated may be required to complete such construction.

(5) In the case of any loan made under this subsection to a corporation formed and capitalized by a group of small-business concerns with resources provided by them for the purpose of obtaining for the use of such concerns raw materials, equipment, inventories, supplies or the benefits of research and development, or for establishing facilities for such purpose, (A) the limitation of \$350,000 prescribed in paragraph (4) shall not apply, but the limit of such loan shall be \$250,000 multiplied by the number of separate small businesses which formed and capitalized such corporations; (B) the rate of interest for the Administration's share of such loan shall be no less than 3 nor more than 5 per centum per annum; and (C) such loan, including renewals and extensions thereof, may not be made for a period or periods exceeding ten years except that if such loan is made for the purpose of constructing facilities it may have a maturity of twenty years plus such additional time as is required to complete such construction.

(6) The Administrator is authorized to consult with representatives of small-business concerns with a view to encouraging the formation by such concerns of the corporation referred to in paragraph (5). No act or omission to act, if requested by the Administrator pursuant to this paragraph, and if found and approved by the Administrator as contributing to the needs of small business, shall be construed to be within the prohibitions of the antitrust laws or the Federal Trade Commission Act of the United States. A copy of the statement of any such finding and approval intended to be within the coverage of this section, and any modification or withdrawal thereof, shall be furnished to the Attorney General and the Chairman of the Federal Trade Commission when made, and it shall be published in the FEDERAL REGISTER. The authority granted in this paragraph shall be exercised only (A) by the Administrator, (B) upon the condition that the Administrator consult with the Attorney General and with the Chairman of the Federal Trade Commission, and (C) upon the condition that the Administrator obtain the approval of the Attorney General before exercising such authority. Upon withdrawal of any request or finding hereunder or upon withdrawal by the Attorney General of his approval granted under the preceding sentence, the provisions of this paragraph shall not apply to any subsequent act or omission to act by reason of such finding or request.

(7) All loans made under this subsection shall be of such sound value or so secured as reasonably to assure repayment.

(c) The Administration may further extend the maturity of or renew any loan made pursuant to this section, or any loan transferred to the Administration pursuant to Reorganization Plan Numbered 2 of 1954, or Reorganization Plan Numbered 1 of 1957, for additional periods not to exceed ten years beyond the period stated therein, if such extension or renewal will aid in the orderly liquidation of such loan.

#### FINANCIAL ASSISTANCE

##### § 122.1 General.

(a) It is the intent of Congress that government assistance should be extended only after all other possible avenues for solving a small firm's financial problems have been explored. Fre-

quently firms do not need financial assistance but are in need most of counseling on financial management problems. In such cases SBA provides assistance through its Financial Counseling Program.

(b) In response to requests for financial assistance, consideration is given to (1) possible assistance available from local and state development corporations; (2) possible means of obtaining credit on reasonable terms from banks, other private financing sources, or from utilization of the personal credit or resources of the applicant's owners or management; (3) adequacy of accounting methods and other aspects of financial management; (4) means of increasing equity capital; (5) eligibility for V loan financing of defense contracts; (6) feasibility of obtaining advance or partial payments on contracts.

(c) All loans shall be of such sound value, or so secured as reasonably to assure repayment. Security may include, but shall not be limited to, mortgage on real or personal property, monies due on contracts, assignment of warehouse receipts, guarantees, and under certain circumstances assignment of receivables or pledge of inventories.

(d) (1) Financial Assistance as used in this part shall include direct loans made by SBA, immediate participation loans, and guaranteed loans.

(2) Financial Institution as used in this part shall include, but not be limited to, banks and other concerns whose regular course of business entails the making of commercial and industrial loans.

##### § 122.2 Eligibility.

In order to be eligible, a business must qualify under the Loan Policy Regulation, Part 120 of this chapter, and the small business size standards requirements, Part 121 of this chapter.

##### § 122.3 Interest rates.

Interest rates are set forth in Part 120 of these regulations.

#### TYPES OF BUSINESS LOANS AND GUARANTEED LOANS

##### § 122.4 Introduction.

SBA's exposure of financial assistance to a borrower, including all affiliates, may not exceed \$350,000 outstanding at any one time. In assistance to Group Corporations, SBA's exposure may not exceed \$250,000 for each small business concern which formed and capitalized the Group Corporation.

##### § 122.5 Deferred participation loans.

(a) From and after July 1, 1963, no applications for a deferred participation loan will be accepted by this Administration. The existing provisions concerning deferred participation loans are retained in these regulations so as to govern deferred participation loans made prior to July 1, 1963.

(b) Deferred participation loans are those in which a bank or other financial institution advances the capital needed, and SBA agrees to purchase, upon demand by the lending institution, an agreed portion of the unpaid balance then outstanding. SBA's participation

in a deferred participation loan shall not exceed 90 percent of the principal balance of the loan outstanding at the time SBA disburses its funds.

(c) In deferred participation loans a participation charge shall be payable by the bank or other lending institution to SBA for such agreement. The participation charges shall be on a sliding scale, depending upon the percentage of the loan which SBA is obligated to purchase. Such participation charges, which shall not be charged to borrower by the participating institution, shall be as follows:

(1) For an amount not in excess of 50 percent of the loan,  $\frac{1}{2}$  of 1 percent per annum on the portion of the loan which SBA is obligated to purchase;

(2) For an amount in excess of 50 percent of the loan but not in excess of 75 percent of the loan,  $\frac{3}{4}$  of 1 percent per annum on the portion of the loan which SBA is obligated to purchase; and

(3) For an amount in excess of 75 percent of the loan but not in excess of 90 percent of the loan, 1 percent per annum on the portion of the loan which SBA is obligated to purchase.

(d) In deferred participation loans the interest rate on the bank's share applies to the entire loan until SBA purchases its share of such loan.

##### § 122.6 Immediate participation loans.

Immediate participation loans are those where either SBA or a financial institution agrees to purchase from the other, immediately upon disbursement, an agreed percentage of each disbursement. SBA's participation shall not exceed 90 percent of the amount of the loan. An immediate participation loan may not be made if a guaranteed loan is available.

##### § 122.7 Direct loans.

Direct loans are those made by SBA to a borrower when no participation or guaranteed loan is available.

##### § 122.8 Group corporations.

(a) *Limitation of financial assistance.* In the case of a corporation formed and capitalized by a group of small-business concerns with resources provided by them to obtain for their own use raw materials, equipment, inventories, supplies or benefits of research and development or to establish facilities for such purposes, (1) the limitation on SBA's share of such assistance is \$250,000 multiplied by the number of separate small businesses participating in the Group Corporation; and (2) such assistance, including renewals and extensions thereof, may not be made for a period or periods exceeding ten years except that, if the assistance is made for the purpose of constructing facilities, it may have a maturity of twenty years plus such additional time as is required to complete the construction.

(b) *Use of proceeds.* Under the provisions of paragraph (a) of this section, the raw materials, equipment, inventories, or supplies, or the benefits of research and development must be primarily for the use of the concerns organizing the Group Corporation.

(c) *Eligibility.* The applicant corporation shall be owned by a group of small-



business concerns, including corporations, partnerships, individuals or any combination of the foregoing, each of which shall itself qualify as a small-business concern which would be eligible for a small-business loan. Each such concern shall share a need in common with the other small-business concerns forming said corporation, the satisfaction of which need is the purpose for which the Group Corporation is being organized. Such Group Corporation shall file its application in the same manner as other eligible business concerns.

(d) *Antitrust exemption.* In the event that such a corporation desires exemption from the prohibitions of the antitrust laws or the Federal Trade Commission laws, it may obtain such exemption by using the procedures prescribed in paragraph (e) of this section.

(e) *Procedures for obtaining antitrust exemptions.* (1) A Group Corporation desiring an antitrust exemption, pursuant to section 7(a)(6) of the Small Business Act, as amended, will include a specific request for such exemption in its application.

(2) On reviewing an application containing an antitrust exemption request, the Administrator of SBA will consult with the Attorney General and the Chairman of the Federal Trade Commission with respect to the exemption. Upon receipt of the written approval of the Attorney General, the Administrator may make a finding that the formation of the Group Corporation will contribute to the needs of small business, and may approve the exemption.

(3) Upon the making of any such finding and approval, a copy of the finding and approval by the Administrator shall be furnished to the Attorney General and Chairman of the Federal Trade Commission and shall be published in the FEDERAL REGISTER. No action by such Group Corporation which has been approved by the Administrator, and which act is in furtherance of the purpose approved by the findings published in the FEDERAL REGISTER, shall be construed to be within the prohibitions of the antitrust laws or Federal Trade Commission Act of the United States.

(f) *Withdrawal of exemption.* In the event that the Group Corporation withdraws its request for the exemption, or the Administrator withdraws his finding that the Group Corporation contributes to the needs of small business, or upon the withdrawal of the approval granted by the Attorney General, the antitrust exemption shall not apply to any subsequent act or omission to act by reason of such finding or request.

#### § 122.9 Limited loans.

This loan plan is designed especially to assist small retail, wholesale, and service establishments (other types of business may also be eligible) which are unable to pledge as much collateral as is required for regular business loans, but which have a good earnings record, competent management, and a creditable record with local banks for meeting their obligations. Loans under this plan are made only on an immediate participation or under a guaranteed loan basis with financial institutions. Limited

participation loans and guarantees are authorized for maturity of not more than five years, generally repayable monthly, subject to the following limitations:

(a) SBA's share in such financial assistance shall not exceed \$25,000 or 75 percent of the total amount of the assistance, whichever is the lesser.

(b) The financial institution's minimum share of an immediate participation loan or of its guaranteed loan shall be the greater of (1) 25 percent of the loan, or (2) an amount equal to the financial institution's loan(s) to be refinanced. Such loans may be refinanced provided the financial institution certifies that such debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(c) Emphasis shall be placed on the repayment ability of the borrower as determined from its record of past earnings.

#### § 122.10 Guaranteed loans.

(a) Guaranteed loans are loans made by financial institutions to small business concerns, where SBA is obligated to purchase pursuant to its Guaranty Agreement not more than 90 percent of the outstanding loan and accrued interest in the event borrower has defaulted for 90 days. Default means nonpayment of principal or interest when due.

(b) SBA makes a charge to the financial institution based upon a scale set forth in Part 120 of these regulations. Such guaranty charges shall not be charged by the financial institution to its borrower.

(c) During the time that SBA may be obligated to purchase pursuant to a Guaranty Agreement, the financial institution may exercise a liquidity privilege in the form of temporary advances from SBA not exceeding the guaranteed portion of the loan. No temporary advances may be made for less than 15 days. The total maturities of all such advances may not exceed 90 days during any 12-month period. The repayment date of any such advance may not extend beyond the maturity of the small business concern's obligation to the financial institution. Advances may be made by SBA to the financial institution only while the loan to the small business concern is not delinquent as to principal and interest.

(d) Notwithstanding any other provisions of these regulations or any agreement entered into by SBA, SBA shall have the right to purchase its guaranteed percentage of the loan if SBA shall determine that such purchase is in the best interest of the Government. If SBA shall exercise such right, the financial institution shall immediately assign, transfer, and deliver to SBA the note and all instruments obtained by the financial institution in connection with its loan.

(e) SBA shall be released from obligation to purchase its share of the guaranteed loan, unless the financial institution has substantially complied with all of the provisions of these regulations and the Guaranty Agreement, or upon the happening of any one or more of the following events:

(1) Failure of the financial institution to close and disburse the loan substantially in accord with the terms and requirements of the authorization approving the loan or the servicing of the loan in a negligent manner, either of which may result in a substantial loss on the loan; or

(2) Payment in full of the amount due on the note; or

(3) Receipt by SBA of written notice from the financial institution of the termination of this Agreement.

#### § 122.11 Simplified bank loans.

This loan plan is designed to provide greater expediency in the processing of SBA immediate participation loan applications and applications for guaranteed loans. It is a procedure whereby SBA may make a speedy evaluation of a loan and purchase or guarantee its share of the loan as soon as the loan is ready for disbursement. It is especially designed to accommodate the stronger credit risks, not the weaker ones.

(a) The financial institution shall initially agree to disburse and service the loan.

(b) An immediate participation loan may be made only where a guaranteed loan is not available.

(c) The financial institution's minimum share of the immediate participation or guaranteed loan must be the greater of (1) 25 percent of the total amount of the loan, or (2) an amount equal to the financial institution's loan(s) to be refinanced.

(d) Where refinancing is proposed, SBA may require the financial institution's share of the loan to exceed the total amount of existing debts owed to such institution. The financial institution must certify, in writing, that such existing debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(e) Immediately after disbursement of an immediate participation loan the financial institution shall submit the closing documents and a memorandum of disbursement to SBA for review.

#### § 122.12 Early maturities immediate participation.

Early Maturities Participation loans are authorized on an immediate participation basis whereby the full amount of the early scheduled principal payments on a loan may be applied toward reduction of the participating financial institution's share of the total loan subject to the following limitations:

(a) The financial institution shall participate in an amount not less than the greater of the following sums: (1) The aggregate of the level amortized principal payments due in the first two years of the loan; (2) 25 percent of the Loan; or (3) the full amount of any existing debt owed by the borrower to the participating financial institution, the remaining term of which is more than one year, and of any debt the remaining term of which is less than one year upon which payments, if required, have not been made as originally agreed.

(b) All such loans shall be amortized on a level principal payment basis, plus



interest, and only such principal payments as are made within 60 days of due date may be applied toward early reduction of the participating institution's share of the total loan. Upon expiration of 60 days after default of any payment of principal or interest due on the loan, unless the default is cured by payment within that period, the proportionate interests of the SBA and the participating institution in the loan shall be frozen or fixed in amounts equal to their respective percentages of exposure in the loan as of the date of the last principal payment received prior to the default. All future payments on the loan from any source shall be paid over to, or credited to, the participating institution and SBA according to their respective percentages of the frozen or fixed participation.

(c) No such agreement shall establish any preference in favor of the participating institution in any collateral or security for the loan. At any time during the term of the loan while the participating institution continues to have an interest regardless of whether the participation has been declared frozen or fixed, the proceeds from the liquidation or sale of any collateral or security supporting the loan, including payments by guarantors, or any other principal payments due to be applied in inverse order of maturity, shall be paid over to, or credited to, the participating institution and SBA in amounts according to their respective percentages of interest or exposure in the loan based upon the outstanding balance of the loan as of the date such principal payment is received.

(d) Upon the repayment of the aggregate amount of amortized payments due the participating institution, SBA shall assume servicing of the loan and sole custody and control of all collateral, provided that at the option of the participating institution it may purchase or enter into a new participation in the loan in an amount not less than its original participation and continue to service the loan. The new participation shall then be liquidated in the same manner as the original participation. The participating institution shall have additional options throughout the term of the loan periodically to enter into new participation in the loan in an amount not less than its original participation, or may at any time purchase or acquire the entire outstanding loan.

#### § 122.13 Simplified early maturities participations.

This loan plan combines the features of the Early Maturities plan and the Simplified Bank Loan plan. It is designed primarily to encourage a larger percentage of participation by private financial institutions in immediate participation loans. It is designed for preferred credit risks.

(a) The participating institution must initially agree to service the loan.

(b) The participating institution minimum share must be not less than the greater of: (1) 50 percent of the total amount of the loan, or (2) an amount not less than the participating institution's loan(s) to be repaid with a part of the new loan. The participant

must certify, in writing, that such refinanced debt is in good standing (payments and other obligations handled substantially as agreed) and is satisfactory in all respects.

(c) All such loans shall be amortized on a monthly level principal payment basis plus interest. Only level principal payments made on or within 90 days of due date shall be fully applied toward reduction of the participating institution's share of the total loan. Upon expiration of 90 days after default of any payment of principal or interest due on the loan, and until such default is fully cured by payments as hereinafter stated, the proportionate interests of SBA and the participating institution shall be frozen or fixed in amounts equal to their respective percentages of interest as of the date of the last principal payment received prior to the default. Whenever the proportionate interests of SBA and the participating institution are fixed or frozen, any payment of principal or any amount realized from the sale of collateral or from any other source whatsoever shall be applied on the loan and shall be shared ratably by the participating institution and SBA in proportion to their fixed or frozen interests in the unpaid principal balance of the loan outstanding. After the proportionate interests of the participating institution and SBA are frozen or fixed for the first time, the participating institution shall have a single opportunity to resume early maturities reduction of its participation interest when borrower (1) has cured in full all past delinquent principal and interest payments, and (2) has paid the next successive three monthly installments of principal and interest within 15 days of each respective due date. Thereafter, when any installment of principal or interest is not paid within 90 days of due date, the proportionate interests of SBA and the participating institution shall be frozen or fixed permanently.

(d) The period of time during which the participating institution's share will be repaid shall be based on the same proportion of loan maturity that the institution's participation bears to the total amount of the loan; e.g., a financial institution would be repaid over a period of 3 years if it participates 50 percent in a 6-year loan; or repaid in 6 years by participating 60 percent in a 10-year loan.

(e) No agreement under this loan plan shall establish any preference in favor of the participating institution in any collateral or security for the loan. At any time during the term of the loan while the participating institution continues to have an interest, regardless of whether the participation has been declared frozen or fixed, the proceeds from the liquidation or sale of any collateral or security supporting the loan, payments by guarantors, or any other principal payments due to be applied in inverse order of maturity, shall be paid over to, or credited to, the participating institution and SBA according to their respective percentages of interest or exposure in the loan based upon the outstanding balance of the loan as of the date such principal payment is received.

(f) Upon the repayment of the aggregate amount of amortized payments due the participating institution SBA shall assume servicing of the loan and sole custody and control of all collateral, provided that at the option of the participating institution it may purchase or enter into a new participation in the loan in a percentage of participation not less than its original percentage of participation in the loan and it shall continue to service the loan. The new participation shall then be liquidated in the same manner as the original participation. The participating institution shall have additional options throughout the term of the loan periodically to enter into new participations in the loan at a percentage of participation not less than its original percentage of participation or may at any time purchase or acquire the full outstanding loan.

#### § 122.14 Purposes of loans.

SBA extends financial assistance to small manufacturers, wholesalers, retailers, service establishments and other firms when financing is not otherwise available on reasonable terms. Financial assistance is extended by SBA to: (a) Finance construction, conversion, or expansion; (b) finance the purchase of equipment, facilities, machinery, supplies or materials; or (c) supply working capital.

#### § 122.15 Extension of RFC loans.

Actions taken by SBA pursuant to the authority of section 7(c) of the Small Business Act, as amended, are limited to such periods of time as appear necessary to avoid forced liquidation of loans. Extensions are granted under this section only when it appears that no other course of liquidation will result in a greater and earlier recovery of the indebtedness.

#### § 122.16 Step-by-step application procedure for financial assistance.

(a) Before applying to SBA, an applicant should make every effort to obtain the financial assistance from private sources.

(b) If unable to obtain the entire loan from a bank or other source, the applicant should ascertain whether a financial institution will make the loan if SBA agrees to purchase an immediate participation or if SBA agrees to guarantee a portion of the bank loan in accord with the Guaranteed Loan program as set forth in the SBA regulations.

(c) SBA will consider an application for a direct loan where an immediate participation loan or a guaranteed loan is not available.

(d) An applicant desiring to obtain a loan from SBA should apply to SBA's office serving the territory in which the applicant is located. Addresses of offices may be obtained from SBA.

(e) When an applicant first communicates with SBA's office it should be able to furnish a history of its business, the amount of the loan desired, how it will be secured, the purpose of the loan and the nature of its business. It should also be able to present current operating and financial statements and, if available,



the statements for at least the previous three years.

(f) Applicant should furnish the names of financial institutions to which it has applied for financial assistance, the reason it was unable to obtain the financing applied for, and whether the financial institution, if unable to make the loan by itself, would make the loan on condition that SBA agree to purchase an immediate participation or that SBA agree to guarantee a part of the loan, such information to be confirmed by letter evidence upon the filing of an application for financial assistance.

(g) SBA's office will furnish appropriate application forms and any necessary preparation information.

(h) After filing application with either a financial institution or SBA, and subsequent to processing, the applicant will then be notified of the decision either to grant or deny the requested financial assistance.

#### § 122.17 Credit requirements.

An applicant must meet certain practical credit requirements established by SBA. Principal requirements are as follows:

(a) An applicant must be of good character as determined by SBA.

(b) There must be evidence that he has ability to operate his business successfully.

(c) He must have enough capital in the business so that, with assistance through SBA, it will be possible for him to operate on a sound financial basis.

(d) As required by the Small Business Act, as amended, the proposed loan, whether direct, immediate participation, or guaranteed, must be "of such sound value or so secured as reasonably to assure repayment."

(1) *Loan appraisals.* Regional Directors are responsible for the proper evaluation of collateral offered to secure proposed financial assistance and of collateral pledged in connection with the administration and liquidation of financial assistance. Such evaluation may be based upon an appraisal made by an independent appraiser approved by SBA or upon an appraisal made by specialist of SBA. Appraisal also may include, in addition to collateral values, an evaluation of the productive and earning potential of an applicant in those cases where it has been determined necessary.

(e) The past earnings record and future prospects of the firm must indicate ability to repay the loan out of income from the business. In the event that an engineering survey of a company's operation, earnings, management, competitive position, and related factors is desired in connection with a loan application, the nature and extent of such a survey shall be determined by review of the case. A technical evaluation will contain a report on the following kinds of subjects. The list is not all inclusive, merely indicative:

(1) Principal company products.

(2) Productive capacity.

(3) Break-even point.

(4) Sales.

(5) Market or potential sales of the product.

(6) Competitive factors.

(7) Suitability of present plant and equipment.

(8) New machinery needed.

(f) Security may include: Mortgage on land, buildings and equipment; assignment of warehouse receipts for marketable merchandise stored in satisfactory warehouse; mortgage on chattels; or assignment of current receivables (accounts, notes or trade acceptances). The applicant may offer as additional collateral any other assets of sound value. A pledge of inventories generally will not be regarded as satisfactory collateral unless stored in a bonded or otherwise acceptable warehouse, or unless the applicable State law provides for creating and maintaining a satisfactory lien upon inventory not so warehoused.

(g) While the questions of security and collateral are important in determining whether financial assistance will be extended, they do not alone constitute the factors upon which the approval or rejection of an application is determined. SBA attaches great importance to management; the inherent soundness of the business enterprise; its earnings record and prospects; its long-range possibilities of successful operation; and whether the granting of financial assistance will increase employment or have other favorable effects upon the economic life of the community.

#### TERMS AND CONDITIONS OF LOANS

#### § 122.18 Maturities.

The maturity of each loan (except as specifically stated for special programs) is limited to ten years but shall be restricted to the minimum consistent with sound business practice. Loans are generally repayable monthly with payments to include both principal and interest. Special repayment plans may be arranged to meet those situations where income is seasonal.

#### § 122.19 Charges, commissions and fees.

(a) Payment of bonus, or brokerage fees or commissions for the purpose of, or in connection with, obtaining financial assistance through SBA is prohibited. The applicant, subject to SBA approval, may pay actual reasonable costs incurred in connection with the application, including such items as compensation, for services rendered by attorneys, appraisers and accountants, but in no event may an applicant make any payment in the nature of such a brokerage fee or commission.

(b) The applicant is required to certify the names of all attorneys, accountants and other representatives engaged by him in connection with the financial assistance and all such attorneys, accountants and representatives are required to execute an agreement relating to the compensation paid or to be paid for their services. All compensation or other charges must be approved by SBA before payment is made, or if payment has been made, a refund of any excessive portion of the charge must be made to the applicant. See Part 103 of this chapter for further regulations with respect to representatives and their compensation.

#### § 122.20 Loan closing.

If SBA approves a loan application, a formal loan authorization is issued by SBA. This authorization is not a contract to lend or a loan agreement. Instead, it states the condition which the borrower must meet before financial assistance will be extended. When the borrower is prepared to meet these conditions, SBA or the financial institution will arrange a date, time and place for closing the loan.

#### LOAN ADMINISTRATION

#### § 122.21 Loan administration.

(a) Immediate participation loans which are closed by the bank will be serviced by the bank, and immediate participation loans or direct loans closed by SBA will be administered by SBA. However, SBA reserves the right to transfer the servicing of an immediate participation loan from the financial institution to SBA.

(b) Guaranteed loans will be serviced by the financial institution which made the loan. The financial institution shall hold the note, instruments of hypothecation, and all other agreements, documents, and instruments obtained by it in connection with its loan to the small-business concern. The financial institution shall receive all payments of principal and interest on the loan until such time as SBA may purchase its guaranteed share of the loan.

(c) The financial institution shall not, without the prior written consent of the SBA except to the extent permitted by a written authorization (1) Make or consent to any alterations in the terms of the note or related loan instruments; (2) make or consent to any release, substitution, or exchange of collateral; (3) accelerate the maturity of the note; (4) sell, assign, or transfer the note or related loan instruments; (5) sue upon the note or related loan instruments; or (6) waive or agree to waive any claim against borrower or any guarantor, standby creditor, or other obligor in connection with the loan; (7) directly or indirectly charge or receive any bonus, fee, commission, or expense in any form in connection with the making of the loan, except charges or expenses incurred, or for actual services rendered; (8) in accordance with authority contained in any security instrument held by the financial institution evidencing a prior lien on property taken as security for the loan, increase the amount due on such lien.

(d) If SBA shall purchase its share of a guaranteed loan, the financial institution will immediately assign and deliver to SBA all loan instruments obtained by it pertaining to the loan. The loan shall then be serviced by SBA.

#### § 122.22 Collection policy.

It is the policy of SBA to insist upon prompt payment of due installments and upon compliance with all terms and conditions of the note, mortgage and loan agreements. Any request for relief should be directed to the participating institution or SBA field office, whichever is servicing the loan. No deviation in



the terms and conditions of the note or other instruments will be condoned without the written approval of the participating financial institution, if a financial institution has participated in the loan. However, in order to aid and assist borrowers in the discharge of their financial obligations, it is the policy of SBA to advise and counsel with borrowers in the management, production and financial aspects of their business, with a view of encouraging the development of a healthy, growing concern.

#### § 122.23 Sale and conversion of loans.

(a) Directors of the regional offices are authorized to effect the sale of any direct loan upon receipt of the written consent of the borrower and payment in the amount of the borrower's indebtedness. Loans made pursuant to the Small Business Act, as amended, and those loans which were transferred to SBA in accordance with Reorganization Plans No. 2 of 1954 and No. 1 of 1957 will not be sold for less than the amount of the borrower's obligation.

(b) Direct loans may be converted to guaranteed loans or to immediate participation loans.

(c) An immediate participation loan may be converted to a guaranteed loan or a loan wholly owned by the participating institution without the borrower's approval upon payment of the unpaid amount of SBA's participation in such loan, together with the accrued interest due thereon and any advances that may have been made by SBA.

(d) Any Guaranty Agreement may be terminated upon receipt of a written request from the financial institution, provided the guarantee charges have been paid to the date of termination.

#### LIQUIDATION OF LOANS AND SECURITY

#### § 122.24 Liquidation policy.

(a) It is the policy of SBA to aid, counsel, assist and protect small-business concerns to which loans have been made. Ordinarily, the liquidation of the property securing a loan will not be resorted to if there appears to be any reasonable probability that the loan may be repaid by the borrower or a guarantor other than SBA within a reasonable period.

(b) Liquidation of the security may be authorized or approved when any one of the following conditions exists:

(1) A borrower is in default in the payment of one or more installments due under a note or has defaulted in the performance of conditions contained in the note, loan agreement, other instrument, or a security instrument, and the failure to cure such default or defaults or to make acceptable arrangements to cure the same is due to (i) lack of diligence; (ii) lack of managerial ability which the borrower has failed or refused to correct; (iii) other circumstances within the borrower's control; or (iv) the inability of the borrower to remedy the default;

(2) Foreclosure or other proceedings have been instituted which may jeopardize the interest of the Government;

(3) A borrower has filed a voluntary petition or an involuntary petition has been filed against the borrower pursuant

to any of the provisions of the Bankruptcy Act, as amended;

(4) A receiver has been appointed or other judicial action taken for the purpose of liquidating the borrower's assets;

(5) The borrower has made an assignment for the benefit of creditors which may result in the liquidation of his assets;

(6) The borrower is in default and has discontinued or abandoned the business and has not submitted an acceptable plan of payment;

(7) The failure of the borrower to disclose in his loan application any fact deemed by SBA to be material or the making of any false statement or material misrepresentation by, on behalf of, or for the benefit of, the borrower in the loan application, in any of the loan agreements or in any affidavit or other document submitted in connection with such application.

#### § 122.25 Foreclosure of collateral.

(a) Real and personal property, including contracts and claims, hypothecated as security for the payment of a loan which is in default may be sold in accordance with the provisions of the security instrument whereby such property was hypothecated.

(b) Payments or recoveries under or upon a loan from the borrower or from any other source as well as all reasonable expenses (including advances for the care, preservation, and maintenance of collateral securing the loan) incurred by SBA or the financial institution shall be shared ratably by SBA and the financial institution in accordance with their respective interests in the loan.

(c) Any and all security or guaranty of any nature (excluding SBA's guaranty), including but not limited to set-off and counterclaim, which the financial institution holds or may receive further to secure the financial institution with respect to a loan, or which SBA may require in connection with a loan, shall secure the interests of both the SBA and the financial institution.

(d) Guarantors of financial assistance, other than SBA, shall have no rights of contribution against SBA on a guaranteed loan. SBA shall not be deemed to be a coguarantor with any other guarantors.

#### § 122.26 Sale of acquired collateral.

(a) Property acquired by SBA or the servicing financial institution in the liquidation of loans will be offered for sale by the SBA Regional Director or by the financial institution which is servicing the loan. All sales, unless otherwise authorized, will be effected through competitive bids at either an auction sale or a sealed bid sale. In those instances where property which has been acquired cannot be sold advantageously at a sealed bid or auction sale, the Regional Director may be authorized to negotiate with prospective purchasers for the sale of the property.

(b) The right, title and interest of SBA in property sold will be conveyed by an appropriate bill of sale or deed, without representation or warranty.

(c) SBA does not look with favor upon renting or leasing acquired property nor the granting of options to purchase, inasmuch as it is desirous of selling such property and thereby liquidating its investment in same as soon after acquisition as possible. In those instances where the property cannot be sold advantageously and it appears to be in the interests of the Government to lease the same proposals for a lease will be considered. Any such proposals must provide for termination by SBA upon the giving of reasonable notice so that the sale of the property may not be unduly delayed.

Dated: June 26, 1963.

JOHN E. HORNE,  
Administrator.

[F.R. Doc. 63-6994; Filed, July 2, 1963;  
8:50 a.m.]

## Title 14—AERONAUTICS AND SPACE

### Chapter I—Federal Aviation Agency

#### SUBCHAPTER E—AIRSPACE [NEW]

[Airspace Docket No. 62-CE-79]

### PART 71—DESIGNATION OF FEDERAL AIRWAYS, CONTROLLED AIRSPACE, AND REPORTING POINTS [NEW]

#### Designation of Control Zone and Transition Area

On April 2, 1963, a notice of proposed rule making was published in the FEDERAL REGISTER (28 F.R. 3180) stating that the Federal Aviation Agency proposed to designate a control zone and transition area at Bemidji, Minn.

The Air Transport Association of America, while not objecting to the actions proposed in the notice, submitted the request that more transition area be designated at Bemidji to encompass the procedure turn areas for the restricted-use ADF instrument approach procedures in use by North Central Airlines.

It is the opinion of the FAA that the extent of the control zone and transition area to be established at Bemidji should properly be balanced against a projection of the instrument approach activity the Bemidji Municipal Airport could be expected to entertain on the basis of only four to six daily scheduled air carrier stops. It is also considered pertinent that, with the availability of a newly inaugurated public-use VOR instrument approach procedure with landing weather minimums established equal to or more favorable than those specified for the restricted-use procedures, the designation of additional controlled airspace beyond that required for the support of the public-use procedure would not be in the public interest. Additionally, it is believed that North Central Airlines should consider the alteration of the existing restricted-use ADF instrument procedures so that these could be contained within the same portion of controlled airspace being established for the protection to aircraft executing the public-use Bemidji Municipal Airport



instrument approach procedure. Therefore, action is taken herein to designate a control zone and transition area at Bemidji as proposed in the notice.

Interested persons have been afforded an opportunity to participate in the making of the rules herein adopted, and no adverse comments were received regarding the proposed amendments.

The substance of the proposed amendments having been published and for the reasons stated herein and in the notice, the following actions are taken:

In § 71.171 (27 F.R. 220-91, November 10, 1962) the following is added:

Bemidji, Minn.

Within a 4-mile radius of Bemidji Municipal Airport (latitude 47°30'35" N., longitude 94°55'50" W.) and within 2 miles each side of the Bemidji VOR 136° radial, extending from the 4-mile radius zone to the VOR, excluding the portion 9 miles SE of and parallel to the Bemidji VOR 024° and 204° radials. This control zone is effective from 0500 to 2100 hours local time, daily.

In § 71.181 (27 F.R. 220-139, November 10, 1962) the following is added:

Bemidji, Minn.

That airspace extending upward from 700 feet above the surface within a 6-mile radius of Bemidji Municipal Airport (latitude 47°30'35" N., longitude 94°55'50" W.) and within 2 miles each side of the Bemidji VOR 316° and 136° radials, extending from the 6-mile radius area to 8 miles NW of the VOR; and the airspace extending upward from 1,200 feet above the surface within 5 miles NE and 8 miles SW of the Bemidji VOR 136° and 316° radials, extending from 4 miles SE to 13 miles NW of the VOR.

These amendments shall become effective 0001, e.s.t., August 22, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 26, 1963.

H. B. HELSTROM,  
Acting Chief,  
Airspace Utilization Division.

[F.R. Doc. 63-6971; Filed, July 2, 1963; 8:45 a.m.]

[Airspace Docket No. 63-EA-63]

## PART 73—SPECIAL USE AIRSPACE [NEW]

### Alteration of Restricted Area

The purpose of this amendment to § 73.52 of the Federal Aviation Regulations is to change the controlling agency of the Gardiner's Island, N.Y., Restricted Area R-5202 from "Federal Aviation Agency, New York ARTC Center" to "Federal Aviation Agency, Quonset Approach Control."

Restricted area R-5202 is currently utilized on a joint-use basis for the IFR activities of the Trumbull Airport, Groton, Connecticut, which is under the jurisdiction of the Quonset Approach Control. To improve the utilization of this area under joint use, the Federal Aviation Agency is assigning the responsibility for controlling agency of R-5202 to the Quonset Approach Control effective August 22, 1963.

Since this amendment imposes no additional burden on the public, notice and public procedure hereon is unnecessary.

In consideration of the foregoing § 73.52 (28 F.R. 19-34, January 26, 1962), is amended as follows:

In R-5202 Gardiner's Island, N.Y., "Controlling agency. Federal Aviation Agency, New York ARTC Center." is deleted and "Controlling agency. Federal Aviation Agency, Quonset Approach Control." is substituted therefor.

This amendment shall become effective 0001, e.s.t., August 22, 1963.

(Sec. 307(a), 72 Stat. 749; 49 U.S.C. 1348)

Issued in Washington, D.C., on June 27, 1963.

LEE E. WARREN,  
Acting Director,  
Air Traffic Service.

[F.R. Doc. 63-6972; Filed, July 2, 1963; 8:45 a.m.]

## Chapter II—Civil Aeronautics Board

### SUBCHAPTER B—PROCEDURAL REGULATIONS

[Reg. PR-84]

## PART 301—RULES OF PRACTICE IN AIR SAFETY PROCEEDINGS

### Rights of Witnesses

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of June 1963.

The Board's established practice is to accord to all witnesses who appear before it in air safety and economic proceedings the right to be accompanied, represented and advised by counsel, and to be examined by their own counsel following other questioning. It has permitted them to retain copies of documentary evidence submitted by them, or upon payment of proper costs to obtain copies of such documentary evidence or stenographic transcripts of their testimony.

The Administrative Conference of the United States has recommended that the various Government agencies incorporate in their regulations provisions for the granting of the rights above described to witnesses in agency proceedings, whether they appear voluntarily or in response to subpoena. In view of this recommendation, the Board has determined to adopt the attached amendment to Part 301, expressly granting these rights. The embodying of such provisions in its Procedural Regulations will not bring about any change in either its practice or the privileges it currently accords witnesses in proceedings governed by this part. Simultaneously herewith, the Board is adopting a parallel amendment to Part 302, the provisions of which will be applicable in economic proceedings.

Since this amendment is a rule of procedure which merely affirms existing practice, and is not in derogation of the rights of any person, notice and public procedure hereon are not required, and the regulation may become effective upon less than 30 days' notice.

In consideration of the foregoing, the Board hereby amends Part 301 of the Procedural Regulations (14 CFR Part 301), effective July 3, 1963, by revising § 301.3 to read as follows:

§ 301.3 Appearances; rights of witnesses.

(a) Any party to a proceeding may appear and be heard in person or by attorney. No register of persons who may practice before the Board is maintained and no application for admission to practice is required. Any person practicing or desiring to practice before the Board may, upon hearing and good cause shown, be suspended or barred from practicing.

(b) Any person appearing in person in any proceeding governed by this part, whether in response to a subpoena or by request or permission of the Board, may be accompanied, represented and advised by counsel and may be examined by his own counsel following other questioning.

(c) Any person who submits data or evidence in a proceeding governed by this part, whether in response to a subpoena or by request or permission of the Board, may retain or, on payment of lawfully prescribed costs, procure a copy of any document submitted by him or a copy of any transcript made of his testimony.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481, sec. 6(b), 60 Stat. 240; 5 U.S.C. 1005)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-7018; Filed, July 2, 1963; 8:56 a.m.]

[Reg. PR-85]

## PART 302—RULES OF PRACTICE IN ECONOMIC PROCEEDINGS

### Rights of Witnesses

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of June 1963.

The Board's established practice is to accord to all witnesses who appear before it in economic and air safety proceedings the right to be accompanied, represented and advised by counsel, and to be examined by their own counsel following other questioning. It has permitted them to retain copies of documentary evidence submitted by them, or upon payment of proper costs to obtain copies of such documentary evidence or stenographic transcripts of their testimony.

The Administrative Conference of the United States has recommended that the various Government agencies incorporate in their regulations provisions for the granting of the rights above described to witnesses in agency proceedings, whether they appear voluntarily or in response to subpoena. In view of this recommendation, the Board has determined to adopt the attached amendment to Part 302, expressly granting these rights. The embodying of such provisions in its Procedural Regulations will not bring about any change in either its practice or the privileges it currently accords witnesses in proceedings governed by that part. Simultaneously herewith, the Board is adopting a parallel amendment to Part 301, the provi-



sions of which will be applicable in air safety proceedings.

Since this amendment is a rule of procedure which merely affirms existing practice, and is not in derogation of the rights of any person, notice and public procedure hereon are not required, and the regulation may become effective upon less than 30 days' notice.

In consideration of the foregoing, the Board hereby amends Part 302 of the Procedural Regulations (14 CFR Part 302), effective July 3, 1963, by revising § 302.11 to read as follows:

**§ 302.11 Appearances; rights of witnesses.**

(a) Any party to a proceeding may appear and be heard in person or by attorney. No register of persons who may practice before the Board is maintained and no application for admission to practice is required. Any person practicing or desiring to practice before the Board may, upon hearing and good cause shown, be suspended or barred from practicing.

(b) Any person appearing in person in any proceeding governed by this part, whether in response to a subpoena or by request or permission of the Board, may be accompanied, represented and advised by counsel and may be examined by his own counsel after other questioning.

(c) Any person who submits data or evidence in a proceeding governed by this part, whether in response to a subpoena or by request or permission of the Board, may retain or, on payment of lawfully prescribed costs, procure a copy of any document submitted by him or a copy of any transcript made of his testimony.

(Sec. 204(a), 72 Stat. 743; 49 U.S.C. 1324. Interpret or apply sec. 1001, 72 Stat. 788; 49 U.S.C. 1481, sec. 6(b), 60 Stat. 240; 5 U.S.C. 1005)

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,  
Secretary.

[F.R. Doc. 63-7019; Filed, July 2, 1963;  
8:56 a.m.]

**Chapter III—Federal Aviation Agency**

**SUBCHAPTER C—AIRCRAFT REGULATIONS**

[Reg. Docket No. 1812; Amdt. 582]

**PART 507—AIRWORTHINESS DIRECTIVES**

**McCauley Propellers**

Amendment 555, 28 F.R. 3781 (AD 63-8-4), requires inspection of certain McCauley constant speed propellers. Although some serial numbers are excluded, it has recently been determined that additional propellers should be exempt from the requirements of the airworthiness directive. Accordingly, Amendment 555 is being amended to exclude these propellers.

Since this amendment relaxes a requirement and imposes no additional burden on any person, notice and public procedure hereon are unnecessary and the amendment may be made effective upon publication in the FEDERAL REGISTER.

In consideration of the foregoing, and pursuant to the authority delegated to me by the Administrator (25 F.R. 6489), § 507.10(a) of Part 507 (14 CFR Part 507), is hereby amended as follows:

Amendment 555, 28 F.R. 3781 (AD 63-8-4), McCauley propellers is amended by changing the applicability statement to read:

Applies to McCauley constant speed Models 2A36, B2A36, C2A36, D2A36, and 2D36 Series propellers installed on various single-engine tractor-type aircraft except propellers with blade serial numbers with a K prefix above Serial Number K25150 and to all propellers with a "Y" following the blade serial number. Also excluded are all propellers with blades with plain serial numbers above 27064, and Models 2A36C1 and 2A36C18 propellers with plain serial numbers below 21298. (A plain serial number is one without a prefix or suffix letter.)

This amendment shall become effective July 3, 1963.

(Secs. 313(a), 601, 603; 72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423)

Issued in Washington, D.C., on June 26, 1963.

W. LLOYD LANE,  
Acting Director,  
Flight Standards Service.

[F.R. Doc. 63-6973; Filed, July 2, 1963;  
8:45 a.m.]

**Title 16—COMMERCIAL PRACTICES**

**Chapter I—Federal Trade Commission**

[Docket C-506]

**PART 13—PROHIBITED TRADE PRACTICES**

**Harker China Co. et al.**

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*. Subpart—Furnishing means and instrumentalities of misrepresentation or deception: § 13.1055 *Furnishing means and instrumentalities of misrepresentation or deception*. Subpart—Misbranding or mislabeling: § 13.1185 *Composition*. Subpart—Using misleading name—Goods: § 13.2280 *Composition*.

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Harker China Company et al., East Liverpool, Ohio, Docket C-506, June 17, 1963]

*In the Matter of Harker China Company, a Corporation, David G. Boyce, John M. Pinney, Francis H. Lang, and Robert E. Boyce, Individually and as Officers of Said Corporation*

Consent order requiring East Liverpool, Ohio, distributors of dinnerware to jobbers and retailers for resale, to cease labeling and advertising their said products as "Harkerware STONE CHINA" and "STONE CHINA", when in fact the dinnerware was not vitreous and could not be accurately referred to as china.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered*, That respondents Harker China Company, a corporation, and its officers, and David G. Boyce, John M. Pinney, Francis H. Lang and Robert E. Boyce, individually and as officers of said corporation, and respondents' representatives, agents and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of ceramic dinnerware or of any other ceramic products in commerce, as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

1. Using the word "china", or any other word of similar import or meaning, alone or in combination with any other word or words, as a product name for any ceramic product which is not in fact vitreous or representing in any other manner that any product is china when such product is not vitreous.

2. Misrepresenting in any manner the vitrification of any of their products.

3. Furnishing or otherwise placing in the hands of others means and instrumentalities by and through which they may mislead the public as to any of the matters and things hereinabove prohibited.

*It is further ordered*, That the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 17, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 63-6986; Filed, July 2, 1963;  
8:48 a.m.]

[Docket C-507]

**PART 13—PROHIBITED TRADE PRACTICES**

**Volumes in Values, Inc., et al.**

Subpart—Advertising falsely or misleadingly: § 13.30 *Composition of goods*; § 13.70 *Fictitious or misleading guarantees*; § 13.75 *Free goods or services*; § 13.155 *Prices*; § 13.155-40 *Exaggerated as regular and customary*; § 13.155-100 *Usual as reduced, special, etc.*; § 13.175 *Quality of product or service*; § 13.235 *Source or origin*; § 13.235-50 *Maker or seller, etc.*

(Sec. 6, 38 Stat. 721; 15 U.S.C. 46. Interpret or apply sec. 5, 38 Stat. 719, as amended; 15 U.S.C. 45) [Cease and desist order, Volumes In Values, Inc., et al., Chicago, Ill., Docket C-507, June 17, 1963]

*In the Matter of Volumes In Values, Inc., a Corporation, and Marks Bros. Jewelers, Inc., a Corporation, and Ira G. Marks, and James G. Marks, Individually and as Officers of Said Corporation*

Consent order requiring two Chicago corporations and their common officers—distributors of a variety of merchandise which they sold through their own retail jewelry stores in Illinois, Texas, and Oklahoma and also sold to other dealers



in "package promotions" designed as "traffic builders" to encourage customers to visit credit stores and open and use credit accounts—to cease making false statements in promotional material including newspaper advertisements, respecting the price, quality, guarantee, maker, savings and "free" nature of said merchandise, and to cease providing their dealers for their use, advertising matrices, layouts and other matter containing the same or similar false representations.

The order to cease and desist, including further order requiring report of compliance therewith, is as follows:

*It is ordered,* That respondents Volumes in Values, Inc., a corporation, and its officers, Marks Bros. Jewelers, Inc., a corporation, and its officers, and Ira G. Marks, and James G. Marks, individually and as officers of said corporations, and respondents' agents, representatives and employees, directly or through any corporate or other device, in connection with the offering for sale, sale or distribution of wrenches, tools, sheets, towels, dinnerware, cookware or any other articles of merchandise, in commerce as "commerce" is defined in the Federal Trade Commission Act, do forthwith cease and desist from:

a. Representing, directly or by implication, that tools or wrenches manufactured of other types of metals, are manufactured from chrome alloy steel; or misrepresenting in any manner the kind or type of metal from which any product is manufactured.

b. Using the word "Regularly" or any other word or words of similar import or meaning to refer to any amount which is in excess of the price at which such merchandise has been usually and regularly sold by the respondents at retail in the recent regular course of their business; or otherwise misrepresenting respondents' usual and customary retail selling price of merchandise.

c. Representing, directly or by implication, that any of said sheets and towels were made by the Pepperell Manufacturing Company, Boston, Massachusetts when said products were made by some other manufacturer; or misrepresenting in any manner, the brand name, manufacturer or producer of any products.

d. Using the expression "Lowest Price Ever" or any other words or terms of similar import or meaning unless the price of the merchandise referred to constitutes a reduction from the prices at which said merchandise has been previously sold at retail by respondents or by other retail dealers in the trade area or areas where the representation is made.

e. Representing, directly or by implication, that merchandise is given free or without charge in connection with the purchase of other merchandise when the so-called free merchandise is received only after payment therefor is included in the price charged for the other merchandise.

f. Representing, directly or by implication, that any merchandise is guaranteed unless the nature and extent of the guarantee, the identity of the guarantor, and the manner in which the guarantor

will perform thereunder are clearly and conspicuously disclosed.

g. Representing in any manner that, by purchasing any of their merchandise, customers are afforded savings amounting to the difference between respondents' stated selling price and any other price used for comparison unless the comparative price used represents the price at which the merchandise is usually and customarily sold at retail in the trade area involved, or is the price at which said merchandise is usually and regularly sold by respondents at retail in the recent, regular course of business, in the trade area or areas where the representation is made.

h. Furnishing or otherwise placing in the hands of retailers and dealers the means and instrumentalities by and through which they may mislead the public in the manner or as to the things hereinabove prohibited in paragraphs a, c, e, and f.

i. Furnishing or otherwise placing in the hands of other retailers and dealers the means and instrumentalities by and through which said retailers and dealers may mislead the purchasing public as to said retailers' and dealers' usual and customary selling price of merchandise or the savings afforded to purchasers of said retailers' and dealers' merchandise.

*It is further ordered,* That each of the respondents herein shall, within sixty (60) days after service upon them of this order, file with the Commission a report in writing setting forth in detail the manner and form in which they have complied with this order.

Issued: June 17, 1963.

By the Commission.

[SEAL] JOSEPH W. SHEA,  
Secretary.

[F.R. Doc. 63-6987; Filed, July 2, 1963;  
8:48 a.m.]

## Title 24—HOUSING AND HOUSING CREDIT

### Chapter II—Federal Housing Administration, Housing and Home Finance Agency

#### HOUSING INSURANCE AND HOME IMPROVEMENT LOANS

##### Miscellaneous Amendments

The following miscellaneous amendments have been made to this chapter:

#### SUBCHAPTER C—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

##### PART 203—MUTUAL MORTGAGE INSURANCE AND INSURED HOME IMPROVEMENT LOANS

###### Subpart A—Eligibility Requirements

In § 203.43 paragraph (b) (7) is amended to read as follows:

§ 203.43 Eligibility of miscellaneous type mortgages.

(b) \* \* \*

(7) Given to refinance an existing mortgage insured under section 220, 221 or 903 of the act: *Provided*, That any such refinancing mortgage shall not exceed the original principal amount or the unexpired term of such existing mortgage.

###### Subpart B—Contract Rights And Obligations

Section 203.405 is amended to read as follows:

###### § 203.405 Debenture Interest Rate

Debentures shall bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the mortgage was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
3 3/4	Jan. 1, 1961	July 1, 1961
3 3/4	July 1, 1961	Jan. 1, 1962
4	Jan. 1, 1962	July 1, 1962
3 3/4	July 1, 1962	July 1, 1963
4	July 1, 1963	

In § 203.478 a new paragraph (d) is added to read as follows:

###### § 203.478 Debenture claim computation.

(d) Reimbursement for premiums paid on any hazard insurance policies covering the property.

Section 203.479 is amended to read as follows:

###### § 203.479 Debenture interest rate.

Debentures shall bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the loan was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
3 3/4	July 1, 1961	Jan. 1, 1962
4	Jan. 1, 1962	July 1, 1962
3 3/4	July 1, 1962	July 1, 1963
4	July 1, 1963	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply section 203, 52 Stat. 10, as amended; 12 U.S.C. 1709)

#### SUBCHAPTER D—RENTAL HOUSING INSURANCE PART 207—MULTIFAMILY HOUSING MORTGAGE INSURANCE

###### Subpart B—Contract Rights and Obligations

In § 207.259 paragraph (a) (1) (vii) is amended to read as follows:

###### § 207.259 Insurance benefits.

(a) \* \* \*

(1) \* \* \*

(vii) Bear interest from the date of issue, payable semiannually on the first



day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date of initial insurance endorsement of the mortgage, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
3 3/4	Jan. 1, 1961	July 1, 1961
3 3/4	July 1, 1961	Jan. 1, 1962
4	Jan. 1, 1962	July 1, 1962
3 3/4	July 1, 1962	July 1, 1963
4	July 1, 1963	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies section 207, 52 Stat. 16, as amended; 12 U.S.C. 1713)

#### SUBCHAPTER F—URBAN RENEWAL HOUSING INSURANCE AND INSURED IMPROVEMENT LOANS

### PART 220—URBAN RENEWAL MORTGAGE INSURANCE AND INSURED IMPROVEMENT LOANS

#### Subpart C—Eligibility Requirements—Projects

In § 220.610 the heading on paragraph (a) is amended to read as follows:

#### § 220.610 Commitments to insure.

(a) *Conditions of commitment.*

#### Subpart D—Contract Rights and Obligations—Projects

Section 220.830 is amended to read as follows:

#### § 220.830 Debenture interest rate.

Debentures shall bear interest from the date of issue, payable semi-annually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date the loan was endorsed for insurance, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
3 3/4	July 1, 1961	Jan. 1, 1962
4	Jan. 1, 1962	July 1, 1962
3 3/4	July 1, 1962	July 1, 1963
4	July 1, 1963	

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies section 220, 68 Stat. 596, as amended; 12 U.S.C. 1715k)

#### SUBCHAPTER G—HOUSING FOR MODERATE INCOME AND DISPLACED FAMILIES

### PART 221—LOW COST AND MODERATE INCOME MORTGAGE INSURANCE

#### Subpart C—Eligibility Requirements—Moderate Income Projects

Section 221.502 is amended to read as follows:

#### § 221.502 Application.

An application for insurance of a mortgage on a project shall be submitted by a mortgagee and by the sponsors of such project through the local FHA office on an approved FHA application form.

No application shall be considered unless accompanied by the exhibits called for by the form. No application for insurance shall be considered in the case of a project, the mortgage of which is to bear interest in accordance with the rate set forth in § 221.518(b), unless there has been issued by the Commissioner a memorandum evidencing allocation of funds to the project.

In § 221.518 paragraph (b) is amended to read as follows:

#### § 221.518 Maximum interest rate.

(b) In the case of a mortgage executed by other than a general mortgagor, as defined in § 221.510(e), the Commissioner may, in his discretion, provide that such mortgage shall bear interest at a rate not to exceed 5 1/4 percent per annum up to and including the date of the final endorsement by the Commissioner, at which time the rate of interest shall be lowered to the rate determined by the Secretary of the Treasury pursuant to section 221(d)(5) of the Act. The date of issuance by the Commissioner of the memorandum evidencing allocation of funds to a project governs the lowered mortgage interest rate as follows:

(1) 3 1/2 percent per annum if the memorandum is issued before July 1, 1963; or

(2) 3 3/4 percent per annum if the memorandum is issued on or after July 1, 1963.

#### Subpart D—Contract Rights and Obligations—Moderate Income Projects

In § 221.762 the introductory text of paragraph (a) is amended to read as follows:

#### § 221.762 Insurance benefits requirement.

(a) *Payment in cash.* All of the provisions of § 207.258 of this chapter shall govern the payment in cash of insurance benefits on mortgages, including mortgages endorsed for insurance on or after July 7, 1961, on the basis of commitments outstanding prior to July 7, 1961, except that the following items shall be held by the mortgagee and the total of such items shall be deducted from the cash settlement provided in § 221.766(a):

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interpret or apply section 221, 68 Stat. 599, as amended; 12 U.S.C. 1715l)

#### SUBCHAPTER K—EXPERIMENTAL HOUSING INSURANCE

### PART 233—EXPERIMENTAL HOUSING MORTGAGE INSURANCE

#### Subpart D—Contract Rights and Obligations—Projects

In § 233.755 the introductory text of paragraph (a) is amended to read as follows:

#### § 233.755 Insurance benefits requirement.

(a) *Payment in cash.* All of the provisions of § 207.258 of this chapter shall govern the payment in cash of insurance benefits on mortgages except that the

following items shall be held by the mortgagee and the total of such items shall be deducted from the cash settlement provided in § 233.760(a):

(Sec. 211, 52 Stat. 23; 12 U.S.C. 1715b. Interprets or applies section 233, 75 Stat. 158; 12 U.S.C. 1715x)

#### SUBCHAPTER T—MILITARY AND ARMED SERVICES HOUSING MORTGAGE INSURANCE

### PART 803—ARMED SERVICES HOUSING—MILITARY PERSONNEL

#### Subpart B—Contract Rights and Obligations

In § 803.259 paragraph (a)(1)(vii) is amended to read as follows:

#### § 803.259 Delivery of debentures and certificate of claim.

(a) \* \* \*

(1) \* \* \*

(vii) Bear interest from the date of issue, payable semiannually on the first day of January and the first day of July of each year at the rate in effect as of the date the commitment was issued, or as of the date of initial insurance endorsement of the mortgage, whichever rate is the higher. The following interest rates are effective for the dates listed:

Effective rate (percent)	On or after—	Prior to—
3 3/4	July 1, 1961	Jan. 1, 1962
4	Jan. 1, 1962	July 1, 1962
3 3/4	July 1, 1962	July 1, 1963
4	July 1, 1963	

(Sec. 807, 69 Stat. 651; 12 U.S.C. 1748. Interprets or applies section 803, 69 Stat. 647, as amended; 12 U.S.C. 1748b)

Issued at Washington, D.C., June 27, 1963.

PHILIP N. BROWNSTEIN,  
Federal Housing Commissioner.

[F.R. Doc. 63-7016; Filed, July 2, 1963; 8:55 a.m.]

## Title 25—INDIANS

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

#### SUBCHAPTER I—CREDIT ACTIVITIES

### PART 91—GENERAL CREDIT TO INDIANS

#### Changes in Interest Rates and Maturity of Loans

Pursuant to authority vested in the Secretary of the Interior by the Act of June 18, 1934 (48 Stat. 986; 25 U.S.C. 470), and by section 161 of the Revised Statutes (5 U.S.C. 22), §§ 91.6, 91.8, and 91.16 of 25 CFR are amended as set forth below. The purpose of the amendments is to permit increases in interest rates charged Indians and Indian organizations on certain types of loans, and to permit longer periods for maturity of loans.

Notice and public procedure on these amendments have been deemed unnecessary. They shall become effective at the beginning of the calendar day on which



they are published in the FEDERAL REGISTER.

1. Section 91.6 is amended to read as follows:

**§ 91.6 Interest.**

On loans by the United States for other than educational purposes, borrowers shall pay interest at the rate specified in the loan agreement, which shall be not less than two nor more than five and one-half percent per annum.

2. Section 91.8 is amended to read as follows:

**§ 91.8 Maturity.**

The period of maturity of the loan should be determined according to the circumstances, except that forty years shall be the maximum.

3. Paragraph (b) of § 91.16 is amended to read as follows:

**§ 91.16 Educational loans.**

(b) The rate on loans by Indian organizations shall be not less than three percent per annum, and may not exceed the rate charged borrowers on loans for other purposes. Organizations which adopt the same rate and follow the same procedure in calculating interest as is followed on loans made by the United States will not be charged interest on loans from the United States on the amount outstanding in educational loans during the period the organization is not charging its borrowers interest.

STEWART L. UDALL,  
Secretary of the Interior.

JUNE 26, 1963.

[F.R. Doc. 63-6990; Filed, July 2, 1963;  
8:49 a.m.]

## Title 32A—NATIONAL DEFENSE, APPENDIX

### Chapter VI—Business and Defense Services Administration, Department of Commerce

[BDSA Reg. 2 (formerly NPA Reg. 2) Direction 9 of July 3, 1963]

### BDSA REG. 2—BASIC RULES OF THE PRIORITIES SYSTEM

#### Dir. 9—Required Use of Ratings on Orders for Cadmium Products

This direction under BDSA Reg. 2 is found necessary and appropriate to promote the national defense and is issued pursuant to the Defense Production Act of 1950, as amended. In the formulation of this direction, consultation with industry representatives has been rendered impracticable because this direction affects many different industries and because of the need for immediate action.

- Sec.  
1. What this direction does.  
2. Definition.  
3. Suspension of small order exceptions.  
4. Combination of orders.

AUTHORITY: Sections 1 to 4 issued under sec. 704, 64 Stat. 816, as amended, Pub. Law 87-505, 76 Stat. 112; 50 U.S.C. App. 2154.

**SECTION 1. What this direction does.** There is currently a shortage of cadmium in the open market which has caused delays in acceptance and filling of orders for cadmium and cadmium products to the detriment of the national defense effort. Under BDSA Reg. 2 and DMS Reg. 1 the use of DO and DX ratings on all purchase orders placed for defense requirements is mandatory except that the use of ratings has been optional for such orders of \$500 or less. Producers of cadmium products and cadmium platers who have received unrated orders for defense needs under the \$500 optional exception have been unable to use DO or DX priority ratings for cadmium needed by them to fill such orders. In order to enable such producers and platers to employ priorities to obtain cadmium and cadmium products in fact needed for national defense purposes, this direction removes the \$500 optional exception from such orders for cadmium and cadmium products. This direction also permits "basketing" of rated orders for cadmium and cadmium products, with the use of a single program identification.

**SEC. 2. Definition.** As used in this direction, "cadmium product" means metallic cadmium or any material, product or component containing or using cadmium in any form and includes cadmium plating and products plated with cadmium, but does not include controlled materials.

**SEC. 3. Suspension of small order exceptions.** Notwithstanding the provisions of paragraph (f) of Sec. 6 of DMS Reg. 1, and paragraph (c) of Sec. 5 of BDSA (formerly NPA) Reg. 2, a person who has received a rated order for a cadmium product shall extend the rating to get any cadmium product needed to fill the rated order or to replace in inventory any cadmium product which he had delivered or incorporated into a cadmium product which he had delivered on a rated order.

**SEC. 4. Combination of orders.** Notwithstanding the provisions of paragraphs (b), (c) and (d) of Sec. 9 of BDSA (formerly NPA) Reg. 2, a person who has received two or more DO rated orders or two or more DX rated orders for a cadmium product or products, or who has delivered from his inventory a cadmium product or products to fill one or more rated orders, or who has incorporated a cadmium product or products from his inventory into a cadmium product or products which he has delivered to fill one or more rated orders, may place one DO rated order or one DX rated order or one of each such orders, as the case may be, for the quantities of cadmium product or products needed to fill such rated orders or to replace such inventory or both. The rating and program identification DO-B5 or DX-B5, as appropriate, shall be used to identify such combined orders.

This direction shall take effect July 3, 1963.

PAUL A. UNGER,  
Acting Administrator, Business and  
Defense Services Administration.

[F.R. Doc. 63-7128; Filed, July 2, 1963;  
11:18 a.m.]

## Title 36—PARKS, FORESTS, AND MEMORIALS

### Chapter II—Forest Service, Department of Agriculture

[Regs. U-1, U-2A, U-6, T3]

### PART 251—LAND USES

#### Designation of Areas and Prohibiting Uses; Correction

On June 7, 1963, there was published in the FEDERAL REGISTER at page 5617 a document (F.R. Doc. 63-6018) amending Part 251, Title 36, Code of Federal Regulations. Through typographical error, the word "supervisor" appears in the second sentence of § 251.25 as "supervision." That sentence is corrected to read as follows: "Public notices shall be posted by the Forest Supervisor in such locations as will reasonably bring them to the attention of the public, setting forth such conditions with respect to any areas on which special restrictions should be imposed."

Done at Washington, D.C., this 28th day of June 1963.

JOHN A. BAKER,  
Assistant Secretary.

[F.R. Doc. 63-7023; Filed, July 2, 1963;  
8:57 a.m.]

## Title 43—PUBLIC LANDS: INTERIOR

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

#### SUBCHAPTER I—MINERAL LANDS

[Circular 2112]

### PART 192—OIL AND GAS LEASES

#### Bonds

On page 2283 of the FEDERAL REGISTER of March 8, 1963, there was published a notice of a proposed amendment of § 192.100(b). The purpose of the amendment was to provide that bonds required for the protection of owners of surface rights in leased lands be furnished by an oil and gas lessee only prior to entry on such land.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with regard to the proposed amendment. After consideration of all of the comments and suggestions received during that period, the proposed regulation has been adopted without change. The amendment will take effect at the beginning of the 30th calendar day following the date of publication in the FEDERAL REGISTER.

STEWART L. UDALL,  
Secretary of the Interior.

JUNE 26, 1963.

Paragraph (b) of § 192.100 is amended to read as follows:



**§ 192.100 Amount of bonds required of lessee.**

(b) Until a general lease bond is filed, a noncompetitive lessee will be required prior to entry on the leased lands to furnish and maintain a bond in the penal sum of not less than \$1,000 in those cases in which a bond is required by law for the protection of the owners of surface rights.

(30 U.S.C. 189, 43 U.S.C. 1201)

[F.R. Doc. 63-6993; Filed, July 2, 1963; 8:50 a.m.]

## Title 50—WILDLIFE AND FISHERIES

**Chapter I—Bureau of Sport Fisheries and Wildlife, Fish and Wildlife Service, Department of the Interior**

### PART 32—HUNTING

#### National Elk Refuge, Wyoming

The following special regulation is issued and is effective on date of publication in the FEDERAL REGISTER.

**§ 32.32 Special regulations; big game; for individual wildlife refuge areas.**

#### WYOMING

##### NATIONAL ELK REFUGE

Public hunting of big game on the National Elk Refuge, Wyoming, is permitted only on the area designated by signs as open to hunting. The open elk hunting area, comprising 14,360 acres or 60 percent of the total area of the National Elk Refuge, is delineated on a map available at the refuge headquarters, Jackson, Wyoming. Hunting shall be subject to the following conditions:

(a) Species permitted to be taken: Elk.

(b) Open season: September 10, 1963, through October 15, 1963.

(c) Daily bag limits:

Hunting of elk shall be limited to 20 special permits per week issued by the Wyoming Game and Fish Commission. Each permit will be limited to one elk of either sex.

(d) Method of hunting:

(1) Weapons: A rifle having not less than 23/100-inch bore with cartridge not

less than 2 inches overall measurement, and containing a soft point bullet (hollow point and other expanding bullets approved).

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern hunting on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 32.

(2) A special permit is required in addition to holders of valid 1963 State Elk Hunting licenses. The special permits shall be issued to applicants by drawing each Monday of the season at 1:00 p.m. at refuge headquarters.

(3) No firearms shall be discharged within one-half mile of any building.

(4) The provisions of this special regulation are effective to October 16, 1963.

JOHN C. GATLIN,  
Regional Director, Bureau of  
Sport Fisheries and Wildlife.

JUNE 25, 1963.

[F.R. Doc. 63-6991; Filed, July 2, 1963; 8:50 a.m.]

## Title 44—PUBLIC PROPERTY AND WORKS

### Chapter I—General Services Administration

#### SUBCHAPTER A—ARCHIVES AND RECORDS MANAGEMENT

### PART 2—PUBLIC USE OF RECORDS AND FACILITIES OF THE NATIONAL ARCHIVES

#### Granting and Withdrawal of Permission to Examine Records

Section 2.11 is amended by adding paragraph (b). As so amended, § 2.11 reads as follows:

**§ 2.11 Granting and withdrawal of permission to examine records.**

(a) If an application is approved, a card of permission to examine records will be issued. This card will be valid for a period not longer than one year but may be renewed upon application. It is not transferable and must be produced when required. Possession of this card does not entitle a researcher to examine records whose use is restricted. The

Archivist of the United States may withdraw the privilege of permission to use records from any one who violates the regulations in this part or disregards the instructions of a research room supervisor.

(b) A person whose application for permission to examine records has been approved and who has been issued a card of permission described in this section shall be considered a researcher for the purpose of regulations in this part.

Effective date: July 1, 1963.

Dated: June 27, 1963.

BERNARD L. BOUTIN,  
Administrator of  
General Services.

[F.R. Doc. 63-6988; Filed, July 2, 1963; 8:49 a.m.]

### PART 2—PUBLIC USE OF RECORDS AND FACILITIES OF THE NATIONAL ARCHIVES

#### Removal or Mutilation of Records

Section 2.25 is amended by adding a sentence at the end. As so amended, § 2.25 reads as follows:

**§ 2.25 Removal or mutilation of records.**

No records or other property of the National Archives and Records Service may be taken from the research rooms except by members of the Service staff acting in their official capacities or by others having written authorization from a research room supervisor. The unlawful removal or mutilation of records is forbidden by law and is punishable by fine or imprisonment or both (62 Stat. 695; 18 U.S.C. 2071). When so requested by a guard or a research room supervisor, a researcher must present for examination any briefcase, notebook, package, envelope, book, or other article that could be used to carry records.

(Sec. 205, 63 Stat. 389, as amended; 40 U.S.C. 486)

Effective date: July 1, 1963.

Dated: June 27, 1963.

BERNARD L. BOUTIN,  
Administrator of  
General Services.

[F.R. Doc. 63-6989; Filed, July 2, 1963; 8:49 a.m.]



# Proposed Rule Making

## DEPARTMENT OF AGRICULTURE

### Agricultural Marketing Service

#### [ 7 CFR Part 52 ]

#### CANNED RED TART PITTED CHERRIES

##### Proposed U.S. Standards for Grades; Additional Time for Filing Data, Views and Arguments

A proposal to revise the United States Standards for Grades of Canned Red Tart Pitted Cherries was published in the FEDERAL REGISTER of May 10, 1963 (28 F.R. 4718).

In consideration of comments and suggestions received indicating a need of further study by the producing industry, notice is hereby given of an additional period of time until December 15, 1963, within which written data, views, or arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed revised United States Standards for Grades of Canned Red Tart Cherries.

*Statement of consideration leading to the allowing of additional time.* Comments from producers of canned red tart pitted cherries indicate that the effect of the provisions proposed on May 10, 1963, on the classification and marketing of this product are not well understood. It is deemed, therefore, to be in the best interest of all concerned to allow additional time, through the oncoming packing and marketing season, in which to make a proper evaluation of the effect the proposed changes would

have on the marketing of canned red tart cherries.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than December 15, 1963.

(Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

Dated: June 27, 1963.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 63-7000; Filed, July 2, 1963;  
8:51 a.m.]

#### [ 7 CFR Part 52 ]

#### FROZEN RED TART PITTED CHERRIES

##### Proposed U.S. Standards for Grades; Additional Time for Filing Data, Views and Arguments

A proposal to revise the United States Standards for Grades of Frozen Red Tart Pitted Cherries was published in the FEDERAL REGISTER of May 10, 1963 (28 F.R. 4720).

In consideration of comments and suggestions received indicating a need of further study by the producing industry, notice is hereby given of an additional period of time until December 15, 1963,

within which written data, views, or arguments may be submitted by interested parties for consideration in connection with the aforesaid proposed revised United States Standards for Grades of Frozen Red Tart Cherries.

*Statement of consideration leading to the allowing of additional time.* Comments from producers of frozen red tart pitted cherries indicate that the effect of the provisions proposed on May 10, 1963, on the classification and marketing of this product are not well understood. It is deemed, therefore, to be in the best interest of all concerned to allow additional time, through the oncoming packing and marketing season, in which to make a proper evaluation of the effect the proposed changes would have on the marketing of frozen red tart cherries.

All persons who desire to submit written data, views, or arguments for consideration in connection with the proposed revision should file the same with the Chief, Processed Products Standardization and Inspection Branch, Fruit and Vegetable Division, Agricultural Marketing Service, U.S. Department of Agriculture, Washington 25, D.C., not later than December 15, 1963.

(Secs. 202-208, 60 Stat. 1087, as amended; 7 U.S.C. 1621-1627)

Dated: June 27, 1963.

G. R. GRANGE,  
Deputy Administrator,  
Marketing Services.

[F.R. Doc. 63-7001; Filed, July 2, 1963;  
8:52 a.m.]



# Notices

## DEPARTMENT OF THE TREASURY

### Bureau of Customs

[AA 643.3-s]

#### WINDOW GLASS FROM CZECHOSLOVAKIA

**Notice That There is Reason To Believe or Suspect Purchase Price or Exporter's Sales Price is Less or Likely To Be Less Than Foreign Market Value or Constructed Value**

JUNE 28, 1963.

Pursuant to section 201(b) of the Anti-dumping Act, 1921, as amended (19 U.S.C. 160(b)), notice is hereby given that there is reason to believe or suspect, from information presented to me, that the purchase price or exporter's sales price, whichever is applicable, of window glass, 16-ounce through 28-ounce thicknesses imported from Czechoslovakia is less or likely to be less than the foreign market value or constructed value, whichever is applicable, as defined by sections 203, 204, 205, and 206, respectively, of the Antidumping Act, 1921, as amended (19 U.S.C. 162, 163, 164, and 165).

Customs officers are being authorized to withhold appraisement of entries of window glass, 16-ounce through 28-ounce thicknesses, from Czechoslovakia pursuant to § 14.9 of the Customs regulations (19 CFR 14.9).

The complaint in this case was made by the following firms:

Pacific Industries.  
Veerman International Co.  
Carr Glass and Paint Co.  
General Glass Company, Inc.  
The Dwell-Kaiser Co.

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

[F.R. Doc. 63-7017; Filed, July 2, 1963;  
8:56 a.m.]

### Comptroller of the Currency

#### CITIZENS NATIONAL BANK, LOS ANGELES, CALIF., AND CROCKER-ANGLO NATIONAL BANK, SAN FRANCISCO, CALIF.

#### Application To Merge; Notice of Hearing

A public hearing will be held on July 30, 1963, at 9:30 a.m., in Room 4121 of the Main Treasury Building, Washington 25, D.C., on the application of Citizens National Bank, Los Angeles, California, to merge with and into Crocker-Anglo National Bank, San Francisco, California, under the charter of Crocker-Anglo National Bank, and under the title of Crocker-Citizens National Bank.

All persons desiring to testify should notify the Comptroller of the Currency, Washington 25, D.C., by July 20, 1963.

Dated: July 1, 1963.

[SEAL] JAMES J. SAXON,  
Comptroller of the Currency.

[F.R. Doc. 63-7129; Filed, July 2, 1963;  
11:26 a.m.]

### Internal Revenue Service

[Order 11 (Rev. 3)]

#### DISTRICT DIRECTORS

#### Delegation of Authority To Accept Certain Offers in Compromise

Pursuant to the authority vested in me by Treasury Department Order No. 150-25, dated June 1, 1953, it is hereby ordered:

1. Subject to the limitations contained in applicable regulations and procedures, District Directors are delegated authority, under section 7122 of the Internal Revenue Code, to accept offers in compromise in cases in which the liability sought to be compromised (including any interest, additional amount, addition to the tax, or assessable penalty) is less than \$100,000, and any offers involving specific penalties.

2. This authority may not be redelegated.

3. This Order supersedes Delegation Order No. 11 (Rev. 2) issued December 29, 1961.

Date of issue: June 14, 1963.

Effective date: July 1, 1963.

[SEAL] MORTIMER M. CAPLIN,  
Commissioner.

[F.R. Doc. 63-7004; Filed, July 2, 1963;  
8:52 a.m.]

[Order 75 (Rev. 2)]

#### REGIONAL APPELLATE DIVISIONS

#### Authority in Offers in Compromise

Pursuant to authority vested in me as Commissioner of Internal Revenue, it is ordered that:

1. Each Assistant Regional Commissioner (Appellate) as Chief of the Appellate Division of the region, is authorized and each Associate Chief of the Appellate Division is authorized to determine the disposition to be made of any offer in compromise submitted under the provisions of section 3761 of the Internal Revenue Code of 1939, or section 7122 of the Internal Revenue Code of 1954, in which (a) the proponent has made a written request for appellate Division consideration or (b) the liability was previously determined by the Appellate Division and the offer is based in whole or in part on doubt as to liability. Each Assistant Chief and each Special

Assistant to the Chief is authorized to determine the disposition to be made of any such offer in compromise in which the unpaid amount of tax (including any interest, penalty, additional amount or addition to the tax) is \$50,000 or less.

2. A determination by the Appellate Division to accept an offer (other than one involving specific penalties only) under the provisions of paragraph (1) hereof will be subject to my approval if the unpaid amount of tax (including any interest, penalty, additional amount or addition to the tax) is \$100,000 or more.

3. The authorities delegated in paragraph (1) hereof may not be redelegated and are not applicable to cases arising under laws relating to narcotics, smoking opium, marihuana, alcohol, tobacco tax or firearms or to offers in compromise coming within the jurisdiction of the Chief Counsel under existing procedures, rules or delegations.

4. This order supersedes Delegation Order No. 75 (Rev. 1), issued December 29, 1961.

Date of issue: June 14, 1963.

Effective date: July 1, 1963.

[SEAL] MORTIMER M. CAPLIN,  
Commissioner.

[F.R. Doc. 63-7005; Filed, July 2, 1963;  
8:52 a.m.]

## DEPARTMENT OF THE INTERIOR

### Bureau of Land Management

#### COLORADO

#### Notice of Termination of Proposed Withdrawal and Reservation of Lands

JUNE 26, 1963.

Notice of an application, Serial No. Colorado 011495, for withdrawal and reservation of lands was published as F.R. Doc. 58-1377 on page 1199 of the issue for February 26, 1958. The applicant agency has canceled its application insofar as it involved the lands described below. Therefore, pursuant to the regulations contained in 43 CFR Part 295, such lands will be at 10:00 a.m. on July 3, 1963, relieved of the segregative effect of the above-mentioned application.

The lands involved in this notice of termination are:

T. 7 N., R. 94 W.,  
Sec. 19, lots 5 and 6, NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 20, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ ;  
Sec. 26, W $\frac{1}{2}$ NE $\frac{1}{4}$  and NW $\frac{1}{4}$ ;  
Sec. 27, NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 28, lot 6;  
Sec. 29, S $\frac{1}{2}$ ;  
Sec. 30, lots 6 and 7, E $\frac{1}{2}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
Sec. 31, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;



Sec. 32, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 33, lot 6, NW $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 34, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 35, SE $\frac{1}{4}$ NW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 36, lot 6 and SW $\frac{1}{4}$ SW $\frac{1}{4}$ .  
 T. 6 N., R. 95 W.,  
 Sec. 4, lots 10 to 13, incl.;  
 Sec. 5, lots 8 to 14, incl., and S $\frac{1}{2}$ ;  
 Sec. 6, lot 15;  
 Sec. 8, W $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 10, W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 16, all;  
 Sec. 19, lots 5 and 6, NE $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 28, lots 2 and 3;  
 Sec. 31, lots 7 and 8;  
 Sec. 32, E $\frac{1}{2}$ SW $\frac{1}{4}$ .  
 T. 7 N., R. 95 W.,  
 Sec. 2, lots 6, 8 and 10 to 13, incl., SW $\frac{1}{4}$ NE $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 3, SW $\frac{1}{4}$ SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 7, lots 5 to 8 incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 10, lots 9, 12, 13 and 16, NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ ;  
 Sec. 11, all;  
 Sec. 14, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 15, lots 1 and 4, S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Secs. 16 and 17, all;  
 Sec. 18, lots 5 to 8, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 19, lots 5, 6, 10, 12 to 19, incl., 26, 28, 30, N $\frac{1}{2}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , and unsold portions of lots 11, 20 and 24;  
 Sec. 20, lots 1 to 15 incl., 17 to 24 incl., N $\frac{1}{2}$ N $\frac{1}{2}$  and unsold portion of lot 16;  
 Sec. 21, lots 1 to 24, incl., and N $\frac{1}{2}$ N $\frac{1}{2}$ ;  
 Sec. 22, lots 1, 2, 4, 6 to 12, incl., and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 23, S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 24, all;  
 Sec. 25, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 26, W $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 27, lots 1 to 14, incl., E $\frac{1}{2}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 28, lots 1 to 6, incl., 8 to 14, incl., 19, 21, 22 and 23;  
 Sec. 29, lots 1, 2, 4 and unsold portions of lots 5 and 6;  
 Sec. 30, lots 16, 21, 23 and unsold portions of lots 11, 12, 17, 18 and 27;  
 Sec. 31, lots 6, 7, 8, 16, 18, 23 to 34, incl., and unsold portions of lots 14, 15, 17, 19, 20 and 22;  
 Sec. 32, lots 11, 16 to 24, incl., and unsold portions of lots 12 to 15, incl.;  
 Sec. 33, lots 1, 12 to 16, incl., and unsold portions of lots 10, 11, 17 and 18;  
 Sec. 34, lots 1, 2, 3, 4, 10, 12, 16, 25, NW $\frac{1}{4}$ NE $\frac{1}{4}$  and unsold portions of lots 28 and 29;  
 Sec. 35, lots 1 to 11 incl., 17, NE $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 36, all.  
 T. 8 N., R. 95 W.,  
 Sec. 19, lot 1, N $\frac{1}{2}$ NE $\frac{1}{4}$  and NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 35, lots 1, 4, 6, 8, 12, 18 and E $\frac{1}{2}$ NE $\frac{1}{4}$ .  
 T. 6 N., R. 96 W.,  
 Sec. 2, lot 5, SE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SW $\frac{1}{4}$  and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 4, S $\frac{1}{2}$ NW $\frac{1}{4}$  and W $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 7, lots 5 to 8 incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 25, lots 1 to 6, incl., and 8;  
 Sec. 26, lot 2;  
 Sec. 35, lots 1, 4, 5 and 7;  
 Sec. 36, lots 2 to 11, incl., 14 to 18, incl., 20, 22, 24 and 25.  
 T. 7 N., R. 96 W.,  
 Sec. 1, lots 7 and 8, S $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 2, lots 5 to 8, incl., S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 3, lots 5, 6 and 7, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 4, lot 8, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 7, lots 7 and 8, E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 8, lots 1 to 4, incl., N $\frac{1}{2}$ , SW $\frac{1}{4}$  and W $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 9, lots 1 to 14, incl., and N $\frac{1}{2}$ ;  
 Sec. 10, lots 1 to 8, incl., N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;

Sec. 11, lots 1 and 2, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 12, all;  
 Sec. 13, lots 1 to 17, incl., 19, 20 and 21, NE $\frac{1}{4}$  and E $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 14, lots 1 to 17, incl., 19, 21, 23 and 29, and unsold portions of lots 18 and 28;  
 Sec. 15, lots 1 to 6, incl., 8, 10, 12, 13, 17 to 20, incl., and unsold portions of lots 21 and 22;  
 Sec. 16, lots 1 to 11, incl., 13, 15, 17 to 20, incl., 23 and 24, and unsold portions of lots 16 and 25;  
 Sec. 17, lots 1, 3, 5, 7, 9 to 12, incl., 14, 16, 17, 20, 22, 24, 25 and 32, and unsold portions of lots 23, 26 and 28;  
 Sec. 18, lots 5, 6, 10, 11, 13 to 34, incl., 36 and 37;  
 Sec. 19, lots 11, 12, 13, 18, 19, 21, 26 and 29, and E $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 20, lots 1, 13, 15, 18, 20, and S $\frac{1}{2}$ ;  
 Sec. 21, lots 3, 5, 7, 9, 12, 14, 16, SE $\frac{1}{4}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ , and unsold portion of lot 4;  
 Sec. 22, lots 2, 4, 6, 8, S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 23, lots 1, 4, 6, 8, 9, 10, 11, 15, 17, SW $\frac{1}{4}$ NW $\frac{1}{4}$  and SW $\frac{1}{4}$ , and unsold portions of lots 2, 3, 12 and 13;  
 Sec. 24, lots 1, 5, 6, 7, 9 and 14, and unsold portions of lots 2, 3, 8 and 11;  
 Sec. 25, lots 17 to 29, incl., and 31, and unsold portions of lots 6, 7, 9, 11, 15 and 16;  
 Sec. 26, lots 1 to 8 incl., W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
 Secs. 27, 28 and 29, all;  
 Sec. 30, lots 5 to 9, incl., E $\frac{1}{2}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and E $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 31, lots 5 to 8, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 32, all;  
 Sec. 33, N $\frac{1}{2}$  and NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 35, lots 1 to 8, incl., W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 36, lots 1 to 24, incl.  
 T. 8 N., R. 96 W.,  
 Sec. 21, W $\frac{1}{2}$ ;  
 Sec. 23, N $\frac{1}{2}$ , SW $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$  and SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 24, N $\frac{1}{2}$  and N $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
 Sec. 26, NW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 27, N $\frac{1}{2}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 28, E $\frac{1}{2}$ NE $\frac{1}{4}$ ;  
 Sec. 33, NE $\frac{1}{4}$ , N $\frac{1}{2}$ S $\frac{1}{2}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 34, N $\frac{1}{2}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Secs. 35 and 36, all.  
 T. 6 N., R. 97 W.,  
 Sec. 1, lots 5 to 8, incl., S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 2, lots 5 to 8, incl., S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Sec. 3, lots 5, 6, 7, 8 and 10, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 4, lots 8, 13, 19, 20, 23, 30, 32, 34 and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 5, lots 5 to 9, incl., 12, 14, 15, 16 and 21, SW $\frac{1}{4}$ NE $\frac{1}{4}$  and S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
 Sec. 6, lots 8 to 15, incl., 18, 21 and 22, S $\frac{1}{2}$ NE $\frac{1}{4}$ , SE $\frac{1}{4}$ NW $\frac{1}{4}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 9, all;  
 Sec. 10, N $\frac{1}{2}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$  and S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
 Sec. 11, S $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 12, all;  
 Sec. 14, E $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 15, W $\frac{1}{2}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$  and SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 16, all;  
 Sec. 19, lots 5 to 8, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Secs. 20 and 21, all;  
 Sec. 22, W $\frac{1}{2}$ W $\frac{1}{2}$  and SE $\frac{1}{4}$ ;  
 Sec. 23, all;  
 Sec. 26, N $\frac{1}{2}$  and SW $\frac{1}{4}$ .  
 T. 7 N., R. 97 W.,  
 Sec. 12, W $\frac{1}{2}$ E $\frac{1}{2}$ , W $\frac{1}{2}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 13, lots 1 to 7, incl., NE $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ E $\frac{1}{2}$  and W $\frac{1}{2}$ ;  
 Sec. 14, E $\frac{1}{2}$  and NE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
 Sec. 19, lots 1 to 4, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Secs. 20 and 21, all;  
 Sec. 22, E $\frac{1}{2}$ ;  
 Sec. 23, W $\frac{1}{2}$ ;  
 Sec. 24, lots 1, 3, 4, 13 and 14;  
 Sec. 25, lots 5 and 10 to 19, incl.,

Sec. 26, lots 6, 8 to 11, incl., 13 to 16 incl., and NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 27, lots 1, 2, 3, 6, 7, N $\frac{1}{2}$ N $\frac{1}{2}$  and SW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
 Sec. 28, lots 1, 2, 3, N $\frac{1}{2}$ , SW $\frac{1}{4}$  and NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 29, all;  
 Sec. 30, lots 1 to 4, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 31, lots 1 to 4, incl., E $\frac{1}{2}$  and E $\frac{1}{2}$ W $\frac{1}{2}$ ;  
 Sec. 32, SW $\frac{1}{4}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 33, lots 3, 4, 7, 8, 10 and NW $\frac{1}{4}$ ;  
 Sec. 34, lots 2, 7, 8, 13, 15, S $\frac{1}{2}$ NE $\frac{1}{4}$  and SE $\frac{1}{4}$ ;  
 Sec. 35, lots 1, 2, 3, 5 to 9, incl., W $\frac{1}{2}$ E $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ; SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Sec. 36, lots 1 to 18, incl., and S $\frac{1}{2}$ S $\frac{1}{2}$ .  
 T. 6 N., R. 98 W.,  
 Sec. 1, lots 5 to 8, incl., S $\frac{1}{2}$ N $\frac{1}{2}$  and S $\frac{1}{2}$ ;  
 Secs. 12, 13 and 14, all;  
 Sec. 22, lot 1, E $\frac{1}{2}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$  and SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
 Secs. 23 and 24, all;  
 Sec. 26, NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$  and S $\frac{1}{2}$ ;  
 Sec. 27, all.  
 T. 7 N., R. 98 W.,  
 Sec. 25, lots 1 to 8, incl., N $\frac{1}{2}$  and N $\frac{1}{2}$ S $\frac{1}{2}$ ;  
 Sec. 26, lot 2;  
 Sec. 35, lots 1, 4, 5 and 8;  
 Sec. 36, lots 1 to 23, incl.

The above areas aggregate approximately 67,514 acres.

J. ELLIOTT HALL,  
 Chief, Lands and Minerals.

[F.R. Doc. 63-6992; Filed, July 2, 1963; 8:50 a.m.]

## DEPARTMENT OF COMMERCE

### Office of the Secretary

[Dept. Order No. 104 (Rev.)]

### OFFICE OF GENERAL COUNSEL

#### Organization and Functions

The following order was issued by the Secretary of Commerce on June 20, 1963. This material supersedes the material appearing at 21 F.R. 5511 of July 21, 1956, and 21 F.R. 2129-2130 of April 3, 1956.

**SECTION 1. Purpose.** The purpose of this order is to describe the organization and functions of the Office of the General Counsel of the Department of Commerce.

#### SEC. 2. Organization.

.01 The position of Solicitor was established by the Act of March 18, 1904 (33 Stat. 135; 5 U.S.C. 592b; amended by Act of August 20, 1954; 68 Stat. 753). The title of Solicitor was changed to that of General Counsel by the Act of July 17, 1952 (66 Stat. 758)). The General Counsel is appointed by the President, by and with the advice and consent of the Senate, and reports and is responsible to the Secretary of Commerce.

.02 The Office of the General Counsel is a constituent unit of the Office of the Secretary, Department of Commerce, established for the purpose of providing the General Counsel with adequate staff and resources to enable him to fulfill his responsibilities and perform his statutory and assigned duties.

#### SEC. 3. The General Counsel.

.01 The General Counsel is the chief law officer of the Department of Com-



merce, and legal adviser to the Secretary, the Under Secretaries, the Assistant Secretaries, and other officers of the Department, including bureau heads.

.02 The authority to render all legal services necessary to enable the Secretary and the heads of organization units in the Department to discharge their respective duties is hereby delegated to the General Counsel. This authority applies to all the legal activities of those bureaus having separate legal staffs.

.03 The authority delegated herein, or any part thereof, may be redelegated to appropriate officers and employees of the Department and shall be exercised in accordance with such delegations, regulations, policies, standards, procedures, and instructions as the General Counsel may issue or approve. Copies of any written delegations of authority made under this subsection shall be filed with the original signed copy of this order.

.04 The General Counsel supervises and coordinates the development of the legislative program of the Department. The General Counsel shall be the focal point within the Department for handling legislative matters, and shall advise the Secretary on such matters.

#### SEC. 4. *Functions of the Office of the General Counsel.*

.01 The functions performed by the Office of the General Counsel include, but are not limited to the following:

1. The preparation, or examination for legal form and effect, of all public orders, rules, and regulations issued by the Department of Commerce, including documents submitted to the Federal Register, and legal review of internal orders, rules, and regulations requiring the approval of the Secretary of Commerce;

2. The preparation, or examination for legal form and effect, of all legal instruments, such as contracts, cooperative agreements, leases, licenses, and bonds, entered into by the Department of Commerce.

3. The appearance on behalf of the Secretary of Commerce or Department of Commerce, or any officer or unit thereof, before regulatory commissions, independent boards, and similar tribunals and courts when such action appears to be appropriate, the preparation or review of pleadings, briefs, memoranda, and other legal documents necessary in proceedings involving the Department of Commerce, or requested by any other Government agency for use in proceedings;

4. The preparation or review of all papers relating to matters on which the opinion or advice of the Comptroller General is desired, except for determinations requested by certifying officers under the provisions of the Act of December 29, 1941 (55 Stat. 876; 31 U.S.C. 82d);

5. The preparation or review of all papers relating to matters on which the opinion of the Attorney General is desired; and

6. The preparation or review of all legislative proposals the enactment of which is deemed desirable by the Department of Commerce, expressions of official opinion as to the merits of proposed or pending legislation, statements con-

cerning proposed or pending legislation to be made before committees of the Congress, and advice to the President with respect to enrolled enactments.

.02 The heads of the several primary organization units of the Department shall consult with and obtain clearance from the Office of the General Counsel as to the legal aspects of new and major programs.

.03 All personnel actions involving legal positions (other than patent attorney positions) in the Department of Commerce will be coordinated by the General Counsel as provided in administrative orders of the Department. All matters pertaining to the purchase of law books or legal supplies shall be subject to review by the General Counsel before action is taken thereon.

SEC. 5. *Exception as to patent and trade mark matters.* The General Counsel exercises no responsibility in connection with the issuance of patents or the registration of trade marks. In other matters, the General Counsel's authority with respect to the Patent Office is the same as in the case of other organization units which have legal staffs.

Effective date: June 20, 1963.

HERBERT W. KLOTZ,  
Assistant Secretary  
for Administration.

[F.R. Doc. 63-7020; Filed, July 2, 1963;  
8:56 a.m.]

## CIVIL SERVICE COMMISSION

### FEDERAL EMPLOYEES HEALTH BENEFITS PROGRAM

#### Notice of Time Limit for Applications for Approval of New Employee Organization Health Benefits Plans

H.R. 1819, an enrolled enactment to change the definition of "Employee organization" in section 2 of the Federal Employees Health Benefits Act of 1959, as amended, is designed to permit these organizations to apply to the Commission for approval of a health benefits plan before December 31, 1963 (rather than December 31, 1959).

If H.R. 1819 becomes law, the Civil Service Commission has determined that written applications for health benefits plans submitted under authority thereof which are received within ten days after the date the enrolled enactment is approved by the President will be considered for approval for the fourth contract term which begins November 1, 1963. Applications received after that date will not be considered for that contract term.

Application may be made by letter addressed to the Bureau of Retirement and Insurance, United States Civil Service Commission, Washington 25, D.C.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY W. WENZEL,  
Executive Assistant to  
the Commissioners.

[F.R. Doc. 63-7103; Filed, July 2, 1963;  
9:34 a.m.]

## FEDERAL AVIATION AGENCY

[OE Docket No. 63-CE-4]

### MEYER BROADCASTING CO.

#### Determination of Hazard to Air Navigation

The Federal Aviation Agency has circularized the following proposal for aeronautical comment and has conducted a study (3-OE-1559) to determine its effect upon the safe and efficient use of navigable airspace.

The Meyer Broadcasting Company, Bismarck, North Dakota, proposes to construct a television antenna structure at latitude 46°35'56" N., longitude 100°43'43" W., approximately 14 miles south of Bismarck, at an elevation of 3,941 feet above mean sea level (1,641 feet above ground).

The proposed structure would be located approximately 12.3 miles south of the Bismarck Municipal Airport; 1.9 miles east of the centerline of an approved off-airway route between the Bismarck VOR and the Dupree VOR; 4 miles southwest of VOR Federal airway No. 15 West; and would exceed the standards for determining hazards to air navigation as defined in Section 77.23(a)(4) of the Federal Aviation Regulations by 800 feet as applied to V15W.

The aeronautical study disclosed that the proposed structure would require an increase from 3,000 feet to 4,200 feet in the minimum holding altitude at the Bismarck instrument landing system outer marker compass locator. This increase would result in negating an instrument approach from the LOM holding pattern since the rate of descent would be unacceptable. It would be necessary to execute a complete instrument approach procedure including the procedure turn maneuver.

The study also disclosed that an increase from 3,300 feet to 4,200 feet in the procedure turn altitude for instrument approach procedures AL-51-ILS-RWY 30 and ADF-1 for Bismarck Municipal Airport would be required. The increase in procedure turn altitude would require an increase from 3,300 feet to 4,200 feet in the minimum transition altitude from the Bismarck low frequency range station to the LOM, the Bismarck VOR to the LOM, the Lincoln Intersection to the LOM, and the Bell Intersection to the LOM. The above increases in minimum flight altitudes would derogate established instrument approach procedures and would delay the movement of instrument air traffic in the Bismarck terminal area. In calendar year 1962, there were 655 instrument approaches conducted by aircraft landing at Bismarck.

The study further disclosed that the structure would have an indirect effect upon the use of an approved off-airway route between the Bismarck VOR and the Dupree VOR. The MEA for this route is 5,000 feet; however, flights departing Bismarck via this route and operating under instrument flight rules would be required to climb off course to an altitude of 4,900 feet before proceeding on course in order to obtain sufficient



vertical obstruction clearance from the proposed tower. This off course climb, with a south take-off, would result in an increase in route distance of approximately four miles. The route is used daily by one or more air carrier flights.

The study also disclosed that the structure would require an increase from 3,300 feet to 4,100 feet in the minimum obstruction clearance altitude on V15W between the Aberdeen VOR and the Bismarck VOR; however, this increase in MOCA for the affected airway segment would have no substantial adverse effect upon aeronautical operations since the minimum en route altitude between the two fixes is 5,400 feet and there is no plan to reduce it.

Based upon the aeronautical study, it is the finding of the Agency that the proposed structure would have a substantial adverse effect upon aeronautical operations, procedures and minimum flight altitudes in the Bismarck area.

Therefore, pursuant to the authority delegated to me by the Administrator (§ 77.37 [New]), it is found that the proposed structure would have a substantial adverse effect upon the safe and efficient utilization of airspace; and it is hereby determined that the proposed structure would be a hazard to air navigation.

This determination is effective and will become final 30 days after the date of issuance unless an appeal is filed under § 77.39 [New] (27 F.R. 10352). If the appeal is denied, the determination will then become final as of the date of the denial or 30 days after the issuance of the determination, whichever is later.

Issued in Washington, D.C., on June 26, 1963.

RALPH H. FLETCHER,  
Acting Chief,  
Obstruction Evaluation Branch.

[F.R. Doc. 63-6974; Filed, July 2, 1963;  
8:46 a.m.]

## FEDERAL MARITIME COMMISSION

### GAYNAR SHIPPING CORP. ET AL.

#### Notice of Agreements Filed for Approval

Notice is hereby given that the following agreements have been filed with the Federal Maritime Commission for approval pursuant to section 15 of the Shipping Act, 1916. All parties involved are eligible to operate as independent ocean freight forwarders pursuant to section 44 of the Shipping Act, 1916.

Unless otherwise indicated they are non-exclusive, cooperative working arrangements under which the parties may perform freight forwarding services for each other, dividing forwarding and service fees as agreed on each transaction. Ocean freight compensation is to be divided between the parties as agreed.

All the following agreements have similar terms:

Gaynar Shipping Corp., New York, N.Y., and Import Export Service of New Jersey, Inc., Newark, N.J. FF-251

W. R. Alger and Company, New Orleans, La., and Pitt and Scott Corporation, New York, N.Y. FF-265  
W. J. Byrnes and Co., of Los Angeles, Inc., Los Angeles, Calif., and R. B. Comar, Inc., Charleston, S.C. FF-266  
R. W. Smith and Co., Houston, Tex., and Nehls and O'Connell, New York, N.Y. FF-271  
John A. Merritt and Company, Pensacola, Fla., and International Expeditors Inc., New York, N.Y. FF-273  
James Loudon and Company, Inc., Los Angeles, Calif., and Barr Shipping Co., Inc., New York, N.Y. FF-277  
Ralph Valls, Corpus Christi, Tex., and G. E. Posey Corporation, Houston, Tex. FF-316  
Guy B. Barham Company, Los Angeles, Calif., and Pitt & Scott Corporation, New York, N.Y. FF-317  
L. E. Coppersmith, Inc., Los Angeles, Calif., and Stone Forwarding Company, Inc., Houston, Tex. FF-318  
H. S. Thielen, Inc., Lake Charles, La., and Gerard F. Tujague, Inc., New Orleans, La. FF-323  
John S. James, Savannah, Ga., and T. R. Spedden, New Orleans, La. FF-333  
Vandegrift Forwarding Company, Inc., New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-334  
D. C. Andrews & Co., Inc., New York, N.Y., and Godwin Shipping Co., Inc., Mobile, Ala. FF-347  
T. R. Spedden, New Orleans, La., and Afro-Asian Forwarding Co., Inc., New York, N.Y. FF-339  
Luigi Serra, Inc., New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-340  
Globe Shipping Co., Inc., New York, N.Y., and Samuel Shapiro & Co., Inc., Baltimore, Md. FF-341  
J. R. Michels, Inc., Houston, Tex., and Harper, Robinson & Co., San Francisco, Calif. FF-348  
William H. Masson, Inc., Baltimore, Md., and Harper, Robinson & Co., San Francisco, Calif. FF-349  
Wm. A. Hausman Co., Inc., Seattle, Wash., and L. E. Coppersmith, Inc., Los Angeles, Calif. FF-358  
Excel Shipping Corporation, New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-408  
J. E. Bernard & Co., Inc., New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-458  
J. E. Lowden & Co., San Francisco, Calif., and Barr Shipping Co., Inc., New York, N.Y. FF-461  
Sopac Transport Corporation, New York, N.Y., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-504  
Charleston Overseas Forwarders, Inc., Charleston, S.C., and Barr Shipping, Inc., New York, N.Y. FF-463  
Morris Friedman, Philadelphia, Pennsylvania and Barr Shipping Co., Inc., New York, N.Y. FF-484  
J. K. Ebberwein, Savannah, Ga., and Wilk Forwarding Co., Jacksonville, Fla. FF-473  
Francesco Parisi International Transports (USA) Inc., New York, N.Y., and Admiral Shipping Corporation, Houston, Tex. FF-474  
Loretz & Co., Los Angeles, Calif., and branches and T. J. Hanson, Inc., Beaumont, Tex. FF-476  
Smith & Kelly, Savannah, Ga., and Barr Shipping Co., Inc., New York, N.Y. FF-483  
Karr, Ellis & Co., Inc., New York, N.Y., and Stevens Shipping Co., Savannah, Ga. FF-487

W. R. Keating & Co., Inc., New York, N.Y., and Springmeier Shipping Co., Inc., St. Louis, Mo. FF-488  
Poseidon Freight Forwarders, San Francisco, Calif., and W. R. Zanes & Co. of Louisiana, Inc., New Orleans, La. FF-502

Interested persons may inspect these agreements and obtain copies thereof at the Bureau of Domestic Regulation, Federal Maritime Commission, Washington, D.C. or at the Commission's field offices at:

45 Broadway,  
New York, N.Y.

180 New Montgomery Street,  
San Francisco, Calif.

Room 333, Federal Office Building South,  
600 South Street,  
New Orleans 12, La.

Mail address:

P.O. Box 30550,  
Lafayette Station,  
New Orleans 30, La.

They may submit to the Secretary, Federal Maritime Commission, Washington, D.C., within twenty days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: June 27, 1963.

By Order of the Federal Maritime Commission.

THOMAS LISI,  
Secretary.

[F.R. Doc. 63-7021; Filed, July 2, 1963;  
8:57 a.m.]

### UNITED STATES LINES CO. AND SEA-LAND SERVICE, INC.

#### Notice of Agreement Filed for Approval

Notice is hereby given that the following described agreement has been filed with the Commission for approval pursuant to section 15 of the Shipping Act, 1916 (39 Stat. 733; 75 Stat. 763; 46 U.S.C. 814):

Agreement 9211, between United States Lines Company (the initial carrier), and Sea-Land Service, Inc., Puerto Rican Division (the West Indies carrier), covers and is restricted to transportation of general cargo under through bills of lading from loading ports of the initial carrier in the Commonwealth of Australia (including Tasmania), the Dominion of New Zealand, Cook Islands, Fiji Islands, New Caledonia, Australian Mandated New Guinea, New Hebrides, Norfolk Island, British Samoa, Solomon Islands, Tahiti, Thursday Island, Tonga Islands, Gilbert and Ellice Islands, Japan, Hong Kong, China, Korea, Philippine Islands and Formosa, to ports of call of the West Indies Carrier in Puerto Rico, with transshipment at the port of New York, N.Y. The through rates under this agreement will be named by the initial carrier and apportioned on the basis of 60% to the



initial carrier and 40% to the West Indies carrier.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington 25, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington 25, D.C., within 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: June 27, 1963.

By order of the Federal Maritime Commission,

THOMAS LISI,  
Secretary.

[F.R. Doc. 63-7022; Filed, July 2, 1963;  
8:57 a.m.]

## FEDERAL POWER COMMISSION

[Project No. 2179]

### MERCED IRRIGATION DISTRICT EX-CHEQUER RESERVOIR, CALIFORNIA

#### Notice of Land Withdrawal

JUNE 27, 1963.

Conformable to the provisions of section 24 of the Act of June 10, 1920 (41 Stat. 1063), as amended, notice is hereby given that the lands hereinafter described, insofar as title thereto remains in the United States, are included in power Project No. 2179 for which completed application for license was filed with the Commission February 21, 1963, by Merced Irrigation District of Merced, California. Under said section 24 all lands of the United States lying within the boundaries, as delimited on revised maps of the project filed February 21, 1963, are, from said date of filing, reserved from entry, location or other disposal under the public land laws until otherwise directed by the Commission or by Congress.

#### MOUNT DIABLO MERIDIAN

T. 3 S., R. 15 E.,  
Sec. 9: SE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 14: SW $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 15: E $\frac{1}{2}$ NW $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23: N $\frac{1}{2}$ N $\frac{1}{2}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 24: N $\frac{1}{2}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ ;  
Sec. 25: SE $\frac{1}{4}$ SW $\frac{1}{4}$ ;  
Sec. 26: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 4 S., R. 15 E.,  
Sec. 1: Lot 3, SW $\frac{1}{4}$ NE $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 12: NE $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 13: Unpatented portions of NE $\frac{1}{4}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 14: E $\frac{1}{2}$ SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23: NE $\frac{1}{4}$ SE $\frac{1}{4}$ .  
T. 3 S., R. 16 E.,  
Sec. 5: NE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 6: Lot 7, NE $\frac{1}{4}$ SW $\frac{1}{4}$ , NW $\frac{1}{4}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 7: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 8: Lots 2, 4, 5, 8;  
Sec. 17: NE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ ;  
Sec. 18: Lot 6 of SW $\frac{1}{4}$ , Lots 7, 8, E $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;

Sec. 19: Lots 1, 4, 5, 8, 9, 12, NE $\frac{1}{4}$ ;  
Sec. 20: SE $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NE $\frac{1}{4}$ , NW $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ NW $\frac{1}{4}$ ;  
Sec. 21: Lots 2, 3, NE $\frac{1}{4}$ NW $\frac{1}{4}$ , S $\frac{1}{2}$ N $\frac{1}{2}$ , N $\frac{1}{2}$ SE $\frac{1}{4}$ , SE $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 22: NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 23: S $\frac{1}{2}$ SE $\frac{1}{4}$ ;  
Sec. 25: S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 26: Lots 1, 2, N $\frac{1}{2}$ NE $\frac{1}{4}$ , SW $\frac{1}{4}$ NE $\frac{1}{4}$ , NE $\frac{1}{4}$ NW $\frac{1}{4}$ , NW $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SW $\frac{1}{4}$ , W $\frac{1}{2}$ SE $\frac{1}{4}$ , Mineral Lot 47B, Part of Mineral Lot 46B;  
Sec. 27: Lot 1, W $\frac{1}{2}$ NE $\frac{1}{4}$ , N $\frac{1}{2}$ NW $\frac{1}{4}$ , Part of Mineral Lot 46B;  
Sec. 31: Lot 16;  
Sec. 35: Lots 1, 2, 3, NW $\frac{1}{4}$ NE $\frac{1}{4}$ ;  
Sec. 36: Lots 4, 5, 6, 7, 9, 14, 16, 18, 21, 22, NW $\frac{1}{4}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ SW $\frac{1}{4}$ .  
T. 4 S., R. 16 E.,  
Sec. 1: Unpatented portion of Lot 1;  
Sec. 6: Lot 2 (SW $\frac{1}{4}$ SW $\frac{1}{4}$ ), Lot 7 (SW $\frac{1}{4}$ NW $\frac{1}{4}$ );  
Sec. 7: Lot 1;  
Sec. 21: NW $\frac{1}{4}$ NW $\frac{1}{4}$ .  
T. 3 S., R. 17 E.,  
Sec. 31: Unpatented portions of Lots 13, 14.  
T. 4 S., R. 17 E.,  
Sec. 4: S $\frac{1}{2}$ SW $\frac{1}{4}$ ;  
Sec. 5: Lots 5, 6, 7, SE $\frac{1}{4}$ SW $\frac{1}{4}$ , SW $\frac{1}{4}$ SE $\frac{1}{4}$ ;  
Sec. 6: Lots 4, 8, 9, 10, 12, 13, W $\frac{1}{2}$  Lot 15, Lot 16, unpatented portions of Lots 5 and 6;  
Sec. 8: Lots 1, 2, 3;  
Sec. 9: Part of Mineral Lot 38;  
Sec. 10: Lots 1, 3, 4, NW $\frac{1}{4}$ SW $\frac{1}{4}$ , SE $\frac{1}{4}$ SW $\frac{1}{4}$ , S $\frac{1}{2}$ SE $\frac{1}{4}$ , Part of Mineral Lot 38;  
Sec. 11: NW $\frac{1}{4}$ NE $\frac{1}{4}$ , E $\frac{1}{2}$ NW $\frac{1}{4}$ , SW $\frac{1}{4}$ NW $\frac{1}{4}$ , Unpatented portion of W $\frac{1}{2}$ SW $\frac{1}{4}$ , Mineral Survey No. 6104.

The area of United States land reserved pursuant to the filing of this application is approximately 5,862.80 acres, all of which, except approximately 764.67 acres, have been heretofore reserved for power purposes under Project Nos. 88, 802, 1153, Power Site Reserve Nos. 204, 328, 472, 752 or Power Site Classification Nos. 267 or 426.

Copies of the project maps Exhibits "J", "K-1" and "K" sheets 1 to 5 inclusive (FPC Nos. 2179-24 to 30 inclusive) have been transmitted to the Bureau of Land Management and Geological Survey.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6978; Filed, July 2, 1963;  
8:47 a.m.]

[Docket No. CP63-282]

### CARNEGIE NATURAL GAS CO.

#### Notice of Application and Date of Hearing

JUNE 27, 1963.

Take notice that on April 11, 1963, Carnegie Natural Gas Company (Applicant), 3904 Main Street, Munhall, Pennsylvania, filed in Docket No. CP63-282 an application pursuant to section 7 of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of certain facilities to replace and relocate certain existing facilities and for permission and approval to abandon approximately 3 miles of 16-inch and 20-inch pipeline, all located in the vicinity of Pittsburgh, Pennsylvania, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant states that portions of its present transmission system now pass

through various densely populated areas which, because of the type of construction and the age make it undesirable to operate such portions at other than restricted pressures. Hence, Applicant proposes to relocate and replace said portions by constructing and operating approximately ten miles of 16-inch and 20-inch pipeline extending in an easterly direction from Applicant's city gate, Allegheny County, Pennsylvania, thence in a north-northeasterly direction to a point in the City of Duquesne, Pennsylvania, and thence in a north-northwesterly direction to a terminus in the Borough of Munhall, Pennsylvania. Applicant states further that the proposed facilities will permit Applicant to abandon approximately 3 miles of 16-inch and 20-inch line and to reduce pressure in other parts of its present transmission system.

The application indicates that the cost of the proposed facilities is estimated to be \$1,600,000, which cost will be financed by cash funds and other cash-type assets now available.

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

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on August 1, 1963, at 9:30 a.m., e.d.s.t., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however*, That the Commission may, after a noncontested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 24, 1963. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6975; Filed, July 2, 1963;  
8:46 a.m.]

[Docket No. CP63-294]

### CENTRAL ILLINOIS PUBLIC SERVICE CO.

#### Notice of Application

JUNE 27, 1963.

Take notice that on May 3, 1963, Central Illinois Public Service Company (Applicant), 432 Maine Street, Quincy, Illinois, filed in Docket No. CP63-294 an



application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing Panhandle Eastern Pipe Line Company (Panhandle) to establish physical connection of its transmission facilities with the proposed facilities of and to sell natural gas to Applicant for resale and distribution in the Village of Murrayville, Morgan County, Illinois, and environs, all as more fully set forth in the application on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the necessary transmission and distribution facilities in order to render service to Murrayville. Said facilities are estimated to cost \$55,475. Panhandle will construct and operate a metering and regulating station at an estimated cost of \$17,000.

The application shows Applicant's estimated third year peak day and annual natural gas requirements to be 310 Mcf and 32,760 Mcf, respectively.

The application indicates that Applicant has received the appropriate authorizations from Murrayville and the Illinois Commerce Commission.

On June 5, 1963, Panhandle filed an answer to the subject application stating that it had no objection to the granting of the requested order.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before July 24, 1963.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6976; Filed, July 2, 1963;  
8:46 a.m.]

[Docket No. G-4283 etc.]

### CHRISTIE, MITCHELL AND MITCHELL CO. ET AL.

#### Notice of Severance

JUNE 26, 1963.

Christie, Mitchell and Mitchell Company (Operator), et al., Docket Nos. G-4283, et al.; Gulf Oil Corporation, Docket No. CI63-1119.

Notice is hereby given that the matter of the application in Docket No. CI63-1119, heretofore scheduled for a hearing in Washington, D.C., on July 2, 1963, in the consolidated proceeding entitled Christie, Mitchell and Mitchell Company (Operator), et al., Docket Nos. G-4283, et al. is severed therefrom for such further disposition as may be appropriate.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6977; Filed, July 2, 1963;  
8:46 a.m.]

[Docket No. E-7109]

### PACIFIC POWER & LIGHT CO.

#### Notice of Application

JUNE 26, 1963.

Take notice that on June 17, 1963 an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Pacific Power & Light Company (Applicant), a corporation organized under the laws of the State of Maine and doing business in the States of Oregon, Washington, Wyoming, California, Montana and Idaho, with its principal business office at Portland, Oregon, seeking authorization to acquire and to integrate with its existing facilities certain electric facilities now owned by the United States (Government).

The facilities to be acquired by Applicant include all of the Government's power transmission line and easements described as:

(1) Rawlins substation and 34.5 kv electric transmission line from Rawlins to Sinclair substation. All in Carbon County, Wyoming.

(2) Seminole-Bairol 34.5 kv transmission line and metering facilities and Lamont and Bairol substations. All in Carbon and Sweetwater Counties, Wyoming.

The Rawlins-Sinclair line and the Rawlins substation are utilized by Applicant pursuant to agreement with the U.S. Bureau of Reclamation under which Pacific has the right to use certain capacities in the transmission line and certain capacities in the Bureau's

Rawlins substation until December 31, 1965. The line is used to serve Applicant's customers in the area and upon acquisition the facilities will continue to be used for such purposes. The Seminole-Bairol line is similarly used by Applicant pursuant to contract with the Bureau and upon acquisition will be utilized to continue to serve Applicant's customers in the area.

The consideration to be paid by Applicant for the facilities to be acquired is \$210,000. The purchase price was arrived at as the result of negotiation with General Services Administration following competitive bidding in response to an Invitation for Bids issued on April 5, 1963 by the General Services Administration, Region 8, Denver 25, Colorado.

Any person desiring to be heard or to make any protest with reference to said application should, on or before July 17, 1963, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6979; Filed, July 2, 1963;  
8:47 a.m.]

[Docket Nos. RI63-487, RI63-488]

### PAN AMERICAN PETROLEUM CORP. AND SUNRAY DX OIL CO.

#### Order Providing for Hearings on and Suspension of Proposed Changes in Rates;<sup>1</sup> and Allowing Rate Changes To Become Effective Sub- ject to Refund

JUNE 26, 1963.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. Both of the sales are made at a pressure base of 15.025 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-487...	Pan American Petroleum Corp. (Operator), P.O. Box 1410, Fort Worth 1, Tex.	117	19	El Paso Natural Gas Co. (Blanco Mesa Verde Field, San Juan County, N. Mex.) (San Juan Basin Area).	\$1,182 20,158	5-27-63	1 6-27-63	2 6-28-63	8 13.0 12.00135	3 13.22950 5 13.23085	-----
RI63-488...	Sunray DX Oil Co., Tulsa 2, Okla.	161	5	El Paso Natural Gas Co. (Twin Mounds Field, San Juan County, N. Mex.) (San Juan Basin Area).	327	7 5-31-63	1 7-1-63	2 7-2-63	12.0	6 13.22950	-----

<sup>1</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>2</sup> The suspension period is limited to one day.

<sup>3</sup> Price paid for gas delivered under agreement dated Sept. 27, 1962.

<sup>4</sup> Includes 1.0 cent per Mcf minimum guarantee for liquids.

<sup>5</sup> Includes 1.0 cent per Mcf added to reflect minimum guarantee for liquids.

<sup>6</sup> Tax reimbursement increase.

<sup>7</sup> Filing completed by revised Notice of Change dated June 12, 1963 (filed June 1 1963).

Respondents request waiver of notice to make their subject rate increases effective as of April 1, 1963, the effective date of the increase in the New Mexico Oil and Gas Emergency School Tax. Good cause has not been shown for waiving the 30-day notice requirement pro-

vided in section 4(d) of the Natural Gas Act to permit an earlier effective date for the proposed rate filings and such requests are denied. Since the proposed rate increases reflect only tax reimbursement, the suspension period for each may be shortened to one day from the date

of expiration of the 30-days' statutory notice.

<sup>1</sup> This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.



El Paso Natural Gas Company (El Paso) has protested the rate increases filed by Respondents. It is El Paso's position that under their tax reimbursement clauses the sellers are entitled only to partial reimbursement of the increased portion of the tax, namely 0.55 percent (2.55 percent less 2.0 percent). Under the circumstances, we shall provide that the hearings provided for herein shall concern themselves with the contractual basis as well as the statutory lawfulness of the producers' rate filings.

The producers involved filed for tax reimbursement computed on the contract base of 12.0 cents per Mcf exclusive of the 1.0 cent per Mcf minimum guarantee for liquids. The addition of 1.0 cent per Mcf to the base rate of 12.0 cents per Mcf plus tax reimbursement results in total proposed rates in excess of the 13.0 cents per Mcf area price level for increased rates in the San Juan Basin Area as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56).

The increased rates and charges so proposed may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the contractual basis of the proposed filings, and the statutory lawfulness of the producers' proposed changes, and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the regulations under the Natural Gas Act (18 CFR, Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the contractual basis of the proposed rate filings which El Paso has protested, and the statutory lawfulness of the producers' proposed increased rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the date indicated in the above "Date Suspended Until" column, and thereafter until such further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That the supplements to the rate schedules filed by Respondents, as set forth above, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied

by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and undertakings shall be deemed to have been accepted.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before August 15, 1963.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6981; Filed, July 2, 1963;  
8:47 a.m.]

[Docket No. E-7110]

### PACIFIC POWER & LIGHT CO.

#### Notice of Application

JUNE 26, 1963.

Take notice that on June 17, 1963 an application was filed with the Federal Power Commission, pursuant to section 203 of the Federal Power Act, by Pacific Power & Light Company (Applicant), a corporation organized under the laws of the State of Maine and doing business in the States of Oregon, Washington, Wyoming, California, Montana and Idaho, with its principal business office at Portland, Oregon, seeking authorization to acquire and to integrate with its existing facilities certain electric facilities now owned by Eastern Oregon Electric Cooperative, Inc. (Eastern Oregon).

The facilities to be acquired by Applicant constitute a minor portion of the distribution facilities of Eastern Oregon, serving generally residential and small commercial customers located adjacent to the City of Pendleton, Umatilla County, Oregon, they include poles, conductor, transformers, and all appurtenances used in rendering the service affected, together with all other property, relating thereto. Approximately 19 customers are served by said facilities. Applicant states that it will continue to operate the facilities acquired in the same manner as heretofore.

The consideration to be paid by Applicant for the facilities to be acquired is \$68,812, which amount was determined by negotiation as set forth in an agreement between the parties dated April 4, 1963.

The agreement states that Applicant and Eastern Oregon each own facilities for the distribution and sale of electric energy in various portions of Umatilla County, Oregon. On the basis of studies

made over a period of time Applicant and Eastern Oregon have mutually concluded that the duplication of facilities in these areas would be contrary to sound electric utility practice and would adversely affect the customers of the two parties and their construction, service and maintenance personnel. The purpose of the agreement is to eliminate existing duplication of facilities by the exchange and transfer of facilities and property and the establishment of exclusive areas allocated to Applicant and Eastern Oregon.

Any person desiring to be heard or to make any protest with reference to said application should on or before July 24, 1963, file with the Federal Power Commission, Washington 25, D.C., petitions or protests in accordance with the requirements of the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10). The application is on file and available for public inspection.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6980; Filed, July 2, 1963;  
8:47 a.m.]

[Docket No. G-4281 etc.]

### SUNRAY DX OIL CO. ET AL.

#### Notice of Severance

JUNE 26, 1963.

Sunray DX Oil Company, et al., Docket No. G-4281, et al.; Gulf Oil Corporation, Docket No. CI60-361.

Notice is hereby given that Docket No. CI60-361 in the above-consolidated proceeding is hereby severed therefrom.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6984; Filed, July 2, 1963;  
8:48 a.m.]

[Docket Nos. RI63-484—RI63-486]

### WESTERN NATURAL GAS CO. ET AL.

#### Order Providing for Hearings on and Suspension of Proposed Changes in Rates;<sup>1</sup> and Allowing Rate Change To Become Effective Subject to Refund

JUNE 25, 1963.

Western Natural Gas Company, Docket No. RI63-484; Cities Service Oil Company, Docket No. RI63-485; Warren Petroleum Corporation (Operator), et al., Docket No. RI63-486.

The above-named Respondents have tendered for filing proposed changes in presently effective rate schedules for sales of natural gas subject to the jurisdiction of the Commission. All of the sales are made at a pressure base of 14.65 psia. The proposed changes, which constitute increased rates and charges, are designated as follows:

<sup>1</sup> This order does not provide for the consolidation for hearing or disposition of the matters covered herein, nor should it be so construed.



Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI63-484...	Western Natural Gas Co., P.O. Box 1508, Houston 1, Tex.	23	2	El Paso Natural Gas Co. (Vinegarone Field, Val Verde County, Tex.) (R.R. District No. 1).	\$12,706	5-31-63	7-1-63	7-2-63	12.5	\$14.0	RI63-181
RI63-485...	Cities Service Oil Co., Bartlesville, Okla.	42	5	Cities Service Gas Co. (Garvin County Okla.) (Oklahoma "Other" Area).	198,262	6-3-63	7-4-63	12-4-63	16.8	\$17.9	(9)
RI63-486...	Warren Petroleum Corp. (Operator), et al., P.O. Box 1589, Tulsa 2, Okla.	35	4	Cities Service Gas Co. (Garvin County Plants, Garvin and McClain Counties, Okla.) (Oklahoma "Other" Area).	31,680	5-31-63	7-1-63	12-1-63	16.8	\$17.9	(9)
	Warren Petroleum Corp. (Operator), et al.	21	4	Lone Star Gas Co. (Garvin County Plants, Garvin and McClain Counties, Okla.) (Oklahoma "Other" Area).	77,495	5-31-63	7-1-63	12-1-63	16.8	\$17.9	G-20478

<sup>1</sup> The stated effective date is the first day after expiration of the required statutory notice.

<sup>2</sup> The suspension period is limited to 1 day.

<sup>3</sup> Redetermined rate increase.

<sup>4</sup> Proposed rate of 13.5 cents per Mcf is suspended in Docket RI63-181. Producer requests withdrawal of the proposed 13.5 cents per Mcf rate and the termination of the proceeding in Docket No. RI63-181.

<sup>5</sup> Periodic rate increase.

<sup>6</sup> Rate in effect subject to refund by the Commission's order issued Oct. 12, 1960, in the matter entitled Cities Service Oil Company.

<sup>7</sup> The stated effective date is the effective date requested by Respondent.

<sup>8</sup> Renegotiated rate increase.

<sup>9</sup> Rate in effect subject to refund by the Commission's order issued Oct. 12, 1960, in the matter entitled Warren Petroleum Corporation.

Although Western Natural Gas Company's (Western Natural) proposed redetermined rate increase is equal to the 14.0¢ per Mcf ceiling for increased rates in Texas Railroad District No. 1 as set forth in the Commission's Statement of General Policy No. 61-1, as amended (18 CFR Ch. I, Part 2, § 2.56), it relates to sales made to Western Natural's affiliate, El Paso Natural Gas Company. Under the circumstances Western Natural's proposed rate increase should be suspended for one day from July 1, 1963, the date of expiration of statutory notice.

Western Natural requests an effective date of June 28, 1963, for its proposed redetermined rate increase. Good cause has not been shown for the granting of an earlier effective date and such request is denied.

The proposed rate increases of Cities Service Oil Company and Warren Petroleum Corporation (Operator), et al., exceed the applicable area price levels as set forth in the Commission's aforementioned Statement of General Policy No. 61-1, as amended.

The proposed changed rates and charges may be unjust, unreasonable, unduly discriminatory, or preferential, or otherwise unlawful.

The Commission finds: It is necessary and proper in the public interest and to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings concerning the lawfulness of the proposed rate changes and that the above-designated supplements be suspended and the use thereof deferred as hereinafter ordered.

The Commission orders:

(A) Pursuant to the authority of the Natural Gas Act, particularly sections 4 and 15 thereof, the Commission's rules of practice and procedure, and the Regulations under the Natural Gas Act (18 CFR Ch. I), public hearings shall be held upon dates to be fixed by notices from the Secretary concerning the lawfulness of the proposed changed rates and charges contained in the above-designated supplements.

(B) Pending hearings and decisions thereon, the above-designated rate supplements are hereby suspended and the use thereof deferred until the dates indicated in the above "Date Suspended Until" column, and thereafter until such

further time as they are made effective in the manner prescribed by the Natural Gas Act: *Provided, however*, That Supplement No. 2 to Western Natural Gas Company's FPC Gas Rate Schedule No. 23, suspended for one day in Docket No. RI63-484, as set forth above, shall become effective subject to refund on the date and in the manner prescribed if within 20 days from the date of issuance of this order, Western Natural Gas Company shall execute and file under Docket No. RI63-484 with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies upon all purchasers under the rates schedule involved. Until Western Natural is advised to the contrary within 15 days after the filing of its agreement and undertaking, such agreement and undertaking shall be deemed to have been accepted.

(C) Neither the supplements hereby suspended, nor the rate schedules sought to be altered thereby, shall be changed until these proceedings have been disposed of or until the periods of suspension have expired, unless otherwise ordered by the Commission.

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37 (f)) on or before August 15, 1963.

By the Commission.

JOSEPH H. GUTRIDE,  
Secretary.

[F.R. Doc. 63-6985; Filed, July 2, 1963;  
8:48 a.m.]

## TARIFF COMMISSION

[TEA-W-3]

### IRON-ORE MINE WORKERS' PETITION FOR ADJUSTMENT ASSISTANCE

#### Report to the President

JUNE 28, 1963.

The Tariff Commission today reported to the President the results of its in-

vestigation No. TEA-W-3, conducted under section 301(c)(2) of the Trade Expansion Act of 1962. The whole of the Commission's report to the President cannot be made public, since it contains certain information received in confidence. However, the following excerpts from that report indicate the Commission's finding and the principal considerations in support of the finding:

In accordance with section 301(f)(1) of the Trade Expansion Act of 1962 (76 Stat. 885), the U.S. Tariff Commission herein reports the results of its investigation, made under section 301(c)(2) of that act, in response to a workers' petition for determination of eligibility to apply for adjustment assistance. The petition was filed with the Commission on May 1, 1963, by the United Steelworkers of America, AFL-CIO, on behalf of a group of workers from the Ishkooda and Wenonah iron ore mines at Red Mountain, near Fairfield, Alabama, operated by the Tennessee Coal and Iron Division (TCI) of the U.S. Steel Corp.

The Commission instituted the investigation on May 3, 1963. Public notice of the receipt of the petition and of the institution of the investigation was given by publication of the notice in the FEDERAL REGISTER (28 F.R. 4690). Neither the petitioners nor any other party requested a public hearing, and none was held.

In this investigation the Commission obtained information from its files, from the United Steelworkers of America, from the U.S. Steel Corp., and through field visits by members of the Commission's staff to the vicinity of Birmingham, Ala., and interviews there with officials of the Tennessee Coal and Iron Division, other producers or consumers of iron ore, union officials, and officials of the State of Alabama Department of Industrial Relations.

*Finding of the Commission.* On the basis of its investigation the Commission unanimously finds that iron ore is not, as a result in major part of concessions granted under trade agreements, being imported in such increased quantities as to cause the unemployment of a significant number or proportion of the workers from the iron-ore mines of the Tennessee Coal and Iron Division of the U.S.



Steel Corp. at Red Mountain, near Fairfield, Ala.

*Consideration in Support of the Commission's Finding.* The Tennessee Coal and Iron Division (TCI) discontinued all production of iron ore from its Ishkooda mine in May 1962, and at its Wenonah mine in June 1962.<sup>1</sup> Production ceased several months before the date of enactment (October 11, 1962) of the Trade Expansion Act (TEA) and about 6 months before TCI announced (on December 27, 1962) that it had decided to close the mines permanently. TCI had produced iron ore, known as "red ore," in Alabama for more than 50 years and used it locally in making iron and steel. Its production of red ore declined substantially during the past decade, and in the last several years was confined to the Ishkooda and Wenonah mines.

Although production of iron ore at the Ishkooda and Wenonah mines ceased in May and June 1962, respectively, the workers remained on the payroll for additional periods up to 4 weeks until they had taken the vacations to which they were entitled; after that, principally in July and August 1962, about 650 workers were laid off. In a letter dated Dec. 27, 1962, to all but 44 of the workers, TCI indicated that it had decided to discontinue mining red ore and informed the workers regarding their rights under the basic labor agreement to accept severance allowance, to apply for a pension, or to continue on layoff status. The remaining 44 workers were offered temporary work (at reduced pay) beginning in January 1963. They performed only such tasks as removing machinery and closing mine openings and buildings. After this work was completed, these 44 workers were again laid off, and the TCI sent letters to them, dated April 29, 1963, similar to the one described above.

On the basis of information such as the number of laid-off workers receiving unemployment compensation, the number employed elsewhere in the Corporation, and the number retired (in different age groups), the Commission estimates that perhaps half of the 650 workers are currently unemployed.

Before the Commission can make an affirmative finding under section 301(c) (2) of the Trade Expansion Act of 1962, it must determine (1) that the imports in question are entering the United States in increased quantities; (2) that the increased imports are due in major part to trade-agreement concessions; and (3) that such increased imports are the major factor in causing, or threatening to cause, unemployment or underemployment of a significant number of the workers of the firm or subdivision of the firm in question.

In the instant case, the Commission finds that any increase in imports of iron

ore that may have occurred could not be attributed in major part—if indeed at all—to trade-agreement concessions. Since this finding is controlling of the Commission's decision, there is no occasion for the Commission to consider any other factors.<sup>2</sup>

U.S. imports of iron ore increased in the postwar period 1946 through 1957 in each year except 1952 \* \* \*; imports increased from an annual average of 5.9 million long tons in 1946–50, to 14.1 million tons in 1951–55, to 30.4 million tons in 1956, and to 33.7 million tons in 1957. In the last 5 years, however, annual imports have averaged 31.4 million tons, fluctuating from a peak of 35.6 million tons in 1959 to a low of 25.8 million tons in 1961. Imports in 1962 mounted to 33.4 million tons.<sup>3</sup>

Imports of iron ore, including manganese iron ore containing not more than 10 percent of manganese, are free of duty under the provisions of paragraph 1700 of the Tariff Act of 1930. Iron ore has been free of duty for the past 50 years, having been placed on the free list in the Tariff Act of 1913. The trade-agreement concessions consist of several bindings of iron ore on the free list. Iron ore was bound on the free list in the General Agreement on Tariffs and Trade at Geneva, effective January 1, 1948, and at Annecy, effective April 30, 1950, and in the supplemental bilateral trade agreement with Venezuela, effective October 11, 1952.

The Commission has conducted two comprehensive investigations of iron ore in recent years; the report on the first of those investigations was published in March 1959, and that on the second, in December 1960.<sup>4</sup> Data available when

<sup>2</sup> The Commission calls attention to the fact that the workers to which this investigation relates might be considered to have been "separated" from their jobs prior to Oct. 11, 1962, the date of enactment of the Trade Expansion Act of 1962, and therefore might be held not entitled to assistance under the act (sec. 322(b)(1)).

<sup>3</sup> The leveling in the rate of U.S. imports in the past 5 years (since 1957) reflects a lower rate of U.S. consumption of iron ore in that period than in the preceding 8 years. Annual consumption of iron ore during 1958–62 averaged 99.8 million long tons (gross weight), compared with 117.6 million tons during 1950–57 \* \* \*. The reduced U.S. consumption of iron ore in terms of gross weight is attributable partly to the increased iron content of the ore consumed (especially the rapidly increasing consumption of high-quality iron ore pellets produced in the United States from low-grade iron ores in the Lake Superior District and elsewhere) and partly to the reduced rate of U.S. production of iron and steel. The latter development reflects increased competition from substitute materials (such as reinforced concrete, aluminum, plastics, glass, and paper) and increased competition from foreign producers of iron and steel products in both foreign and domestic markets.

<sup>4</sup> U.S. Tariff Commission, *Iron Ore: Report on Investigation No. 35 Under section 332, Tariff Act of 1930* (made pursuant to a resolution of the Committee on Finance, United States Senate), March 1959 (processed).

U.S. Tariff Commission, *Iron Ore: Report on Escape-Clause Investigation No. 7-92 Under section 7 of the Trade Agreements Ex-*

the reports were prepared indicated an upward trend in postwar imports of iron ore; the leveling off of imports, now observed, did not become apparent until later. The major factors accounting for the postwar increase in imports of iron ore were summarized (on pages 30 and 31 of the December 1960 report) as follows:

U.S. iron and steel producers turned to foreign ore supplies to supplement domestic ore production because of (1) the growing need for economic supplies of high-quality iron ore, (2) the marked depletion of the most economic high-grade ore deposits in the traditional domestic producing centers during World War II, (3) the installation of much new iron- and steel-producing capacity at centers conveniently located at ocean ports to which foreign ores can be economically transported by water, and (4) the development of the St. Lawrence Seaway, which made the iron and steel facilities along the Great Lakes more accessible to iron ores from Canada and, to a lesser extent, from other foreign sources.

The higher quality of the imported ores reduces the cost of transportation per unit of producible iron content and increases the rated capacity of blast furnaces using the high-grade ore, thereby reducing the cost of producing pig iron and steel. Tax and other incentives are favorable for the production of iron ore in some foreign countries, notably in Canada. The development of foreign ore-producing, handling, and transporting facilities has also increased the economy of using imported ore at U.S. plants favorably located at or near lake or ocean ports.

Almost all the major foreign developments that accounted for the bulk of the U.S. imports of iron ore in the postwar period were planned and initial exploration and development was begun (with the expenditure of many millions of dollars) before January 1, 1948, when the duty-free status of iron ore for metallurgical use was first bound in a trade agreement \* \* \*. This includes the ore projects which began production prior to 1960—those in Canada at Steep Rock Lake in Western Ontario and in the Labrador-Quebec area, and those in Venezuela. These projects were financed and developed entirely or principally by U.S. companies, whose officials have stated in public hearings before the Tariff Commission that the principal considerations in these undertakings did not include the fact that iron ore was bound on the free list in trade agreements.<sup>5</sup>

The Cerro Bolivar deposit in Venezuela, the principal source of the ore now

tension Act of 1951, as Amended, December 1960 (processed).

<sup>5</sup> Statements by officials of companies other than the U.S. Steel Corp. are contained in the transcript of hearings before the Tariff Commission on Oct. 18, 1960, in connection with the escape-clause investigation (No. 7-92) of iron ore under section 7 of the Trade Agreements Extension Act of 1951, as amended: Statements by Mr. W. H. Johnstone, Vice President and Director of Bethlehem Steel Co., pp. 77 and 107; statement by Mr. Carl B. Jacobs, Vice President, Inland Steel Co., p. 158; and statement by Mr. Richard W. Whitney, Executive Vice President, The Hanna Mining Co., p. 177.

<sup>1</sup> Although the Ishkooda and Wenonah mines ceased producing iron ore in mid-1962, the iron-ore processing plant, located near the Wenonah mine, continued to operate, processing some accumulated red ore and imported iron ore. The processing consists of crushing and screening the ore and sintering the small particles passing a ¼-inch mesh screen. The workers' petition is on behalf of the workers at the mines only.



being used by TCI, was discovered by the U.S. Steel Corp. in April 1947. The discovery was the outcome of the Corporation's search for foreign ore deposits which began in 1944, when it became apparent that the high-grade ore deposits in the Lake Superior District were being rapidly depleted. Although actual shipments of iron ore from the Cerro Bolivar deposit in Venezuela did not begin until 1954, the Corporation committed considerably more than \$100 million for its development and construction was well under way before the effective date of the trade agreement with Venezuela.

The latest large development of iron ore deposits in a foreign country—the Cartier, Quebec, project of the U.S. Steel Corp., which began production in mid-1961—was undertaken since the most recent binding of iron ore on the free list. The U.S. Steel Corp. stated<sup>\*</sup> that the principal considerations in the Corporation's decision to develop these deposits were (1) the urgent demand for iron ore on the East Coast of the United States and in Europe and Canada, (2) the favorable location of the deposits to serve these needs including inland customers in the United States that could be reached via the St. Lawrence Seaway, (3) the relative ease with which the Quebec ores can be concentrated, and (4) the Canadian policy of encouraging new developments through exemption from taxation during initial operations and through favorable depreciation allowances for tax purposes.

The petitioners claim in this case that "had the tariff-free status of iron ore not been bound [in trade agreements], then the company would not have changed over from local to foreign ore." This contention implies that, but for the binding, the United States would have imposed import restrictions on iron ore. It appears, however, that such action would have been unlikely inasmuch as (1) the duty-free status of iron ore has prevailed for 50 years, (2) a large and growing segment of the U.S. iron and steel industry became established on the Atlantic seaboard (notably at Sparrows Point, Md., and Morrisville, Pa.) which could not be economically supplied with iron ore from domestic sources, (3) the United States has become dependent upon imports (developed at great expense by U.S. capital) for a substantial part of its iron-ore supplies, and (4) import restrictions on iron ore could jeopardize the jobs of many more workers at iron and steel plants than the number of workers employed at domestic iron-ore mines.

The Commission observes that the shutdown on the Ishkooda and Wenonah mines was due principally to the low grade of the red ore mined compared with that used by competing iron and steel producers. The iron content of the Alabama red ore is very much lower, and its content of such objectionable impurities as silica and phosphorus is very

much higher, than that of iron ore from other sources (both domestic and imported) consumed in the United States. \* \* \*

Iron ores containing a high iron content and a low silica content are preferred by iron and steel makers because the use of such ores enables their blast furnaces to operate efficiently and at high capacity. The high iron content makes possible a high yield of iron from a given tonnage of ore smelted and also requires less coke; the low silica content reduces the requirements for limestone. An excessive amount of phosphorus in iron is undesirable because much of it enters into the steel produced, stiffening the steel and imparting to it other objectionable properties.

The red ore mined by TCI in recent years would hardly have been acceptable for steel manufacture except for the opportunity of mixing it with high quality imported ore. In May 1963 only one company was mining red ore in the Birmingham area. The red ore, mixed with brown ore also mined in Alabama, was used by this company for making pig iron for foundry castings and cast iron pipe, but not for the production of steel.

The iron content of the red ore produced and used by TCI had remained virtually unchanged over the years whereas the average iron content of iron ore shipped from mines in the United States as a whole has increased steadily from about 50 percent in 1950 to about 55 percent in 1961, the last year for which data are available. The iron mineral in the red ore is so finely disseminated that the ore is not amenable to upgrading by any economic methods. Low-grade ore mined elsewhere in the United States is concentrated or agglomerated at the mines before shipment and much of the ore is now produced in the form of pellets, having an iron content of 62 to 65 percent. U.S. production of pellets rose from about 5 million tons or 5 percent of the total useable iron ore produced in 1950 to about 17 million tons or 23.5 percent of the total in 1961, the last year for which data are available. A further increase will ensue from new pellet projects still under way. TCI's shift from the low-grade red ore in Alabama to ore such as that imported from Venezuela was necessitated by the growing recourse of other steel makers to superior raw materials, both domestic and foreign.

By direction of the Commission.

[SEAL] DONN N. BENT,  
Secretary.

[F.R. Doc. 63-6996; Filed, July 2, 1963;  
8:51 a.m.]

[AA1921-31]

## TITANIUM DIOXIDE FROM FRANCE

### Notice of Investigation

Having received advice from the Treasury Department on June 24, 1963 that titanium dioxide from France is being, or is likely to be, sold in the United States at less than fair value, the United

States Tariff Commission has instituted an investigation under section 201(a) of the Antidumping Act, 1921, as amended (19 U.S.C. 160(a)), to determine whether an industry in the United States is being or is likely to be injured, or is prevented from being established, by reason of the importation of such merchandise into the United States.

No hearing in connection with this investigation has been ordered. If a hearing is ordered, due notice of the time and place thereof will be given. In this connection, interested parties are referred to § 208.4 of the Commission's rules of practice and procedure (19 CFR 208.4) which provides that interested parties may, within 15 days after the date of publication of this notice in the FEDERAL REGISTER, request that a public hearing be held, stating reasons for the request.

Interested parties are also referred to § 208.5 of the Commission's rules regarding the submission of written statements of pertinent information. Written statements must be filed not later than July 26, 1963.

By order of the Commission.

Issued: June 26, 1963.

[SEAL] DONN N. BENT,  
Secretary.

[F.R. Doc. 63-6997; Filed, July 2, 1963;  
8:51 a.m.]

[337-17]

## SEWING MACHINES

### Notice of Dismissal of Investigation

The United States Tariff Commission has dismissed investigation No. 17 under section 337 of the Tariff Act of 1930 involving certain sewing machines. The investigation was instituted in 1959 upon complaint of the Singer Manufacturing Company of unfair methods of competition in the importation and sale in the United States of certain "zigzag" sewing machines which were allegedly infringements of a Singer-held patent (24 F.R. 2098). After extensive hearings in May 1959, the Commission announced it was holding its decision on the merits in abeyance pending the outcome of an antitrust action filed against Singer by the U.S. Department of Justice which involved the patent on which the complaint under section 337 was based.

On June 17, 1963, the Supreme Court of the United States held Singer to have acted in violation of the Sherman Act. (U.S. vs. Singer Mfg. Co., No. 438—October term, 1962.) On June 24, 1963, the Commission received a request from Singer for permission to withdraw its complaint under section 337 and for the dismissal of the investigation. The Commission has granted Singer's request for withdrawal of the complaint, and in view of the outcome of the antitrust litigation has dismissed the investigation.

Issued: June 26, 1963.

[SEAL] DONN N. BENT,  
Secretary.

[F.R. Doc. 63-6998; Filed, July 2, 1963;  
8:51 a.m.]

<sup>\*</sup>In a letter of Nov. 14, 1958, from Robert M. Lloyd, Administrative Vice President, which was quoted on page 23 of the Commission's report on iron ore published in March 1959.



# INTERSTATE COMMERCE COMMISSION

[Notice No. 28]

## MONON RAILROAD

### Applications for Loan Guaranty

JUNE 28, 1963.

Notice is hereby given of the filing of the following application under part V of the Interstate Commerce Act:

Finance Docket No. 22675, filed June 26, 1963 by Monon Railroad, 332 South Michigan Avenue, Chicago 4, Illinois, for guaranty by the Interstate Commerce Commission of a loan in an amount not exceeding \$5,500,000. Applicant's representative: John B. Goodrich, Esq., General Solicitor, Monon Railroad, 332 South Michigan Avenue, Chicago 4, Illinois. Loan is for the following purposes: (a) Acquisition of 9 locomotives with a total estimated cost of \$2,400,000, (b) acquisition of 74 freight cars with a total estimated cost of \$1,100,000 and (c) reimbursement of applicant's treasury in approximate amount of \$2,000,000 for certain capital expenditures made from its own funds after January 1, 1957, for additions and betterments and other capital improvements.

By the Commission.

[SEAL]

HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 63-7010; Filed, July 2, 1963;  
8:53 a.m.]

[Notice No. 261]

### MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

JUNE 28, 1963.

The following letter-notices of proposals to operate over deviation routes for operating convenience only 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 2202 (Deviation No. 63), ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron 9, Ohio, filed June 19, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*,

with certain exceptions, over a deviation route as follows: From Birmingham, Ala., over Interstate Highway 59 to Chattanooga, Tenn., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Chattanooga over U.S. Highway 41 to Calhoun, Ga., thence over Georgia Highway 53 to Rome, Ga., thence over U.S. Highway 27 to Cedartown, Ga., thence over U.S. Highway 278 to Piedmont, Ala., thence over U.S. Highway 278 to Gadsden, Ala., thence over U.S. Highway 411 to junction Alabama Highway 23, thence over Alabama Highway 23 to junction U.S. Highway 11, thence over U.S. Highway 11 to Birmingham, Ala., and return over the same route.

No. MC 13235 (Deviation No. 1), CENTRALIA CARTAGE CO., Post Office Box 128, Centralia, Ill., filed June 21, 1963. Attorney: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From junction U.S. Highways 51 and 66, south of Bloomington, Ill., over U.S. Highway 66 to junction Illinois Highway 140 (bypassing Lincoln and Springfield, Ill.), thence over Illinois Highway 140 to junction Illinois Highway 43, thence over Illinois Highway 43 to Lebanon, Ill., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over pertinent service routes as follows: From Chicago, Ill., over U.S. Highway 66 to Bloomington, thence over U.S. Highway 51 to Sandoval, Ill.; from St. Louis, Mo., over U.S. Highway 50 to Olney, Ill., and return over the same routes.

No. MC 71096 (Deviation No. 11) (Cancelling Deviation No. 9), NORWALK TRUCK LINES, INC., Norwalk, Ohio, filed June 21, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Midland, Mich., over Interstate Highway 75 to Detroit, Mich., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Midland over Michigan Highway 20 to Bay City, Mich., thence over U.S. Highway 23 via Pinerun, Mich., to Flint, Mich. (also from Pinerun over U.S. Highway 10 to Flint, Mich.), thence over U.S. Highway 10 to Detroit, Mich., thence over U.S. Highway 25 to Toledo, Ohio, and return over the same route.

No. MC 89723 (Deviation No. 3), MISSOURI PACIFIC TRUCK LINES, INC., 1218 Olive Street, St. Louis 3, Mo., filed June 19, 1963. Attorney Robert S. Davis (same address as applicant). Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Omaha, Nebr., over Interstate Highway 80 to Lincoln, Nebr., and return over the same route,

for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Omaha over U.S. Highway 73 to Union, Nebr., thence over U.S. Highway 34 to Lincoln, and return over the same route.

No. MC 110325 (Deviation No. 10), TRANSCON LINES, 1206 South Maple Avenue, Los Angeles 15, Calif., filed June 19, 1963. Attorney Lee Reeder, 1221 Baltimore Avenue, Kansas City 5, Mo. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over a deviation route as follows: From Oklahoma City, Okla., over Interstate Highway 35 to junction U.S. Highway 177 approximately 2 miles north of Braman, Okla., and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport the same commodities over a pertinent service route as follows: From Oklahoma City over U.S. Highway 77 to junction U.S. Highway 177, thence over U.S. Highway 177 to junction Interstate Highway 35 approximately 2 miles north of Braman, and return over the same route.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 2890 (Deviation No. 30), AMERICAN BUSLINES, INC., 1805 Leavenworth Street, Omaha 2, Nebr., filed June 14, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From junction U.S. Highway 40 and Interstate Highway 80 east of Newcastle, Calif., over Interstate Highway 80 to junction U.S. Highway 40, approximately two miles northeast of junction U.S. Highways 99E and 40, and return over the same route, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Salt Lake City, Utah, over U.S. Highway 40 via Reno, Nev., and Roseville, Calif., to junction unnumbered highway near Fairfield, Calif., and return over the same route.

By the Commission.

[SEAL]

HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 63-7011; Filed, July 2, 1963;  
8:54 a.m.]

### NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JUNE 28, 1963.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by special rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963,



page 3533, which provides, among other things, protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

State Docket No. MC-189 (Sub-No. 1), filed May 22, 1963. Applicant: R. W. STEPHENS, doing business as STEPHENS TRUCK LINE, South Main Street, Dickson, Tenn. Applicant's attorney: James Clarence Evans, 710 Third National Bank Building, Nashville, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* between White Bluff and Charlotte via Tennessee Highway 47; between White Bluff and Burns via Tennessee Highway 47; between Dickson and Burns via Tennessee Highway 47; between Dickson and Nashville (1) via Tennessee Highway 96 and Interstate Highway 40 and (2) via Tennessee Highway 96, Tennessee Highway 46 and Interstate Highway 40 and (3) via Tennessee Highway 46 and Interstate Highway 40 and (4) via Interstate Highway 40 and such other access routes at or east of the intersection of Interstate Highway 40 and Tennessee Highway 48 as may become available between Interstate Highway 40 and Dickson, all of the above routes to be used in conjunction with each other, and with all of applicant's existing authority.

HEARING: July 25, 1963, at 9:30 a.m., Commission's Court Room, C-1 Cordell Hull Building, Nashville, Tenn.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville 3, Tenn., and should not be directed to the Interstate Commerce Commission.

State Docket No. MC-4577. Applicant: EUGENE W. BROWN, doing business as BROWN'S WRECKER SERVICE, 925 Linden Avenue, Memphis, Tenn. Applicant's attorney: Edward G. Grogan, 1500 Commerce Title Building, Memphis, Tenn. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *wrecked, damaged and disabled motor vehicles and trailers, and replacement vehicles therefor*, using wrecker equipment only, between points in Tennessee, over irregular routes.

HEARING: July 30, 1963, at 9:30 a.m., Commission's Court Room, C-1 Cordell Hull Building, Nashville, Tenn.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the Tennessee Public Service Commission, Cordell Hull Building, Nashville 3, Tenn., and should not be directed to the Interstate Commerce Commission.

State Docket No. 45224, filed March 8, 1963. Applicant: JOHN SCANNELL, doing business as SCANNELL BROTHERS DRAYAGE, Carroll and Ingalls Streets, San Francisco, Calif. Applicant's attorney:

Marquam C. George, 20th Floor, Tribune Tower, Oakland 12, Calif. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (excluding used household goods and personal effects not packed in accordance with the crated property requirements set forth in paragraph (d) of item No. 10-C of Minimum Rate Tariff No. 4-A; 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; livestock, viz: bucks, bulls, calves, cattle, cows, dairy cattle, ewes, goats, hogs, horses, kids, lambs, oxen, pigs, sheep, sheep camp outfits, sows, steers, stags or swine; commodities requiring the use of special refrigeration or temperature control in specially designed and constructed refrigerator equipment; liquids, compressed gases, commodities in semiplastic form and commodities in suspension in liquids in bulk, in tank trucks, tank trailers, tank semitrailers, or a combination of such highway vehicles; commodities when transported in bulk in dump trucks or in hopper-type trucks; commodities when transported in motor vehicles equipped for mechanical mixing in transit; and logs), over the following routes, between the proposed points described herein. (a) Between Modesto and Bakersfield and all points intermediate thereto, and between said intermediate points via U.S. Highway 99, including the off-route points of Sanger, Reedley, Dinuba, Visalia, Exeter, Lindsay, Porterville and Hanford; (b) between the intersection of U.S. Highway 50 and California Highway 33 and Taft and all points intermediate thereto, and between said intermediate points via California Highway 33; (c) between Taft and Bakersfield and all points intermediate thereto, and between said intermediate points via U.S. Highway 399 and 99; (d) between Stockton and Lockeford and all points intermediate thereto, and between said intermediate points via California Highway 88; (e) between Stockton and Bellota and all points intermediate thereto, and between said intermediate points via California Highway 8; (f) between Bellota and Modesto and all points intermediate thereto, and between said intermediate points via unnumbered county road; (g) between Manteca and Oakdale and all points intermediate thereto, and between said intermediate points via California Highway 120; (h) between Oakdale and Modesto and all points intermediate thereto, and between said intermediate points via unnumbered county road including Riverbank; (i) between Modesto and Waterford and all points intermediate thereto, and between said intermediate points via California Highway 132; (j) between Modesto and Hughson; (k) between Antioch and Sacramento and all points intermediate thereto, and between said intermediate points via California Highway 24, and including the off-route points of Rio Vista and Thornton; (l) between San Jose and Salinas and all points intermediate thereto, and between said inter-

mediate points via U.S. Highway 101; (m) between Gilroy and Califa and all points intermediate thereto, and between said intermediate points via California Highway 152; (n) between Sacramento and Yuba City and all points intermediate thereto and between said intermediate points via U.S. Highway 99E; (o) between Sacramento and Yuba City and all points intermediate thereto, and between said intermediate points via U.S. Highways 40 and 99W and California Highway 24; (p) between all points within the county of Contra Costa; (q) between all points within a radius of 20 miles of the city limits of the City of Sacramento; (r) between all points within a radius of 20 miles of the limits of the City of Fresno; (s) between Vallejo and Napa and all points intermediate thereto, and between said intermediate points via California Highway 29; (t) between all presently certificated points and all points and places set forth in paragraphs (a) through (s) inclusive; (u) between all points within three miles of the routes and points set forth in paragraphs (a) through (s) inclusive, for operating convenience only all roads, streets and highways connecting the above points and routes.

HEARING: July 10 1963, at 10:00 a.m., State Building, San Francisco, Calif.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the California Public Utilities Commission, California State Building, San Francisco 2, Calif., and should not be addressed to the Interstate Commerce Commission.

State Docket No. 45548, filed June 21, 1963. Applicant: JOHN GLADWELL AND WILBURN M. WALKER, doing business as BAKERSFIELD FAST FREIGHT, 1407 34th Street, Bakersfield, Calif. Applicant's representative: Howard E. Meyers, 1410 Truxtun Avenue, Bakersfield, Calif. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities* (except explosives, fresh fruits and vegetables, livestock, logs, used household goods, commodities in bulk, commodities requiring special refrigeration, temperature control or mechanical mixing in transit), from, to and between points in Kern, Tulare, Kings, Fresno, Madera and Merced Counties, Calif., excluding areas owned or controlled by the U.S. Government and dedicated to the purpose of National Parks.

HEARING: Date, time and place assigned for hearing application, not known.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the California Public Utilities Commission, California State Building, San Francisco 2, Calif., and should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 63-7012; Filed, July 2, 1963; 8:54 a.m.]



[Notice No. 541]

**MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS**

JUNE 28, 1963.

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 prehearing conferences will be called at 9:30 a.m., United States standard time or 9:30 a.m., local daylight saving time, if that time is observed, unless otherwise specified.

**APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE****MOTOR CARRIERS OF PROPERTY**

No. MC 263 (Sub-No. 151), filed April 12, 1963. Applicant: GARRETT FREIGHTLINES, INC., 2055 Pole Line Road, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, Post Office Box 1554, Boise, Idaho. 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), (1) Between Billings, Mont., and Great Falls, Mont., from Billings over Montana Highway 3 to junction with U.S. Highway 12 at or near Lavina, Mont., thence over U.S. Highway 12 to junction U.S. Highway 89 near White Sulphur Springs, Mont., thence over U.S. Highway 89 to junction U.S. Highway 87 near Armington, Mont., thence over U.S. Highway 87 to Great Falls, returning over the same routes, serving no intermediate points. (2) Between Billings, Mont., and Great Falls, Mont., from Billings over Montana Highway 3 to junction with U.S. Highway 12 at or near Lavina, Mont., thence over U.S. Highway 12 to junction Montana Highway 19 at or near Harlowton, Mont., thence over Montana Highway 19 to junction U.S. Highway 87 at or near Moon, Mont., thence over U.S. Highway 89 to Great Falls, returning over the same routes, serving no intermediate points. (Recent Montana State Highway map indicates that Montana Highway 19 has been redesignated U.S. Highway, 191.) (3) Between Billings, Mont., and Townsend, Mont., from Billings over Montana Highway 3 to junction U.S. Highway 12 at or near Lavina, Mont., thence over U.S. Highway 12 to Townsend, returning over the same routes, serving no intermediate points. (4) Between the junction of Montana Highway 20 and U.S. Highway 10 at or near Milltown, Mont., and the junction of Montana Highway 21 and U.S. Highway 89 near Vaughn, Mont., from the junction of Montana Highway 20 and U.S. Highway 10 near Milltown, Mont., thence over Montana Highway 20 to junction Montana Highway 20 with Montana Highway 21 at or near Simms, Mont., thence over Mon-

tana Highway 21 to junction Montana Highway 21 with U.S. Highway 89 near Vaughn, Mont., returning over the same routes, serving no intermediate points.

NOTE: Applicant states the proposed operations in (1) through (4) above will be alternate routes for operating convenience only in connection with applicant's authorized regular route operations.

HEARING: September 11, 1963, at the Yellowstone County Court House, Billings, Mont., before Joint Board No. 82, or, if the Joint Board waives its right to participate before Examiner Harold P. Boss.

No. MC 263 (Sub-No. 153), filed April 29, 1963. Applicant: GARRETT FREIGHTLINES, INC., 2055 Pole Line Road, Pocatello, Idaho. Applicant's attorney: Maurice H. Greene, Post Office Box 1554, Boise, Idaho. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables*, when moving in mixed shipments with frozen vegetables subject to in-transit privileges at Watsonville, from Watsonville, Calif., to points in Arizona.

HEARING: September 26, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 2202 (Sub-No. 253), filed June 10, 1963. Applicant: ROADWAY EXPRESS, INC., 1077 Gorge Boulevard, Post Office Box 471, Akron 9, Ohio. Applicant's representative: P. G. Whitmore (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Winston-Salem, N.C. and Greeneville, Tenn.: from Winston-Salem over U.S. Highway 421 to Mountain City, Tenn., thence over Tennessee Highway 67 to junction of Tennessee Highway 67 and Tennessee Highway 19-E, thence over Tennessee Highway 19-E to junction Tennessee Highway 19-E and U.S. Highway 321, thence over U.S. Highway 321 to Johnson City, Tenn., thence over U.S. Highway 11E to Greeneville, and return over the same route, serving no intermediate points, and with service at junction points and Greeneville, Tenn., for purpose of joinder only as an alternate route.

NOTE: Common control may be involved.

HEARING: September 23, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 8.

No. MC 5429 (Sub-No. 13), filed February 14, 1963. Applicant: LYON VAN LINES, INC., 1950 South Vermont Avenue, Los Angeles 7, Calif. Applicant's attorney: Wyman C. Knapp, 740 Roosevelt Building, 727 West Seventh Street, Los Angeles 17, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New uncrated furniture and technical furniture*, uncrated, requiring special

padded van service, from points in California, to points in Arizona, Colorado, Kansas, that portion of Missouri located within a radius of twenty-five (25) miles of Kansas City, Mo. (including Kansas City), and in Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, Washington and Wyoming, and *damaged and defective shipments*, of the above-specified commodities on return.

NOTE: Common control may be involved.

HEARING: September 9, 1963, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner James I. Carr.

No. MC 9325 (Sub-No. 15), filed May 31, 1963. Applicant: K LINES, INC., Post Office Box 216, Lebanon, Ore. Applicant's attorney: Norman E. Sutherland, 1200 Jackson Tower, Portland, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and urea*, dry, in bulk, from Vancouver, Wash., to points in Oregon.

HEARING: September 25, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Ore., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 15735 (Sub-No. 19), filed March 6, 1963. Applicant: ALLIED VAN LINES, INC., 25th Avenue at Roosevelt Road, Broadview, Ill. Applicant's attorney: Gerald M. Robison, 1725 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New uncrated furniture*, from points in California to points in Arizona, Colorado, Kansas, Missouri, Nebraska, Nevada, New Mexico, Oklahoma, Oregon, Texas, Utah, and Wyoming, and *damaged and defective shipments* of the above-specified commodities on return.

HEARING: September 9, 1963, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner James I. Carr.

No. MC 16682 (Sub-No. 59) (AMENDMENT), filed October 21, 1962, published in FEDERAL REGISTER issue of January 9, 1963, amended February 13, 1963, and republished as amended this issue. Applicant: MURAL TRANSPORT, INC., 2900 Review Avenue, Long Island City 1, N.Y. Applicant's attorney: W. C. Mitchell, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated, and store, kitchen and office fixtures and equipment, uncrated* (except new office and business machines), from points in Los Angeles and Orange Counties, Calif., to points in the United States (except points in Hawaii).

NOTE: Applicant states it does not seek to duplicate the authority it now holds in MC 16682. The purpose of this republication is to change the commodity description to read as shown above.

HEARING: September 9, 1963, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner James I. Carr.



No. MC 19665 (Sub-No. 3), filed April 9, 1963. Applicant: RICH FREIGHT LINES, a corporation, Box 759, Baker, Oreg. Applicant's attorney: John M. Hickson, Failing Building, Portland, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Cotton seed cakes, cotton seed meal and pellets*, in bulk, and sacks, (2) *salt*, in block and bulk, from points in Kern County, Calif., and points in California north of the northern boundary of Kern County, to points in Idaho west of the western boundary lines of Fremont, Clark, Butte, Bingham, Power, and Oneida Counties, points in Oregon east of the summit of the Cascade Range and points in Washington south and east of the western boundaries of Douglas, Kittitas, Pierce, Yakima, Lewis, Cowlitz, and Clarke Counties, and (3) *livestock feed*, between points in Oregon, and Washington east of the summit of the Cascade Range.

NOTE: Common control may be involved.

HEARING: September 24, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Examiner Harold P. Boss.

No. MC 19778 (Sub-No. 52), filed May 2, 1963. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, a corporation, Room 508, Union Station Building, Chicago 6, Ill. Applicant's attorney: Robert F. Munsell, Room 888, Union Station Building, Chicago 6, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, in bulk and in bags, (1) between points in Montana, (2) between points in North Dakota, (3) between points in Idaho, (4) between points in Wyoming, and (5) *rejected shipments*, on return, in (1), (2), (3), and (4) above.

HEARING: September 9, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Harold P. Boss.

No. MC 19778 (Sub-No. 54), filed June 3, 1963. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, a corporation, 516 West Jackson Boulevard, Chicago 6, Ill. Applicant's attorney: Robert F. Munsell (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wrecked trucks, truck tractors and truck trailers*, between Billings, Mont., Great Falls, Mont., and Rapid City, S. Dak., on the one hand, and, on the other, points in Montana, Idaho, Wyoming, North Dakota, South Dakota and Nebraska.

HEARING: September 12, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Harold P. Boss.

No. MC 20992 (Sub-No. 12), filed April 22, 1963. Applicant: DOTSETH TRUCK LINE, INC., Knapp, Wis. Applicant's attorney: W. P. Knowles, New Richmond, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Kompak trailers*, from Spring Valley, Wis., to

points in the United States (except Alaska and Hawaii), and *rejected and damaged trailers*, on return.

NOTE: Applicant states the proposed operation will be for the Maka Manufacturing Company and Travel 'N Camping Sales, Inc.

HEARING: September 23, 1963, at Room 393 Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Wm. N. Culbertson.

No. MC 28893 (Sub-No. 8) (RESTRICTIVE AMENDMENT), filed April 1, 1963, published FEDERAL REGISTER, issue of May 29, 1963, and republished as amended this issue. Applicant: POTTER FREIGHT LINES, INC., Post Office Box 418, Sparta, Tenn. Applicant's attorney: Clarence Evans, 710 Third National Bank Building, Nashville, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Spring City and Nashville, Tenn.: from Spring City over U.S. Highway 27 to junction U.S. Highway 70 near Rockwood, thence over U.S. Highway 70 from said junction to Crossville, and thence over U.S. Highway 70-S to Nashville and return over the same route, with authority to pick up and deliver at the intermediate point of Woodbury, Tenn.; and (2) between Woodbury and Chattanooga, Tenn.: (a) from Woodbury over U.S. Highway 70-S to Crossville, thence over U.S. Highway 70 to junction U.S. Highway 27 and 70, south of Rockwood, Tenn., thence over U.S. Highway 27 from said junction to Chattanooga, and return over the same route, with authority to both pick up and deliver at the intermediate point of Spring City, Tenn., and (b) from Woodbury over Tennessee Highway 53 to Manchester, thence over U.S. Highway 41 to Chattanooga, and return over the same route, serving no intermediate points. RESTRICTION: Service at points in the Chattanooga Commercial Zone shall be limited to those points in said area which are within Tennessee.

NOTE: The purpose of this republication is to show that applicant does not intend to serve any points in Georgia, and also to designate the proper joint board to hear this case.

HEARING: July 8, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 101.

No. MC 28956 (Sub-No. 6), filed April 15, 1963. Applicant: G. P. RYALS, doing business as RYALS TRUCK SERVICE, Post Office Box 234, Albany, Oreg. Applicant's attorney: Earle V. White, Fifth Avenue Building, 2130 West Fifth Avenue, Portland, Oreg. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Urea and fertilizers*, from Vancouver, Wash., to points in Oregon.

HEARING: September 25, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Oreg., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 30844 (Sub-No. 103), filed April 3, 1963. Applicant: KROBLIN REFRIGERATED EXPRESS, INC., Post Office Box 218, Sumner, Iowa. Applicant's attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat by-products, dairy products, and articles distributed by meat packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Waterloo, Iowa, to points in Ohio south of a line extending from the Indiana-Ohio State line along U.S. Highway 40 through Springfield and Columbus, Ohio, to junction Ohio Highway 440 (formerly portion U.S. Highway 40), near Kirkersville, Ohio, thence along Ohio Highway 440 to junction U.S. Highway 40, near Brownsville, Ohio, thence along U.S. Highway 40 through Cambridge and Bridgeport, Ohio, to the Ohio-West Virginia State line (except Cincinnati and Dayton, Ohio).

HEARING: September 18, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 35890 (Sub-No. 26), filed May 27, 1963. Applicant: BLODGETT UNCRATED FURNITURE SERVICE, INC., 845 Chestnut Street, SW., Grand Rapids, Mich. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Furniture* from East Greenville, Pa., to points in Illinois, Indiana, Michigan, and Ohio.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner C. Evans Brooks.

No. MC 38541 (Sub-No. 20), filed May 27, 1963. Applicant: WHITE MOTOR EXPRESS, INCORPORATED, 321 Benedict Street, Nashville 6, Tenn. Applicant's attorney: Richard D. Gleaves, 106 State Office Building, Nashville 3, Tenn. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other loading), between Nashville, Tenn., and Lebanon, Tenn.; from Nashville over U.S. Highway 70-N (Tennessee Highway 24) to Lebanon, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only in connection with applicant's regular-route operations.

HEARING: September 24, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 107.

No. MC 40007 (Sub-No. 73), filed March 11, 1963. Applicant: RELIABLE TRANSPORTATION COMPANY, a corporation, 4817 Sheila Street, Los Angeles 22, Calif. Authority sought to op-



erate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sodium silicate*, from points in California to points in Arizona.

NOTE: Common control may be involved.

**HEARING:** September 24, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 40007 (Sub-No. 75), filed April 8, 1963. Applicant: RELIABLE TRANSPORTATION COMPANY, a corporation, 4817 Sheila Street, Los Angeles 22, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Distilled water*, from Joseph City, Ariz., to the site of the Arizona Public Service Power Plant, 6 miles southeast of Fruitland, N. Mex.

NOTE: Common control may be involved.

**HEARING:** September 27, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 129, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 42487 (Sub-No. 581), filed March 13, 1963. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. 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), (1) between junction Arizona Highways 90 and 82, approximately ten (10) miles west of Fairbank, Ariz., and junction Arizona Highway 90 and U.S. Highway 80, approximately three (3) miles west of Benson, Ariz.; from junction Arizona Highways 90 and 82, approximately ten (10) miles west of Fairbank, Ariz., over Arizona Highway 90 to junction Arizona Highway 90 and U.S. Highway 80, about three (3) miles west of Benson, Ariz., and return over the same route, and (2) between Sierra Vista, Ariz. and junction Arizona Highway 90 and U.S. Highway 80, approximately eight (8) miles northwest of Bisbee, Ariz.; from Sierra Vista over Arizona Highway 90 to junction Arizona Highway 90 and U.S. Highway 80 approximately eight (8) miles northwest of Bisbee, Ariz., and return over the same route, serving no intermediate points, as alternate routes for operating convenience only, in connection with applicant's regular-route operations between Tucson and Douglas, Ariz.

NOTE: Common control may be involved.

**HEARING:** September 23, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 45736 (Sub-No. 8), filed March 5, 1963. Applicant: WINECOFF MOTOR LINES, INC., 505 Highway 29, Concord, N.C. Applicant's attorney: Frank

A. Graham, Jr., 707 Security Federal Building, Columbia 1, S.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lime, cement, lime and plaster, building lime, agricultural lime, plaster and lime plaster, and hydrated lime*, in bags and packages, from Knoxville, Tenn., to points in Virginia and Georgia.

**HEARING:** September 27, 1963, at the U.S. Courtrooms, Knoxville, Tenn., before Joint Board No. 314.

No. MC 52751 (Sub-No. 33), filed April 29, 1963. Applicant: ACE LINES, INC., 4143 East 43d Street, Des Moines 17, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement pipe*, containing asbestos fiber, from St. Louis, Mo., to points in Illinois, Iowa, Nebraska, Minnesota, North Dakota, and South Dakota.

NOTE: Common control may be involved.

**HEARING:** September 16, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 58156 (Sub-No. 4), filed May 29, 1963. Applicant: HOWARD ABBOTT, doing business as ABBOTT TRANSFER LINE, Second and Main Streets, La Grange, Ky. Applicant's attorney: Ollie L. Merchant, Suite 202, 140 South Fifth Street, Louisville 2, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities requiring special equipment, and those injurious or contaminating to other lading), between Cincinnati, Ohio, and Eminence and La Grange, Ky.

NOTE: Applicant states that the authority requested herein may not be tacked or combined directly or indirectly with any other authority held by applicant for the purpose of performing a through service between Cincinnati, Ohio and Louisville, Ky. Also, any duplication of authority is to be eliminated.

**HEARING:** September 13, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 37.

No. MC 69224 (Sub-No. 31), filed February 15, 1963. Applicant: H & W MOTOR EXPRESS COMPANY, a corporation, 3000 Elm Street, Dubuque, Iowa. Applicant presently holds Certificates in No. MC 69224, and Subs 28, 29, and 30. By the instant application it seeks uniformity of commodity descriptions, correction of commodity descriptions, correction of route descriptions due to change made in highway designations and relocation of named highways, authority to use Federal Highways, authority to use new highways, desirable in distribution service to provide better service, and authority to serve additional points. It is requested that a revised certificate eliminating many duplica-

tions, incorporating the changes in this application, be issued. Many duplications exist, in part by reason of purchases and extensions of authority since the original certificate was issued, covering the following *Commodity Descriptions*: Wherever the term "General Commodities, except those of unusual value" appears, eliminate "Except those of unusual value." See Note 1. Where the term "General Commodities, except those of unusual value, household goods as defined by the Commission, commodities in bulk and those requiring special equipment" appears, eliminate "Except those of unusual value." See Note 2. In all other descriptions the following is to be used: "General Commodities, except Class A and B explosives, household goods as defined by the Commission and commodities requiring special equipment." See Note 3. *Existing Routes*: Request all "General Commodities," no exceptions or exception, be placed under heading of Regular Routes. See Note 4. Request all routes have joinder provisions authorized.

See Note 5. *New Routes* (Minnesota): General Commodities, except Class A and B explosives, household goods as defined by the Commission and commodities requiring special equipment: Between Minneapolis-St. Paul Commercial Zone and the Iowa-Minnesota State Line: From Minneapolis-St. Paul Commercial Zone over Federal 35W and Federal Highway 35E to Federal Highway 35 to the Minnesota-Iowa State Line, and return over the same route, serving no intermediate points except as otherwise authorized, using access roads to or from authorized points, also using access roads to or from Federal Highway 35 and other authorized highways. See Note 6. General Commodities: Between Harmony, Minn., and the Iowa-Minnesota State Line: From Harmony, Minn., via Minnesota Highway 139 to the Iowa-Minnesota State Line, and return over the same route, with no service at intermediate points. See Note 7. Between St. Paul, Minn., and East Moline, Ill.: Present certificate names Minnesota Highway 218. Has been renumbered Minnesota Highway 3. Between St. Paul, Minn., and La Crosse, Wis.: From St. Paul, Minn., via U.S. Highway 61 to La Crosse, Wis., and return over the same route, serving no intermediate points or La Crosse, Wis. See Note 8. Between St. Paul, Minn., and the Minnesota-Wisconsin State Line: From St. Paul, Minn., over Federal Highway 94 and return over the same route, serving no intermediate points. See Note 9. (Wisconsin) General Commodities: Between La Crosse, Wis., and the Illinois-Wisconsin State Line: From La Crosse, Wis., over U.S. Highway 61 to the Illinois-Wisconsin State Line, and return over the same route, serving no intermediate points, and no service authorized at La Crosse, Wis. See Note 10. From La Crosse, Wis., over Wisconsin Highway 35 to the Illinois-Wisconsin State Line and return over the same route, serving no intermediate points except as otherwise authorized, and no service authorized at La Crosse, Wis. See Note 10. Between Minnesota-Wisconsin State Line and



Wisconsin-Illinois State Line: From Minnesota-Wisconsin State Line over Federal Highways 94 and 90 to the Illinois-Wisconsin State Line, and return over the same route, serving no intermediate points.

NOTE: Until that portion of Federal 94 is completed, between Wisconsin Dells and Eau Claire, Wis., U.S. Highway 12.

See Note 11. (Illinois) General Commodities: Between Illinois-Wisconsin State Line and Rockford, Ill.: From Illinois-Wisconsin State Line over Federal Highway 90 to access road to U.S. Highway 51, thence access road to U.S. Highway 51, thence U.S. Highway 51 and return over the same route, with no service authorized at intermediate points. See Note 12. Between East Dubuque, Ill., and Illinois-Wisconsin State Line: From East Dubuque, Ill., over Illinois Highway 35 to the Illinois-Wisconsin State Line, and return over the same route, with no authority to serve any intermediate points. See Note 13. General Commodities, except Class A and B explosives, household goods as defined by the Commission, and commodities requiring special equipment: Between Chicago, Ill., Commercial Zone and Rockford, Ill.: From Chicago, Ill., Commercial Zone over Federal Highway 90 to Illinois Highway 5, thence Illinois Highway 5 and return over the same route. From Chicago, Ill., Commercial Zone over Federal Highway 90 to U.S. Highway 20, thence U.S. Highway 20 to Rockford, Ill., and return over the same route, serving no intermediate points except as otherwise authorized, using access roads to or from Federal Highway 35, and other authorized routes. See Note 14. Between Junction U.S. Highway 20 and Illinois Highway 78, and Junction Illinois Highway 78 and Illinois Highway 64: From Junction U.S. Highway 20 and Illinois Highway 78 over Illinois Highway 78 to junction Illinois 64 and return over the same route, serving no intermediate points. See Note 15. Between Chicago, Ill., and junction U.S. Highway 30 and Illinois Highway 2: From Chicago, Ill., via Illinois Tollway to Junction U.S. Highway 30, thence U.S. Highway 30 to junction Illinois Highway 2, and return over the same route, with no service to any intermediate point except the off-route point of Aurora, Ill. See Note 16. Between Chicago, Ill., and Davenport, Iowa: From Chicago, Ill., over Federal Highway 80 to Davenport, Iowa, and return over the same route, with no service to any intermediate point except the off-route point of Joliet, Ill.

NOTE: U.S. Highway 6 to be used between unfinished portions of Federal Highway 80.

(Iowa) General Commodities: Between Iowa-Minnesota State Line and Iowa Highway 139 and Iowa Highway 9: From Iowa-Minnesota State Line over Iowa Highway 139 to Junction Iowa Highway 9, and return over the same route, with no service authorized at intermediate points.

See Note 17. General commodities, except Class A and B explosives, household goods as defined by the Commission and commodities requiring special

equipment: Between Marquette, Iowa, and Waukon, Iowa: From Marquette, Iowa, over Iowa Highway 13 to Waukon, Iowa, and return over the same route, with no service authorized at intermediate points. See Note 18. Between Elkader, Iowa, and West Union, Iowa: From Elkader, Iowa, over Iowa 56 to West Union, Iowa, and return over the same route, with no service to any intermediate points. See Note 18. Service to St. Lucas, Iowa, as an off-route point from presently authorized Iowa Highway 24 or Iowa Highway 193, via unnumbered highways. See Note 19. Between Fayette, Iowa, and Junction Iowa Highway 93 and U.S. Highway 63: From Fayette, Iowa, over Iowa Highway 93 to junction Iowa Highway 93 and U.S. Highway 63, and return over the same route, serving the intermediate point of Sumner, Iowa. See Note 20. Between Mederville, Iowa, and Volga, Iowa: From Mederville, Iowa, and Volga, Iowa, over Iowa Highway 112, and return over the same route, serving no intermediate points. See Note 21. Between Junction Iowa Highway 3 and Iowa Highway 38 and Monticello, Iowa: From Junction Iowa Highway 3 and Iowa Highway 38 over Iowa Highway 38 to Monticello, Iowa, and return over the same route, serving the intermediate points of Greeley, Delaware (both presently authorized on other routes), Delhi, and Hopkinton, Iowa, new authority request. See Note 22. General Commodities: Between Dubuque, Iowa, and Farley, Iowa: From Dubuque, Iowa, over U.S. Highway 20 to Farley, Iowa, and return over the same route, serving the off-route points of Peosta and Epworth. See Note 23. Between Dubuque, Iowa, and Farley, Iowa: From Dubuque, Iowa, over U.S. Highway 20 to Junction Iowa Highway 416, thence over Iowa Highway 416 to the Junction of U.S. Highway 20 and return over the same route, serving all intermediate points. See Note 24. Between Jesup, Iowa, and Waterloo, Iowa: From Jesup, Iowa, over U.S. Highway 20, and return over the same route, serving all intermediate points. See Note 25. Between Jesup, Iowa, and Waterloo, Iowa: From Jesup, Iowa, over Iowa Highway 281 to Waterloo, Iowa, and return over the same route, serving all intermediate points.

See Note 25. General Commodities, except Class A and B explosives, household goods as defined by the Commission and commodities requiring special equipment: Between the Iowa-Minnesota State Line and Des Moines, Iowa: From the Iowa-Minnesota State Line over Federal Highway 35 to Des Moines, Iowa, and return over the same route, with no service to intermediate points, except access routes to or from Federal Highway 35 and U.S. Highway 30. Until Federal Highway 35 is completed, use of Highway 69 between uncompleted portions. See Note 26. Between Junction Illinois Highway 80 and Federal Highway 80 and Des Moines, Iowa: From Junction Illinois Highway 80 and Federal Highway 80 over Federal Highway 80 to Des Moines, Iowa, and return over the same route, serving no intermediate points except as otherwise authorized, using access roads to or from Federal

Highway 35 and other authorized highways. See Note 27. Between Junction Iowa Highway 64 and Iowa Highway 261 to Iowa City, Iowa: From Junction Iowa Highway 64 and Iowa Highway 261 over Iowa Highway 261 to Iowa City, and return over the same route, serving the intermediate points of Mt. Vernon, Iowa, and Solon, Iowa. See Note 28. (Irregular Routes) Eliminate authority under "Between Clinton, Iowa, and points in Iowa" within two miles of Clinton, Iowa. See Note 29. Under heading of "Automobile tires and tubes in truckload lots", change to read "Pneumatic tires and tubes in truckload lots." See Note 30. Under heading of "Bakery Products", eliminate item from authority. See Note 31. Under heading "Cheese, sandwich spread and related articles" Eliminate from authority.

See Note 32. Under heading "Electric power line construction materials and equipment": Eliminate that part reading "within 75 miles of Dubuque, Iowa." See Note 33. Under heading "Agricultural Implements and agricultural implement parts": Eliminate as an exception "Oelwein, Iowa". See Note 34. Under heading "Butter, poultry and eggs": Remove Oelwein, Iowa, as an exception. See Note 34.

NOTE 1: Uniformity sought. No determination of what would be unusual value has been made. Rule 15 of National Motor Freight Traffic Association, Inc., Agent covers Property of Extraordinary value which will not be accepted. Only in a few isolated spots is General Commodities followed by "except those of unusual value" found.

NOTE 2: No determination of unusual value has been made. This heading only appears in connection with shipments moving to or from the Government installations of Savannah Ordnance Depot and Joliet Arsenal. Many movements are classified, escorted, and values unknown.

NOTE 3: Uniformity as much as possible is desired. Existing are some eight or ten variations for certain segments of operation. Again the term "unusual valuation" is not specific as to what unusual consists of. As an example, for uniformity purposes, under the heading of General Commodities, Between Clinton, Iowa, and Junction Iowa Highway 136 and U.S. Highway 61, serving the named intermediate points unrestricted and all other intermediate points and the off-route point of Bryant, Iowa, restricted against the transportation of household goods. On this route there are no other intermediate points; the off-route named point of Bryant is less than 25 population. In some instances the term "High Explosives" is used as an exception; in others, Class A and B Explosives. We request Class A and B be used for uniformity and better description. In several cases an exception of livestock is named. This appears in sections covering very small communities in a farming area, some of which are void of express, rail or bus service. There is an occasional request to handle, as a rule, one or two crates of livestock of the smaller type—pigs or sheep—for breeding or experimental purposes. It would be preferred not to handle, but is expected in distribution service where no other transportation facilities are available. The exception "commodities injurious or contaminating to other lading". Uniformity is desired in the elimination of this exception. Question frequently comes up as to what is injurious or contaminating to other lading. An answer from employees as to what is injurious to other lading has been "farm machinery".



Another is storage batteries if the case breaks and the acid leaks out. An answer to contamination is such as paint, oil, insecticides, bleach, DDT, all very common commodities. This named exception has limited appearance. Exception "Commodities in Bulk" appears in a few instances. Here again the purpose of elimination is primarily for uniformity. There are some infrequent demands. We have handled movements where authorized, such as coke and sand destined to foundries, in bulk, which could be handled on ordinary equipment. Here we believe the exception "requiring special equipment" prohibits handling that which is normally a commodity in bulk. The acceptance of this description as outlined would actually make further limitations on specific segments.

NOTE 4: Uniformity requested. Limited portion of authority is under Alternate Routes for operating convenience only. More routes named under this heading are used as regular routes on regular schedules than not. With authority acquired since the inception of authority under that heading there are many duplications of regular routes with service at intermediate points.

NOTE 5: Because of concentrated extensive distribution authority and pattern of traffic, to provide most economical operation with maximum service to all points, highways used vary from day to day to reach destination points.

NOTE 6: Use of Federal 35 will be 45 miles less distant than regular route between Des Moines, Iowa and St. Paul, Minnesota.

NOTE 7: Minnesota Highway 139 very recently improved and made usable for truck traffic. Would be used daily in operation from Minneapolis-St. Paul serving Cresco and Decorah during night hours, saving a number of miles of highway travel. Now requires use of U.S. 52, U.S. 63 and Iowa 9. Northbound have frequent use to drop off Cresco freight from Minneapolis-St. Paul destined units. General commodities between Harmony, Minn., and Cresco, Iowa now authorized via different routes.

NOTE 8: The Minnesota portion of this route is part of the route between Dubuque, Iowa, and St. Paul, Minn., which meets deviation requirements.

NOTE 9: Minnesota portion of route between St. Paul, Minn., and Rockford, Ill., meeting deviation requirements.

NOTE 10: Wisconsin portion of route between St. Paul, Minn., and Dubuque, Iowa. See Note 8. Meets deviation requirements.

NOTE 11: Wisconsin portion of route between St. Paul, Minn., and Rockford, Ill., meeting deviation requirements. See Note 9.

NOTE 12: Illinois portion of route between St. Paul, Minn., and Rockford, Ill.; see Notes 9 and 11.

NOTE 13: Illinois portion of route from St. Paul, Minn., to Dubuque, Iowa; see notes 9 and 11. Meets deviation requirements.

NOTE 14: Meets deviation requirements.

NOTE 15: Preferable as part route between Stockton, Ill., and Davenport, Iowa, for numerous movements now handled via other routes.

NOTE 16: Improved highway meeting deviation requirements.

NOTE 17: Continuation of route. See Note 7.

NOTE 18: Short route for operation in distribution service.

NOTE 19: St. Lucas, Iowa, is a point devoid of rail, express or any other motor service. Was formerly served by White's Motor Transport, Inc., without authority, now H & W Motor Express Company Sub 30. St. Lucas is not inconvenient to serve. There are only three business establishments in the town, which is shown as having a population of 211. Freight for St. Lucas is left at Fort Atkinson, Iowa, one of the nearest authorized points. Iowa interstate authority to be

granted subject to approval by the Interstate Commerce Commission.

NOTE 20: Summer is now authorized as an off-route point.

NOTE 21: Mederville, Iowa, population less than 25, and Volga City, Iowa, population 361, presently served in intrastate commerce; formerly by Dubuque-Elkader Motor Service purchased by H & W Motor Express Company, MC-F-8283. There is no service by rail, express or motor carrier interstate. Desire to provide both interstate and intrastate service. Former carrier served without authority but could have done so by registering intrastate certificate; however, failed to do so.

NOTE 22: Agreement reached with Pals Transfer, Inc., MC 120314 to purchase certain portions of Sub 2, Iowa Certificate C-620, which is a registered certificate. The only points involved interstate are Delhi and Hopkinton; the balance of the points—Delaware, Greeley, Edgewood, Strawberry Point, Arlington, and Maynard, Iowa—are common to both Pals Transfer, Inc., and H & W Motor Express Company, both interstate and intrastate authorities. Pals desires to sell because sufficient traffic does not accumulate to make operations feasible on a regular basis. H & W Motor Express Company serves these common points daily.

NOTE 23: Portion of U.S. Highway 20 relocated. Authority presently held to Epworth and Farley.

NOTE 24: Iowa Highway 416 formerly a portion of U.S. Highway 20. Corrects highway designations.

NOTE 25: No new authority results as to points served. Relocated and renumbered highways.

NOTE 26: New Federal Highway in process of construction. Continuation from St. Paul. See note 6.

NOTE 27: Continuation of Federal Highway 80 from Chicago; see Note 16. Overall mileage from end points little or no different than existing authorized routes.

NOTE 28: Highway use presently authorized except service to Solon, Iowa. Solon, with population of 604, now is without rail or express service, and no motor carrier service by common carriers is available or authorized. Local organizations had contacted others to secure authority to serve and were refused. We have been contacted and have made replies. The Iowa Commerce Commission has advised they will grant authority on a bench decision upon application. It would be served by us on Mondays, Wednesdays and Fridays from a daily operation conducted serving points on U.S. Highway 30. Inasmuch as this operation is an eight hour guarantee for miles driven only, the additional miles required to serve Solon, Iowa would result in no additional cost for driver.

NOTE 29: This authority secured in order to serve several industries then in the process of being built beyond the city limits of Clinton, Iowa, and before Part 170, Commercial Zones and Terminal Areas became effective. Unless the Commission has other thoughts, this item seems to be superfluous.

NOTE 30: The authority under this heading was one secured as a grandfather right at which time tires were used only on automobiles. Technically, tires are no longer exclusive to automobiles; the same identical tire can be used for trailers—house or other kinds—machinery, farm equipment, industrial equipment, etc., and for that reason no determination can be made as to whether the use is for automobiles or otherwise. Pneumatic tires and tubes therefore is a better description.

NOTE 31: No potential traffic available. White House Biscuit Company of Dubuque, Iowa, and Independent Baking Company of Davenport, Iowa, who provided traffic under this item, now are out of business.

NOTE 32: No potential traffic available. Plant of Kraft Cheese Company which pro-

vided traffic under this item no longer is located in Freeport, Illinois.

NOTE 33: As the item now reads, it is meaningless, "within 75 miles of Dubuque." There is no point in Minnesota within 75 miles of Dubuque. Refer to original grant of authority which read "Between Dubuque, Clinton, and Decorah, Iowa, on the one hand, and, on the other, points and places in Minnesota and Wisconsin within 75 miles of Dubuque, Iowa." The 75 miles pertained to a distance of 75 miles in Wisconsin from Dubuque. At a time when the Interstate Power Company disposed of all its properties in the State of Wisconsin there was no further need for transportation services in Wisconsin and request was made to amend this authority so as to eliminate Wisconsin. An added reason at that time was that to keep Wisconsin insurance in effect was an added expense. The item was rewritten and eliminated Wisconsin but contained the wording "within 75 miles of Dubuque, Iowa." Interstate Power Company has extensive Minnesota properties, warehouses of parts at Dubuque, Clinton, and Decorah, Iowa. Their need arises mostly when lines are down due to storms.

NOTE 34: Oelwein, Iowa, now authorized as a regular route general commodities point.

HEARING: September 19, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 70662 (Sub-No. 102), filed May 5, 1963. Applicant: CANTLAY & TANZOLA, INC., 2550 East 28th Street, Los Angeles, Calif. Applicant's representative: Lloyd R. Guerra (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Petroleum and petroleum products* as described in Appendix XIII to the Report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in bulk, in tank vehicles, from Imperial, Calif., and points within ten (10) miles thereof, to points in Yuma and Maricopa Counties, Ariz., and Ports of Entry on the International Boundary line between the United States and Mexico located at or near Andrade, Calexico, Tecate, and San Ysidro, Calif., and (2) *rejected and contaminated shipments* of (1) above, from the destination territory specified above, to points in Los Angeles and Orange Counties, Calif.

NOTE: Applicant states it requests authority to return rejected and contaminated shipments of the same products from the destination territories named above to Los Angeles and Orange Counties, Calif., for the reason that Imperial, Calif., the point of origin, is a pipe line terminal and cannot receive contaminated shipments on return; therefore, they must be returned to their point or origin at the refineries and shipping points in Los Angeles or Orange Counties. Common control may be involved.

HEARING: September 25, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 75651 (Sub-No. 55), filed May 20, 1963. Applicant: R. C. MOTOR LINES, INC., 2500 Laura Street, Jacksonville, Fla. 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 in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, and those requiring special equipment), between Jacksonville, Fla., and St. Marys, Ga.; from Jacksonville, over U.S. Highway 17 to junction Georgia Highway 40, thence over Georgia Highway 40 to St. Marys, and return over the same routes serving all intermediate and off-route points located in Camden County, Ga.

HEARING: September 12, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Lyle C. Farmer.

No. MC 87720 (Sub-No. 13), filed April 30, 1963. Applicant: BASS TRANSPORTATION CO., INC., Star Route A, Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Synthetic gum resin*, dry, in bulk, in special stainless steel tank vehicles, from the plant sites of Cary Chemicals, Inc., at or near Flemington, N.J., and Edgewater Park, N.J., to points in Pennsylvania, Delaware, Maryland, Virginia, West Virginia, Ohio, and the District of Columbia.

NOTE: Applicant states the proposed service under contract with Cary Chemicals, Inc. will be restricted to service.

HEARING: September 20, 1963, at 346 Broadway, New York, N.Y., before Examiner Warren C. White.

No. MC 85934 (Sub-No. 26), (AMENDMENT), filed April 4, 1963, published FEDERAL REGISTER issue June 26, 1963, and republished as amended this issue. Applicant: MICHIGAN TRANSPORTATION COMPANY, a corporation, 3601 Wyoming Avenue, Dearborn, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, and *mortar*, from Fort Wayne, Ind., to points in Ohio and Michigan.

NOTE: Common control may be involved. The purpose of this republication is to include "mortar" in the commodity description.

HEARING: Remains as assigned September 10, 1963, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 9.

No. MC 91707 (Sub-No. 8), filed April 15, 1963. Applicant: W. F. MAYS AND WM. RALPH MAYS, a partnership doing business as MAFFET TRANSFER LINE, Elizabethtown, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. 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), between Hodgenville, Ky., and Munfordville, Ky.: from Hodgenville over U.S. Highway 31-E to its junction with Kentucky Highway 61, thence over Kentucky Highway 61 to Buffalo, Ky., thence over Kentucky Highway 470 to its junction with U.S. Highway 31-E, thence over U.S. Highway 31-E to Hardyville, Ky., thence over Kentucky Highway 88 to Munfordville, and return over the same route, serving all intermediate points, and off-route points within three (3) miles of the above named routes.

HEARING: September 16, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 105.

No. MC 94265 (Sub-No. 109), filed May 27, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a common carrier by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts*, from Norfolk, Va., to points in Missouri, Iowa, Illinois, Indiana, Michigan, and Minnesota.

HEARING: September 5, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Gordon M. Callow.

No. MC 94265 (Sub-No. 117), filed June 21, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cured meats, canned foods, dairy products and frozen foods*, (1) from St. Paul, Minn. and Chicago, Ill., and points in Barron, Brown, Chippewa, Columbia, Eau Claire, Fond du Lac, Green, and Wood Counties, Wis., to points in Louisiana, Georgia, Virginia, West Virginia, North Carolina, South Carolina, Kentucky, and Tennessee, subject to the following restrictions: (a) Service from St. Paul is limited to transportation of shipments, which are stopped at a point in one or more of the above named Wisconsin Counties to complete loading, (b) service from Chicago is limited to transportation of shipments which originate at a point in one or more of the above to complete loading, and (2) from St. Paul, Minn., Chicago, Ill., and points in Brown, Chippewa, Dane, Dodge, Eau Claire, Fond du Lac, Green, Manitowish, Marathon, Outagamie, Sheboygan, Waukesha, and Wood Counties, Wis., to points in Alabama, Florida, Georgia, Mississippi, Tennessee, Virginia, and West Virginia.

HEARING: July 24, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Examiner Theodore M. Tahan.

No. MC 94350 (Sub-No. 24), filed May 31, 1963. Applicant: TRANSIT HOMES, INC., 210 W. McBee Avenue, Post Office Box 1628, Greenville, S.C. Applicant's attorney: Henry P. Willimon (same address as applicant). Authority sought

to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Trailers designed to be drawn by passenger automobiles*, in initial movements, in truckaway service, from points in California to points in the United States, except Hawaii, but including Alaska, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodity, and damaged or rejected shipments thereof, on return.

HEARING: September 16, 1963, at the Federal Building, Los Angeles, Calif., before Examiner James I. Carr.

No. MC 94430 (Sub-No. 20), filed May 29, 1963. Applicant: WEISS TRUCKING COMPANY, INC., Mongo, Ind. Applicant's attorney: James R. Stiverson, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Allen County, Ind., to points in Ohio and points in that part of Michigan on and south of a line beginning at Ludington, Mich., and extending along U.S. Highway 10 to junction Michigan Highway 20, thence along Michigan Highway 20 to Bay City, Mich., thence along Michigan Highway 25 to Port Austin, Mich., and thence along U.S. Highway 25 to Port Huron, Mich., and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.

HEARING: September 10, 1963, at Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 9.

No. MC 95540 (Sub-No. 528) filed May 26, 1963. 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 Chickasha, Okla., to points in Alabama, Georgia, Florida, Mississippi, North Carolina, Tennessee, Virginia, and New Orleans and Metairie, La.

NOTE: Common control may be involved.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner James Anton.

No. MC 97699 (Sub-No. 20), filed May 2, 1963. Applicant: BARBER TRANSPORTATION CO., a corporation, 321 Sixth Street, Rapid City, S. Dak. Applicant's attorney: Lee Reeder, 1221 Baltimore Avenue, Kansas City 5, Mo. 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, commodities requiring special equipment, and those injurious or contaminating to other loading), between Rapid City, S. Dak., and Minneapolis-St. Paul, Minn.; from Rapid City over U.S. Highway 16 to Philip Junction, S. Dak., thence over U.S. Highway 14 to Miller, S. Dak., thence over



South Dakota Highway 45 to junction U.S. Highway 212, thence over U.S. Highway 212 to Montevideo, Minn., thence over Minnesota Highway 7 to Minneapolis-St. Paul, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only.

**HEARING:** September 6, 1963, at the South Dakota Public Utilities Commission, Pierre, South Dakota, before Joint Board No. 26.

No. MC 97699 (Sub-No. 21), filed May 1, 1963. Applicant: BARBER TRANSPORTATION CO., a corporation, 321 Sixth Street, Rapid City, S. Dak. Applicant's attorney: Lee Reeder, 1221 Baltimore Avenue, Kansas City 5, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), (1) between Winner, S. Dak., and East Platte Bridge Site, S. Dak., from Winner over unnumbered county highway to West Platte Bridge Site, thence across the Platte Bridge to East Platte Bridge Site and return over the same route, serving the intermediate points of Dixon and West Platte Bridge Site, S. Dak., (2) between Chamberlain, S. Dak., and West Platte Bridge Site, S. Dak., (a) from Chamberlain over U.S. Highway 16 to the junction of South Dakota Highway 50, thence over South Dakota Highway 50 and unnumbered county roads, via Academy, to East Platte Bridge Site, thence across the Platte Bridge to West Platte Bridge Site and return over the same route, serving the intermediate points of Academy, Platte and East Platte Bridge Site, S. Dak., and (b) from Chamberlain over U.S. Highway 16 to the junction of South Dakota Highway 45, thence over South Dakota Highway 45 to Platte, thence westerly over unnumbered county roads to East Platte Bridge Site, thence across the Platte Bridge to West Platte Bridge Site, and return over the same route, serving the intermediate points shown in (a) above, (3) between Chamberlain, S. Dak., and East Platte Bridge Site, S. Dak., from Chamberlain westerly over U.S. Highway 16 to the junction of South Dakota Highway 47, thence over South Dakota Highway 47 to junction unnumbered county road near Dixon, thence over unnumbered county road to West Platte Bridge Site, thence across the Platte Bridge to East Platte Bridge Site, and return over the same route, serving the intermediate point of West Platte Bridge Site, S. Dak., and (4) between West Platte Bridge Site, S. Dak., and Sioux City, Iowa, (a) from West Platte Bridge Site across the Platte Bridge, thence over unnumbered county roads easterly to the junction of South Dakota Highway 50, thence over South Dakota Highway 50 to the junction of U.S. Highway 77, thence over U.S. Highway 77 to Sioux City, Iowa, and return over the same route, serving the intermediate point of East Platte Bridge Site, S. Dak., and (b) from West Platte Bridge Site westerly over unnumbered county road to the junction of South Dakota High-

way 47, thence southerly on South Dakota Highway 47, to the junction of U.S. Highway 18, thence over U.S. Highway 18 to the junction of South Dakota Highway 50, thence to Sioux City, Iowa, and return over the same route serving the intermediate point of East Platte Bridge Site, S. Dak.

**HEARING:** September 5, 1963, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 185.

No. MC 101075 (Sub-No. 81), filed April 21, 1963. Applicant: TRANSPORT, INC., 1215 Center Avenue, Moorhead, Minn. Applicant's attorney: Ronald B. Pitsenbarger (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry cement*, in bulk and in packages, from points in Anoka, Washington, Dakota, Scott, Carver, Hennepin, and Ramsey Counties, Minn., to points in North Dakota, South Dakota, Wisconsin, Iowa, Upper Peninsula of Michigan, and Minnesota.

NOTE: Common control may be involved.

**HEARING:** September 24, 1963, at Room 393, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Wm. N. Culbertson.

No. MC 102616 (Sub-No. 721) (AMENDMENT), filed April 24, 1963, published FEDERAL REGISTER issue June 12, 1963, amended June 20, 1963, and republished as amended this issue. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Moundsville, W. Va., including points within five (5) miles thereof and Natrium, W. Va., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

NOTE: The purpose of this republication is to add the origin territory of "Moundsville, W. Va., including points within five miles thereof," to the authority previously sought.

**HEARING:** Remains as assigned July 23, 1963, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Leo A. Riegel.

No. MC 103435 (Sub-No. 139), filed May 29, 1963. Applicant: UNITED BUCKINGHAM FREIGHT LINES, East 915 Springfield, Spokane 2, Wash. Applicant's attorney: George R. LaBissoniere, 333 Central Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), from Spokane, Wash., to the site of Boundary Dam, Wash., located approximately eleven (11) miles from Met-

aline Falls, Wash., and points within a radius of fifteen (15) miles thereof.

**HEARING:** September 16, 1963, at the Federal Office Building, Seattle, Wash., before Joint Board No. 80, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 103880 (Sub-No. 285), filed February 18, 1963. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid phosphatic fertilizer, and liquid fertilizers*, in bulk, in tank vehicles, from Marseilles, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

**HEARING:** September 13, 1963, at the Palmer House, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 103993 (Sub-No. 174), filed April 18, 1963. 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: *Trailers, designed to be drawn by passenger automobiles*, in initial movements, in truckaway service, (1) from Kingman, Ariz., to points in California, and (2) from points in California, to points in the United States, including Alaska (but excluding Hawaii, Maine, Massachusetts, New Hampshire, Vermont, Connecticut, and Rhode Island.)

NOTE: Duplication of present authority is to be eliminated.

**HEARING:** September 16, 1963, at the Federal Building, Los Angeles, Calif., before Examiner James I. Carr.

No. MC 105556 (Sub-No. 47), filed May 13, 1963. Applicant: HOUCK TRANSPORT COMPANY, a corporation, Box 559, Glendive, Mont. Applicant's attorney: Franklin S. Longan, Suite 319, Securities Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Crude oil*, in bulk in tank vehicles, from points in Sheridan, Daniels, Roosevelt, McCone, Valley, Richland, Dawson, Prairie, Fallon, Custer, Powder River, Wibaux, and Carter Counties, Mont., to Williston, N. Dak., and points within 10 miles thereof, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodity, on return.

**HEARING:** September 10, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Joint Board No. 84, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 105636 (Sub-No. 23), filed April 29, 1963. Applicant: ARMELLINI EXPRESS LINES, INC., Oak and Brewster Roads, Vineland, N.J. Applicant's attorney: Morris J. Winokur, Suite 1920, 2 Penn Center Plaza, Pennsylvania Boulevard at 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over



irregular routes, transporting: (A) *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), in foreign commerce only. (1) From points in Connecticut, New Jersey, and New York within 35 miles of the Battery, New York, N.Y., to New York, N.Y. **RESTRICTION:** The authority requested above will be restricted to traffic having an immediately subsequent movement by motor vehicle from New York, N.Y., to commercial piers, within 25 miles of Miami, Fla., including Miami, Fla., followed by a movement by water from commercial piers within 25 miles of Miami, including Miami, Fla. (2) From New York, N.Y., to commercial piers within 25 miles of Miami, Fla., including Miami, Fla. **RESTRICTION:** The authority requested immediately above will be restricted to traffic having an immediately subsequent movement by water. (B) *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), in foreign commerce only, from Chicago, Ill., to commercial piers within 25 miles of Miami, Fla., including Miami. **RESTRICTION:** The authority requested immediately above will be restricted to traffic having an immediately subsequent movement by water. (C) *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), in foreign commerce only, from points in New Jersey, and those in Pennsylvania and Delaware within 25 miles of Philadelphia, Pa., including Philadelphia, to commercial airports and piers within 25 miles of Miami, Fla., including Miami. **RESTRICTION:** The authority requested immediately above will be restricted to traffic having an immediately subsequent movement by air or water.

**HEARING:** September 16, 1963, at 346 Broadway, New York, N.Y., before Examiner Warren C. White.

No. MC 105813 (Sub-No. 93), filed May 20, 1963. Applicant: BELFORD TRUCKING CO., INC., 1299 Northwest 23d Street, Miami 42, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs, candy and confectionery*, requiring temperature control in mechanically refrigerated vehicles, from Atlanta, Ga., to points in Florida.

**NOTE:** Common control may be involved.

**HEARING:** September 13, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Lyle C. Farmer.

No. MC 106398 (Sub-No. 209), filed March 5, 1963. Applicant: NATIONAL TRAILER CONVOY, INC., 1916 North Sheridan, Tulsa, Okla. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, (1) from Kingman, Ariz., to points in California, and (2) from points in California, to points in the United States (except Hawaii), including Alaska.

**NOTE:** Applicant states that duplication with present authority should be eliminated.

**HEARING:** September 16, 1963, at the Federal Building, Los Angeles, Calif., before Examiner James I. Carr.

No. MC 107012 (Sub-No. 50), filed October 8, 1962. Applicant: NORTH AMERICAN VAN LINES, INC., Post Office Box 988, Lincoln Highway, Fort Wayne, Ind. Applicant's attorney: Martin A. Weissert (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New furniture, uncrated, and store, kitchen, and office fixtures and equipment, uncrated* (except new office and business machines), from points in Los Angeles and Orange Counties, Calif., to points in the United States (except points in Hawaii).

**NOTE:** Applicant states that it now possesses authority to transport new furniture from and to the above-mentioned points. The purpose of this application is to include incidental commodities and to simplify existing certificates. Applicant does not seek to duplicate existing authority other than in instances where gateways must be observed under existing authority.

**HEARING:** September 9, 1963, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner James I. Carr.

No. MC 107403 (Sub-No. 465) (AMENDMENT) filed April 19, 1963, published in FEDERAL REGISTER issue June 12, 1963, amended June 20, 1963, and republished as amended this issue. Applicant: E. BROOKE MATLACK, INC., 33d and Arch Streets, Philadelphia 4, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Moundville, W. Va., including points within (5) five miles thereof, and Natrium, W. Va., to points in Alabama, Arkansas, Florida, Georgia, Kentucky, Louisiana, Mississippi, North Carolina, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

**NOTE:** The purpose of this republication is to broaden the scope of authority previously sought. Common control may be involved.

**HEARING:** Remains as assigned July 23, 1963, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Leo A. Riegel.

No. MC 107496 (Sub-No. 275), filed March 8, 1963. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th, Post Office Box 855, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Phosphatic fertilizer solution*, in bulk, in tank vehicles, from Marseilles, Ill., to points in Indiana, Iowa, Michigan, Minnesota, Missouri, Ohio, and Wisconsin.

**HEARING:** September 13, 1963, at the Palmer House, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 107496 (Sub-No. 278), filed April 3, 1963. Applicant: RUAN TRANSPORT CORPORATION, 408 Southeast 30th Street, Des Moines, Iowa. Applicant's attorney: H. L. Fabritz, (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement*, from points in Dakota County, Minn., to points in Iowa, Minnesota, North Dakota, South Dakota, the Upper Peninsula of Michigan, and Wisconsin.

**NOTE:** Common control may be involved.

**HEARING:** September 20, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 107515 (Sub-No. 432), filed February 25, 1963. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta 10, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Prepared foodstuffs*, in vehicles equipped with mechanical refrigeration, from New Albany, Ind., to points in Florida and (2) *icing paste*, in vehicles equipped with mechanical refrigeration, from Atlanta, Ga., to Jacksonville, Fla., and points in North Carolina and South Carolina.

**HEARING:** September 12, 1963, at the Palmer House, Chicago, Ill., before Examiner Charles J. Murphy.

No. MC 108329 (Sub-No. 4), filed May 20, 1963. Applicant: KATO THEATRE SERVICE, INC., Route No. 3, Elizabethtown, Ky. Applicant's attorney: Rudy Yessin, Sixth Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Magazines and periodicals, advertising booklets, pamphlets, catalogs, calendars, almanacs, books of all kinds and descriptions, display and magazine racks, greeting cards, gift wrapping paper, and children's games*, (1) between Indianapolis, Ind., and points in Counties in Kentucky on and west of U.S. Highways 25 and 25W including Fayette County, (2) between Louisville, Ky. and points in Counties in Kentucky on and west of U.S. Highways 25 and 25W, including Fayette County, and (3) between Cincinnati, Ohio and points in Counties in Kentucky on and west of U.S. Highways 25 and 25W, including Fayette County.

**HEARING:** September 1, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 208.

No. MC 108449 (Sub-No. 166), filed April 18, 1963. 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: *Cement*, (1) from points in the Upper Peninsula of Michigan, to points in the



Upper Peninsula of Michigan, restricted to shipments having prior movement by rail or water. (2) From Minneapolis and St. Paul, Minn., and points within 30 miles of each, to points in Iowa, Minnesota, North Dakota, South Dakota, Wisconsin, and the Upper Peninsula of Michigan.

**HEARING:** September 20, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 109637 (Sub-No. 231), filed March 12, 1963. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville 11, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from Covington, Ky., to points in Kentucky on and east of U.S. Highway 27.

**HEARING:** September 12, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 37.

No. MC 109689 (Sub-No. 143), filed March 3, 1963. Applicant: W. S. HATCH CO., a corporation, 643 South 800 West, Woods Cross, Utah. Applicant's attorney: Mark K. Boyle, 345 South State Street, Salt Lake City 1, Utah. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Molten sulfur*, in bulk, in tank vehicle, from El Segundo, Calif., to points in Arizona.

**HEARING:** September 24, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 111231 (Sub-No. 52), filed June 13, 1963. Applicant: JONES TRUCK LINES, INC., Springdale, Ark. Applicant's attorney: John C. Bradley, Suite 618 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: *Foodstuffs*, from Springdale, Ark., to points in Texas on and east of U.S. Highway 281 and Memphis, Tenn.

**HEARING:** July 8, 1963, at the Claridge Hotel, Memphis, Tenn., before Examiner Dallas B. Russell.

No. MC 111375 (Sub-No. 12), filed May 13, 1963. Applicant: OTTO PIRKLE, doing business as PIRKLE REFRIGERATED FREIGHT LINES, 3567 East Barnard Avenue, Cudahy, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Swiss cheese*, from Thayne, Wyo., to Monroe, Wis.

**HEARING:** September 19, 1963, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Wm. N. Culbertson.

No. MC 113255 (Sub-No. 40), filed April 22, 1963. Applicant: MILK TRANSPORT, INC., Post Office Box 398, New Brighton, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Dairy products*, from Mason City, Iowa, and points in Minnesota and Wisconsin, to points in Arizona and New Mexico, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

**NOTE:** Common control may be involved.

**HEARING:** September 25, 1963, at Room 393, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Wm. N. Culbertson.

No. MC 113271 (Sub-No. 11), filed February 24, 1963. Applicant: CHEMICAL TRANSPORT, a corporation, 712 Central Avenue West, Great Falls, Mont. Applicant's attorney: Ray F. Koby, 529 Ford Building, Great Falls, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (a) *Cement*, in bulk and in sacks, and (b) *rejected shipments*, (1) between points in Montana, (2) between points in North Dakota, (3) between points in Idaho, and (4) between points in Wyoming.

**NOTE:** Applicant states that it is under common control and management with Rice Truck Lines, a corporation (MC 52465).

**HEARING:** September 9, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Harold P. Boss.

No. MC 113362 (Sub-No. 19), filed April 11, 1963. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Butter*, and *exempt agricultural commodities*, from Mason City, and Dubuque, Iowa, to points in Connecticut, Massachusetts, New Jersey, New York, Pennsylvania, and Rhode Island.

**NOTE:** Applicant states "service from Dubuque, Iowa restricted to shipments moving in mixed loads with traffic originating at Mason City, Iowa."

**HEARING:** September 17, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 113362 (Sub-No. 20), filed April 11, 1963. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broadway, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Floor coverings, and equipment, materials and supplies used in the installation of floor coverings*, from Lancaster, Pa., to Des Moines, Iowa.

**HEARING:** September 18, 1963, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner Charles J. Murphy.

No. MC 113362 (Sub-No. 22), filed May 16, 1963. Applicant: ELLSWORTH FREIGHT LINES, INC., 220 East Broad-

way, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen prepared foods*, from Faribault, Minn., to points in Connecticut, Massachusetts, New Hampshire, New Jersey, New York, Pennsylvania, Rhode Island, and Vermont.

**HEARING:** September 27, 1963, at Room 393, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Wm. N. Culbertson.

No. MC 113495 (Sub-No. 10), filed March 7, 1963. Applicant: GREGORY HEAVY HAULERS, INC., 2 Main Street, Nashville, Tenn. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Commodities, which because of size or weight, require the use of special equipment*, (2) *road construction machinery and equipment*, as described in Appendix VIII to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, and (3) *parts, attachments, and accessories* for the items named in (1) and (2) above, between points in Wisconsin, on the one hand, and, on the other, points in Tennessee, Virginia, and North Carolina.

**HEARING:** September 12, 1963, at the Hotel Schroeder, Milwaukee, Wis., before Examiner Wm. N. Culbertson.

No. MC 113828 (Sub-No. 37), filed June 12, 1963. Applicant: O'BOYLE TANK LINES, INCORPORATED, 4848 Cordell Avenue, Washington 14, D.C. Applicant's attorney: Dale C. Dillon, 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer materials*, in bulk, in tank and covered hopper vehicles, from Chesapeake, Va., to points in Delaware, Maryland, North Carolina, and South Carolina.

**HEARING:** July 29, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 113855 (Sub-No. 83), filed May 21, 1963. Applicant: INTERNATIONAL TRANSPORT, INC., Highway 52 South, Rochester, Minn. Applicant's attorney: Franklin J. Van Osdal, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Green salted hides and green salted pelts*, from points in Iowa, points in Nebraska on and east of U.S. Highway 281, points in South Dakota on and east of a line beginning at the Nebraska-South Dakota border and running north on U.S. Highway 281 to the junction of U.S. Highway 14, points on and south of a line beginning at the junction of U.S. Highway 281 and U.S. Highway 14 and running east of U.S. Highway 14 to the Minnesota-South Dakota line, and points in Minnesota on and south of Minnesota Highway 19 to



points in Wisconsin, Illinois, and Michigan.

**HEARING:** September 9, 1963, at the Hotel Schroeder, Milwaukee, Wis., before Examiner Wm. N. Culbertson.

No. MC 114004 (Sub-No. 44), filed June 17, 1963. Applicant: **CHANDLER TRAILER CONVOY, INC.**, 8828 New Benton Highway, Little Rock, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Trailers*, designed to be drawn by passenger automobiles, in initial movements, in truckaway service, from points in Mississippi County, Ark., to points in the United States, including Alaska, but excluding Hawaii.

**HEARING:** September 16, 1963, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Joseph A. Reilly.

No. MC 114290 (Sub-No. 14), filed April 5, 1963. Applicant: **EXLEY EXPRESS, INC.**, 2204 Southeast Eighth Avenue, Portland 14, Ore. Applicant's attorney: James T. Johnson, 609 Norton Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and fresh fruits, fresh vegetables and fresh berries*, when moving in the same vehicle with bananas, from points in California to Klamath Falls and Bend, Oregon, and *exempt commodities*, on return.

**HEARING:** September 27, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland Ore., before Joint Board No. 11, or, if the Joint Board waives its right to participate before Examiner Harold P. Boss.

No. MC 114290 (Sub-No. 15), filed April 5, 1963. Applicant: **EXLEY EXPRESS, INC.**, 2204 Southeast Eighth Avenue, Portland 14, Ore. Applicant's attorney: James T. Johnson, 609 Norton Building, Seattle 4, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from points in Santa Cruz County, Calif., to points in Arizona.

**HEARING:** September 26, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 115975 (Sub-No. 4) (AMENDMENT), filed May 6, 1963, published **FEDERAL REGISTER** issue of June 26, 1963, amended and republished, this issue. Applicant: **C. B. W. TRANSPORT SERVICE, INC.**, Hedge Road, South Roxana, Ill. Applicant's attorney: Ernest A. Brooks II, 1311-12 Ambassador Building, St. Louis 1, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Varnish, resins and plastics*, in bulk, in tank vehicles, from the plant site of Phelan-Faust Paint Manufacturing Company, located at or near Burlington, Iowa, to points in Missouri, Illinois, Nebraska, Colorado, Ohio, Indiana, Kansas, Michigan, and Wisconsin, and (2) *aliphatic and aromatic hydrocarbon solvents*, in bulk, in tank vehicles, from St. Louis, Mo., Whiting,

Ind., East Chicago and Wood River, Ill., to Burlington, Iowa.

**NOTE:** Applicant states the proposed operation will be for the account of Phelan-Faust Paint Manufacturing Co. The purpose of this republication is to change the commodities "petroleum solvents" to "aliphatic and aromatic hydrocarbon solvents" in (2) above, to add Ohio, Indiana, Kansas, Michigan, and Wisconsin as destination states in (1) above, and to add Whiting, Ind., and East Chicago, Ill., as origin points in (2) above.

**HEARING:** Remains as assigned September 11, 1963, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Laurence E. Masoner.

No. MC 116133 (Sub-No. 2), filed May 29, 1963. Applicant: **POLLARD DELIVERY SERVICE, INC.**, Washington National Airport, Washington 1, D.C. Applicant's attorney: Russell S. Bernhard, 1625 K Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Dulles International Airport, located in Fairfax-Loudoun Counties, Va., on the one hand, and, on the other, Aberdeen, Belcamp, and Edgewood, Md.

**NOTE:** Applicant states operations will be restricted to traffic having a prior or subsequent movement by air.

**HEARING:** September 5, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Joint Board No. 278.

No. MC 116442 (Sub-No. 11), filed May 29, 1963. Applicant: **BAKER'S EXPRESS CO., INC.**, Dagsboro, Del. Applicant's attorney: James I. Collier, Jr., 1825 Jefferson Place NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, dry, in bulk, and in bags, (1) from Chesapeake and Norfolk, Va., to points in North Carolina, and (2) from Baltimore, Md., to points in Delaware, Maryland, and Virginia, east of the Chesapeake Bay and south of the Chesapeake and Delaware Canal.

**HEARING:** September 5, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William J. Cave.

No. MC 116763 (Sub-No. 30), filed April 2, 1963. Applicant: **CARL SUBLER TRUCKING, INC.**, North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned fruit and canned fruit juices*, not frozen, (1) from points in Florida, to points in Arkansas and Tennessee, and (2) from Mobile, Ala., to points in Arkansas, Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, points in New York on and west of U.S. Highway 15, Ohio, points in Pennsylvania on and west of U.S. Highway 15, Tennessee, West Virginia and Wisconsin.

**HEARING:** September 19, 1963, at the U.S. Court Rooms, Tampa, Fla., before Examiner Lyle C. Farmer.

No. MC 116763 (Sub-No. 32), filed April 24, 1963. Applicant: **CARL SUBLER TRUCKING, INC.**, North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal briquettes and wood chips*, (1) from Lexington, Miss., to points in Florida, Georgia, Illinois, Indiana, Maryland, the lower Peninsula of Michigan, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Virginia, and West Virginia, and (2) from Waupaca, Wis., and Marquette, Mich., to points in Indiana and Ohio.

**HEARING:** September 19, 1963, at the U.S. Courtrooms, Tampa, Fla., before examiner Lyle C. Farmer.

No. MC 116763 (Sub-No. 33), filed June 7, 1963. Applicant: **CARL SUBLER TRUCKING, INC.**, North West Street, Versailles, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Beverage drink preparations*, in containers, including *grape, orange, pineapple, strawberry, raspberry, lemon, lime, passion fruit and grapefruit*, from Auburndale, Fla., to Trafalgar, Ind., Pella, Iowa, Paw Paw, Mich., Ortonville, Minn., Geneva, Ohio, and Random Lake, Wis.

**HEARING:** September 19, 1963, at the U.S. Courtrooms, Tampa, Fla., before Examiner Lyle C. Farmer.

No. MC 117427 (Sub-No. 32), filed January 28, 1963. Applicant: **G. G. PARSONS TRUCKING CO.**, a corporation, Post Office Box 746, North Wilkesboro, N.C. Applicant's attorney: Francis J. Ortman, 1366 National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), (a) between points in Indiana, Illinois, Iowa, Minnesota, Wisconsin, and Michigan, (b) from points in Minnesota, Wisconsin and from ports of entry on the International boundary line between the United States and Canada near Detroit, and Port Huron, Mich., and at or near Buffalo, Niagara Falls, and Alexandria Bay, N.Y., to points in North Carolina and South Carolina, and (c) from points in North Carolina and South Carolina to ports of entry on the International boundary line between the United States and Canada near Detroit, and Port Huron, Mich., and at or near Buffalo, Niagara Falls and Alexandria Bay, N.Y.

**NOTE:** Applicant holds contract authority in MC 116145; therefore, dual operations may be involved.

**HEARING:** September 4, 1963, at the Midland Hotel, Chicago, Ill., before Examiner Wm. N. Culbertson.

No. MC 117644 (Sub-No. 11) (RE-PUBLICATION), filed February 8, 1963, published **FEDERAL REGISTER**, issue of March 20, 1963, and republished this issue. Applicant: **D&T TRUCKING CO., INC.**, New Brighton, Minn. Applicant's attorney: Robert E. Swanson, 1821 University Avenue, St. Paul 4, Minn. By



application filed February 8, 1963, applicant seeks a permit authorizing operation, in interstate or foreign commerce as a contract carrier by motor vehicle, over irregular routes, of animal feed and feed ingredients, in bags and in bulk,

(1) from ports of entry at Pembina, N. Dak., and Noyes, Minn., on the International Boundary Line between the United States and Canada, to points in Minnesota, limited to a service to be performed under contracts with Manitoba Packing Co., and Midwest Rendering Co., of St. Boniface, Manitoba, and (2) from points in Minnesota to the ports of entry specified in (1) above, limited to a service to be performed for Heger Products Company, Inc., of North St. Paul, Minn. The application was referred to Joint Board No. 24 for hearing. Hearing was held on May 2, 1963, at Minneapolis, Minn. At the hearing it was learned that the supporting shippers were desirous of utilizing applicant's service for a two-way movement of the commodities involved. The Joint Board allowed the supporting shippers to give evidence concerning their complete requirements, subject to a republication. A Report and Recommended Order, served June 19, 1963, finds that operation by applicant, in interstate or foreign commerce, as a contract carrier by motor vehicle, of animal feed and feed ingredients, between ports of entry on the International Boundary Line between the United States and Canada at or near Pembina, N. Dak., and Noyes, Minn., on the one hand, and, on the other, points in Minnesota, over irregular routes, limited to services performed under continuing contracts (a) with Manitoba Packing Co., and Midwest Rendering Co., of St. Boniface, Manitoba, and (b) with Heger Products Company, Inc., of North St. Paul, Minn., will be consistent with the public interest and the national transportation policy, and that a permit authorizing operation as described above should be granted after the lapse of 30 days from the date of republication in the FEDERAL REGISTER to allow an opportunity by any interested carrier within 30 days after the date of republication to file an appropriate petition for any relief sought.

No. MC 118292 (Sub-No. 2) (AMENDMENT), filed September 5, 1962, published in FEDERAL REGISTER issue of September 26, 1962, amended October 22, 1962, and republished as amended this issue. Applicant: BALLENTINE PRODUCE, INC., Alma, Ark. Applicant's attorney: Lester M. Bridgeman, Pennsylvania Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen vegetables and vegetable products*, cooked and uncooked, (1) from Fort Smith, Ark., to points in Texas, Florida and Alabama, and to Monroe, Shreveport and New Orleans, La., Kansas City, Kans., Kansas City, Mo., Detroit, Mich., Chicago, Ill., Oklahoma City, Okla., Omaha, Nebr., Hattiesburg, Miss., and Memphis, Tenn., and (2) from Little Rock, Ark., to Dallas and Houston, Tex., Tampa and Jacksonville, Fla., Mobile, Birmingham and Montgomery, Ala., and Shreveport, La.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit 118434; therefore, dual operations may be involved. The purpose of this republication is to change the commodity description from frozen foods to frozen vegetables and vegetable products, cooked and uncooked.

HEARING: September 12, 1963, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Examiner Joseph A. Reilly.

No. MC 119268 (Sub-No. 18), filed May 28, 1963. Applicant: OSBORN, INC., 228 North Fourth Street, Gadsden, Ala. Applicant's representative: Robert E. Tate, 2031 Ninth Avenue South, Birmingham 5, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen citrus products*, from points in Florida to points in California, Arizona, Idaho, Utah, Oregon, Nevada, and Washington.

HEARING: September 9, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Examiner Lyle C. Farmer.

No. MC 119749 (Sub-No. 9), filed March 11, 1963. Applicant: RIPON TRUCKING CO., a corporation, Oshkosh Street, Ripon, Wis. Applicant's attorney: Edward Solie, 1 South Pinckney Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cookies*, from Ripon, Wis., to points in Virginia, West Virginia, North Carolina, and South Carolina.

HEARING: September 18, 1963, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Wm. N. Culbertson.

No. MC 119777 (Sub-No. 10) (AMENDMENT) filed September 4, 1962, published in FEDERAL REGISTER issue June 19, 1963, amended June 3, 1963, and republished as amended this issue. Applicant: LIGON SPECIALIZED HAULER, INC., Post Office Drawer 31, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, 221½ St. Clair Street, Frankfort, Ky.

NOTE: The purpose of this republication is to restrict the service as shown in previous publication "against commodities which because of size or weight require the use of special equipment or handling."

HEARING: Remains as assigned, July 22, 1963, at the Pittsburgh Hilton Hotel, Pittsburgh, Pa., before Examiner Richard H. Roberts.

No. MC 119778 (Sub-No. 39), filed June 20, 1963. Applicant: REDWING CARRIERS, INC., Post Office Box 34, Powderly Station, Birmingham, Ala. 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: *Chemicals*, in bulk, in tank vehicles, from Moundsville, W. Va., and points within five (5) miles thereof, and Natrium, W. Va., to points in Alabama, Florida, Georgia, Mississippi, and Louisiana.

NOTE: Applicant states it is a wholly owned subsidiary of Redwing Carriers, Inc., a Florida corporation.

HEARING: July 23, 1963, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Leo A. Riegel.

No. MC 119915 (Sub-No. 2), filed April 16, 1963. Applicant: RAY MOORE, doing business as MOORE TRUCKING COMPANY, Post Office Box 436, Morehead, Ky. Applicant's attorney: Ben K. Wilmot, Republic Building, Fifth and Walnut Streets, Louisville 2, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charcoal*, in bulk, from points in Kentucky and Tennessee on and east of U.S. Highway 27 and points within 3 miles of U.S. Highway 27 to Parsons, W. Va.

NOTE: Applicant has pending common carrier application in No. MC 125167; therefore dual operations may be involved. Also applicant states no duplicating authority is sought.

HEARING: September 12, 1963, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 404.

No. MC 123048 (Sub-No. 25), filed March 18, 1963. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 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: *Agricultural machinery (except farm tractors), earth moving attachments for farm tractors and incidental agricultural machinery parts, when moving coincidentally with the agricultural machinery of which they are a part (except commodities the transportation of which requires the use of special equipment)*, restricted to foreign commerce only, (1) from Anchor, Ill., West Memphis, Ark., Gwinner, N. Dak., Edenton, N.C., Fulton and Kansas City, Mo., Glen Beulah, Wis., Minneapolis, Minn., Manhattan, Kans., and Marquoketa, Waterloo, and Fort Dodge, Iowa, to the ports of entry on the International boundary line between the United States and Canada, located at Noyes, Minn., Portal, N. Dak., and Detroit, Mich.; and (2) from Edenton, N.C., to the ports of entry on the International Boundary line between the United States and Canada, located at Buffalo, and Rouses Point, N.Y.

NOTE: Applicant states *rejected shipments* of the commodities specified above, will be transported on return.

HEARING: September 16, 1963, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Wm. N. Culbertson.

No. MC 123048 (Sub-No. 26), filed April 22, 1963. Applicant: DIAMOND TRANSPORTATION SYSTEM, INC., 1919 Hamilton Avenue, Racine, Wis. 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: *Tractors, tractor attachments, farm and industrial machinery and equipment and parts, when moving in mixed loads with tractors, tractor attachments, farm and industrial machinery and equipment (except any of the above specified commodities the transportation of which requires the use of special equipment)* from Charles City, Iowa, to points in



Arizona, California, Idaho, Nevada, Oregon, Utah, Washington, Montana, and New Mexico, and *rejected shipments*, on return.

**HEARING:** September 20, 1963, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Wm. N. Culbertson.

No. MC 124632 (Sub-No. 8), filed June 10, 1963. Applicant: M. L. WILKERSON, doing business as WILKERSON TRUCKING COMPANY, Route No. 5, Lenoir City, Tenn. Applicant's attorney: Walter Harwood, Nashville Bank and Trust Building, Nashville 3, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dry fertilizer and fertilizer material*, in bags, between Knoxville, Tenn., on the one hand, and, on the other, points in Tennessee, Kentucky, and North Carolina.

**NOTE:** Applicant states that no duplicating authority is sought.

**HEARING:** September 20, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 389.

No. MC 124735 (Sub-No. 1), filed March 24, 1963. Applicant: R. C. KERCHEVAL, JR., 4424 Fourth Avenue South, Seattle 4, Wash. Applicant's representative: Joseph O. Earp, 411 Lyon Building, 607 Third Avenue, Seattle 4, Wash. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Parts, motor vehicle chassis and undercarriage, including wheels and wheel attaching parts, axles and related parts for mobile homes and utility trailers, automotive springs, suspensions and parts thereof, truck fifth wheels, brake drums, brake assemblies and parts thereof, tailgate hoists and parts thereof*, from points in Ohio, Michigan, Iowa, Wisconsin, Illinois, Indiana, and Missouri, to Billings, Butte, and Great Falls, Mont., and Seattle, and Spokane, Wash., and *exempt commodities* on return.

**HEARING:** September 18, 1963, at the Federal Office Building, Seattle, Wash., before Examiner Harold P. Boss.

No. MC 124790 (Sub-No. 1), filed April 8, 1963. Applicant: WILLIAM POTTS, doing business as COMMERCIAL TOWING SERVICE, RFD Route 1, Bozeman, Mont. Applicant's attorney: Franklin S. Longan, Suite 319, Securities Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Mobile homes and house trailers*, between points in Gallatin and Park Counties, Mont., on the one hand, and, on the other, points in Yellowstone National Park, Wyo., and Montana.

**HEARING:** September 12, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Joint Board No. 269, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 125006 (Sub-No. 1), filed March 11, 1963. Applicant: KENNETH I. SAUTER, doing business as SAUTER'S TRUCK SERVICE, 1216 Southwest Chenoweth Road, The Dalles, Ore. Ap-

plicant's attorney: John M. Hickson, Failing Building, Portland, Ore. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Treated poles and piling and treated lumber*, from The Dalles, Ore., to points in Washington east of the summit of the Cascade Range, and *rejected shipments* of the above-specified commodities, on return.

**NOTE:** Applicant states that the transportation service proposed herein will be performed for the account of J. H. Baxter and Co. Applicant holds common carrier authority in MC 105016 Sub No. 1, therefore, dual operations may be involved.

**HEARING:** September 26, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Ore., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 125051 (Sub-No. 1), filed April 8, 1963. Applicant: OTTO CHRISTENSEN, JR., AND FRANCIS MOONEY, a partnership, doing business as M. C. TRUCKING COMPANY, Dillon, Mont. Applicant's attorney: Franklin S. Longan, Suite 319, Securities Building, Billings, Mont. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Bananas*, from Los Angeles and San Francisco, Calif., to Billings, Butte, Great Falls, Havre, and Miles City, Mont.; (2) *such merchandise as is dealt in by wholesale, retail, and chain grocery and food business houses*, from San Francisco, Sunnyvale, San Jose, Modesto, Pittsburg, Oakland, Stockton, and Anaheim, Calif., to Billings, Butte, Great Falls, Havre, and Miles City, Mont.; and (3) *agricultural commodities*, as exempted under section 203(b) (6) of the Interstate Commerce Act, when transported in the same vehicle with the commodities described in (1) and (2) above, from points in California, to Billings, Butte, Great Falls, Havre, and Miles City, Mont.

**HEARING:** September 11, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Harold P. Boss.

No. MC 125192, filed March 17, 1963. Applicant: GENERAL TRUCKING COMPANY, a corporation, Post Office Box 146, Reedsport, Ore. Applicant's attorney: Robt. R. Hollis, 1121 Equitable Building, Portland 4, Ore. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, between points in Lane, Douglas, and Coos Counties, Ore.

**HEARING:** September 23, 1963, in the Interstate Commerce Commission Hearing Room, 410 Southwest 10th Avenue, Portland, Ore., before Joint Board No. 172, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 125197, filed March 18, 1963. Applicant: RONALD L. BUCK, doing business as BUCK & BUCK DRIVE-AWAY, 3902 North Tyndall Avenue, Tucson, Ariz. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting:

*New motor vehicles*, in secondary movements in drive-away service, from Tucson, Ariz. to points in the United States (except Alaska and Hawaii), and *damaged, refused and rejected shipments* of the above-specified commodities, on return.

**NOTE:** Applicant states the proposed operation will be from places of manufacture or assembly of The Roaminghome Co.

**HEARING:** September 23, 1963, at the Arizona Corporation Commission, Phoenix, Arizona, before Examiner James I. Carr.

No. MC 125244, filed April 5, 1963. Applicant: F. L. KEOLKER, doing business as BARNEY'S REPAIR SERVICE, 702 East Third, Kennewick, Wash. Applicant's attorney: James Leavy, Post Office Box 673, Pasco, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled vehicles*, in towaway service utilizing wrecker equipment only, between Kennewick, Wash., and points in Oregon.

**HEARING:** September 19, 1963, at the Federal Office Building, Seattle, Wash., before Joint Board No. 45, or, if the Joint Board waives its right to participate, before Examiner Harold P. Boss.

No. MC 125289, filed April 22, 1963. Applicant: EVERETT S. JOHNSON, doing business as J. H. MOTORS, 4540 State, Billings, Mont. Applicant's attorney: Franklin S. Longan, Suite 319, Securities Building, Billings, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled, repossessed or stolen automotive vehicles, trucks, trailers, tractors and buses*, between Billings, Mont., and points within five (5) miles thereof, on the one hand, and, on the other, points in North Dakota, South Dakota, Wyoming, and Idaho.

**HEARING:** September 12, 1963, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Harold P. Boss.

No. MC 125295, filed April 24, 1963. Applicant: DEFEDERICIS CO., INC., 371 Schuyler Avenue, Kearny, N.J. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated hospital equipment*, from Union, N.J., to New York, N.Y., and points in Nassau, Rockland, Suffolk, and Westchester Counties, N.Y., and *returned shipments*, on return.

**NOTE:** Applicant states the proposed operation will be under contract with Atlantic Alloy Industries, Inc., of Union, N.J.

**HEARING:** September 18, 1963, at 346 Broadway, New York, N.Y., before Examiner Warren C. White.

No. MC 125332, filed May 3, 1963. Applicant: LUDWIG MENZL, doing business as MENZL'S TOWING SERVICE, 3737 North Holton Street, Milwaukee (12), Wis. Applicant's attorney: William C. Dineen, 746 Empire Building, 710 North Plankington Avenue, Milwaukee 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged or disabled motor vehicles*



when moved by tow truck or wrecker equipment, and replacement motor vehicles or parts dispatched to relieve wrecked, damaged or disabled motor vehicles when moved by tow-truck or wrecker equipment, between points in Wisconsin, on the one hand, and, on the other, points in Minnesota, Iowa, Illinois, Indiana, and Michigan.

**HEARING:** September 11, 1963, at the Hotel Schroeder, Milwaukee, Wis., before Examiner Wm. N. Culbertson.

No. MC 125354, filed May 13, 1963. Applicant: JACK SAUNDERS MOTOR COMPANY, a corporation, 320 College Street, Clarksville, Tenn. Authority sought to operate at a common carrier, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged and disabled vehicles, and motor vehicles to be utilized for replacement of such wrecked, damaged and disabled vehicles, using wrecker equipment only, between points in Montgomery County, Tenn., on the one hand, and, on the other, points in Kentucky.*

**HEARING:** September 20, 1963, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Joint Board No. 25.

No. MC 125364, filed May 17, 1963. Applicant: CAREL TRUCKING CORP., 2 West 45th Street, New York, N.Y. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Fresh meats, meat products and packing house products, from Glenwood, Spencer, and Des Moines, Iowa, Luverne, Minn., Omaha, Nebr., and South Bend, Ind., to New York, N.Y.*

**HEARING:** September 19, 1963, at 346 Broadway, New York, N.Y., before Examiner Warren C. White.

No. MC 125384, filed May 22, 1963. Applicant: J. L. WALDROP AND DONALD T. HOLTON, doing business as WALDROP AND HOLTON, 632 First Street, Winter Haven, Fla. Applicant's attorney: Sol H. Proctor, 1730 Lynch Building, Jacksonville 2, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Diced fruit peel, from points in Polk County, Fla., to points in Alabama, Delaware, District of Columbia, Georgia, Illinois, Indiana, Kentucky, Louisiana, Maryland, Michigan, Mississippi, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, and West Virginia, and exempt commodities, on return.*

**HEARING:** September 18, 1963, at the U.S. Courtrooms, Tampa, Fla., before Examiner Lyle C. Farmer.

No. MC 125389, filed May 20, 1963. Applicant: S. E. MONTGOMERY AND L. B. MONTGOMERY, doing business as MONTGOMERY BROTHERS TRUCKING CO., Post Office Box 519, Live Oak, Fla. Applicant's attorney: J. B. Rodgers, Jr., 227 North Magnolia Avenue, Orlando, Fla. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Road building and construction aggregates, in bulk, including but not limited to sand gravel, limerock or limestone, slag or*

*pumice, stone, crushed rock, clay, fill dirt, shell, plant mixed asphalt, base material, and returned damaged and rejected cargo, between points in counties of Florida north of the southern boundaries of Hillsborough, Polk, Osceola, and Brevard Counties, Fla., on the one hand, and, on the other, points in counties of Georgia south of the southern boundaries of Heard, Coweta, Spaulding, Butts, Jasper, Putnam, Hancock, Glascock, Jefferson, Burke, Jenkins and Screven Counties, Ga.*

**HEARING:** September 11, 1963, at the Mayflower Hotel, Jacksonville, Fla., before Joint Board No. 64, or, if the Joint Board waives its right to participate, before Examiner Lyle C. Farmer.

No. MC 125404, filed May 31, 1963. Applicant: HOWARD LANDVATTER, doing business as HOWIE'S TOWING SERVICE, INC., 817 South 37th Street, Milwaukee, Wis. Applicant's attorney: Jerome D. Grant, 135 West Wells Street, Milwaukee 3, Wis. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Wrecked, damaged and disabled motor vehicles, when moved by tow truck and wrecker equipment, and replacement motor vehicles and parts dispatched to relieve wrecked, damaged, and disabled motor vehicles, when moved by tow truck and wrecker equipment, between points in that part of Wisconsin on and south of Wisconsin Highway 33 and Green Bay, Appleton, Neenah, Menasha, Oshkosh, and Fond du Lac, Wis., on the one hand, and, on the other, points in Iowa, Minnesota, Missouri, Illinois, Ohio, Michigan, and Indiana.*

**HEARING:** September 19, 1963, at the Wisconsin Public Service Commission, Madison, Wis., before Examiner Wm. N. Culbertson.

No. MC 125412, filed May 29, 1963. Applicant: PATTONS, INC., Post Office Box 928, Quincy, Wash. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Feed and feed products, including but not limited to copra meal, cotton seed meal, fish meal, linseed meal, and empty containers or other such incidental facilities (not specified) used in transporting the commodities specified, between points in Washington, Oregon, Idaho, and California.*

**HEARING:** September 19, 1963, at the Federal Office Building, Seattle, Wash., before Examiner Harold P. Boss.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 106207 (Sub-No. 7) filed April 29, 1963. Applicant: NEW YORK, KEANSBURG, LONG BRANCH BUS LINE, INC., 75 Beachway, Keansburg, N.J. Applicant's attorney: Wilmer A. Hill, Transportation Building, Washington 6, D.C. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, in the same vehicle with passengers. The purpose of this application is to modify the restrictions over the present route as set forth in Certificates Nos. MC 106207 and MC 106207 (Sub-No. 6), as follows: (1) Change the wording in Certificate No. MC 106207 to read as follows: Between*

New York, N.Y., and Long Branch, N.J., serving the intermediate point of Raritan Township, N.J., and all intermediate points between Raritan Township and Long Branch. (2) Eliminate that portion of Certificate No. MC 106207 (Sub-No. 6) which reads as follows: Serving all intermediate points on Laurel Avenue, between and including the junction of Laurel Avenue and 12th Street, in Raritan Township, N.J., and Keansburg, N.J., in connection with carrier's regular route operations between New York, N.Y., and Long Branch, N.J. (3) Eliminate on sheet 2 of Certificate No. MC 106207 (Sub-No. 6) the following words: \* \* \* except those on that part of Laurel Avenue north of the junction of Laurel Avenue and Holly Street, in Raritan Township, N.J., and serving the junction of New Jersey Highway 36 and Laurel Avenue for the purpose of joinder only.

NOTE: Common control may be involved.

**HEARING:** September 9, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark 2, N.J., before Joint Board No. 3, or, if the Joint Board waives its right to participate before Examiner Warren C. White.

No. MC 111504 (Sub-No. 6), filed February 19, 1963. Applicant: STARR TRANSIT CO., INC., 50 North Johnston Avenue, Trenton, N.J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage, in the same vehicle with passengers, in round-trip, special operations, beginning and ending at Trenton, N.J., and extending to the race track on Knights Road in Bensalem Township, Pa.*

NOTE: Common control may be involved.

**HEARING:** September 5, 1963, at the U.S. Courtrooms, Trenton, N.J., before Joint Board No. 67, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

No. MC 119556 (Sub-No. 9), filed February 8, 1963. Applicant: AIRPORT COACHES, INC., 186 Sound Beach Avenue, Old Greenwich, Conn. Applicant's attorney: Edward B. Winslow, 100 Broadway, New York 5, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, between Milford, Conn., and LaGuardia Airport, N.Y., and New York International Airport, Idlewild, N.Y.: from Milford over U.S. Interstate Highway 95 to the corporate limits of New York, N.Y., and thence over city streets and highways to LaGuardia Airport and New York International Airport, and return over the same routes, serving Darien, Stamford, and Greenwich, Conn., as intermediate points.*

**HEARING:** September 24, 1963, at 346 Broadway, New York, N.Y., before Examiner Warren C. White.

No. MC 124934 (CORRECTION), filed November 23, 1962, published in FEDERAL REGISTER issue of June 12, 1963, corrected and republished, this issue. Applicant: ROBERT L. DUNCAN, doing business as ARKMO COACH LINE, Post Office Box



673, Yellville, Ark. Applicant's attorney: Louis Tarlowski, 914 Pyramid Life Building, Little Rock, Ark. Application was filed November 23, 1962. The purpose of this republication is to show applicant's trade name as "Arkmo Coach Line" in lieu of "Armco Coach Line" as previously published.

**HEARING:** Remains as assigned July 15, 1963, at the Arkansas Commerce Commission, Justice Building, State Capitol, Little Rock, Ark., before Joint Board No. 91.

No. MC 125093, filed February 11, 1963. Applicant: LENORE MARSHELLO MORGAN, PEGGY MORGAN SPENCER, PATSY MORGAN HARBOUR, TOM MORGAN a partnership, doing business as NOGALES-BISBEE STAGE CO., 424 Grand Avenue, Nogales, Ariz. Applicant's attorney: Robert J. Corber, 1100 Shoreham Building, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers*, in the same vehicle with passengers, between Nogales, Ariz., and Douglas Bisbee International Airport, approximately 9 miles north of Douglas, Ariz., on U.S. Highway 666, from Nogales over Arizona Highway 93 to junction Arizona Highway 82, thence over Arizona Highway 82 to Patagonia, Ariz., thence over Arizona Highway 82 to Sonoita, Ariz., thence over Arizona Highway 82 to junction Arizona Highway 92, thence over Arizona Highway 92 to Sierra Vista, Ariz. (also over U.S. Government roads in the United States Electronic Proving Grounds at Fort Huachuca between the North Gate and the Main Gate of Fort Huachuca to junction Arizona Highway 92 at Sierra Vista), thence over Arizona Highway 92 to junction Arizona Highway 90, thence over Arizona Highway 90 to junction U.S. Highway 80, thence over U.S. Highway 80 to Bisbee, Ariz. (also over Arizona Highway 92 to Palominas and Don Luis, Ariz., thence over unnumbered highways to Naco and Warren, Ariz., thence return over unnumbered highways to San Luis, thence over Arizona Highway 92 to Lowell, Ariz.), thence over U.S. Highway 80 to junction Arizona unnumbered highway, thence over Arizona unnumbered highway to junction U.S. Highway 666, and thence over U.S. Highway 666 to Douglas Bisbee International Airport (also from Bisbee over U.S. Highway 80 to Douglas, Ariz., thence over U.S. Highway 80 to junction U.S. Highway 666, and thence over U.S. Highway 666 to Douglas Bisbee International Airport), and return over the same route, serving all intermediate points.

**NOTE:** Common control may be involved.

**HEARING:** September 27, 1963, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its right to participate, before Examiner James I. Carr.

No. MC 125263, filed April 12, 1963. Applicant: RUSSELL GRAVATH, Chatfield, Minn. Applicant's attorney: John A. McHardy, 238 West Broadway, Plainview, Minn. Authority sought to operate as a *common carrier*, by motor vehicle,

over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers in groups or as individuals, beginning and ending at Rochester, Minn., and extending to points in the United States, including Alaska.

**HEARING:** September 23, 1963, at Room 393, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Wm. N. Culbertson.

No. MC 125330, filed May 2, 1963. Applicant: DOMENICO BUS SERVICE, INC., 764 Boulevard, Bayonne, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, between the site of the General Offices of the Foster Wheeler Corporation at Livingston, N.J., and Brooklyn, N.Y., restricted to the transportation of individuals who are employees of the Foster Wheeler Corporation and members of the Brooklyn Charter Bus Club.

**NOTE:** Applicant states the proposed operations are to be under a continuing contract or contracts with the Brooklyn Charter Bus Club. Common control may be involved.

**HEARING:** September 11, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark 2, N.J., before Joint Board No. 3, or, if the Joint Board waives its right to participate, before Examiner Warren C. White.

#### APPLICATIONS FOR BROKERAGE LICENSES

##### MOTOR CARRIERS OF PASSENGERS

No. MC 12850, filed March 3, 1963. Applicant: VINCENT DiDOMENICO, doing business as DOMENICO TRAVEL BUREAU, 601 Broadway, Bayonne, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. For a license (BMC 5) to engage in operations as a *broker* at Bayonne, N.J., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *Passengers and their baggage*, both as individuals and groups, in round-trip, special and charter all-expense tours, beginning and ending at Bayonne, N.J., and extending to points in the United States, including Alaska and Hawaii.

**HEARING:** September 13, 1963, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark 2, N.J., before Joint Board No. 119, or, if the Joint Board waives its right to participate before Examiner Warren C. White.

##### APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

##### MOTOR CARRIERS OF PROPERTY

No. MC 3009 (Sub-No. 48), filed June 17, 1963. Applicant: WEST BROTHERS, INC., 706 East Pine Street, Hattiesburg, Miss. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Waynesboro, Miss., and Meridian, Miss., from

Waynesboro, over U.S. Highway 45, to Meridian, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

No. MC 29555 (Sub-No. 39), filed June 13, 1963. Applicant: BRIGGS TRANSPORTATION CO., a corporation, 2360 West County Road "C", 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, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Rockford, Ill., and Rochelle, Ill.: From Rockford over U.S. Highway 51 to Rochelle, and return over the same route, serving no intermediate points, or at Rochelle, as an alternate route for operating convenience only, in connection with applicant's regular-route operations; (2) between Albert Lea, Minn., and Austin, Minn.: From Albert Lea over U.S. Highway 16 to Austin, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular-route operations; and (3) between Iowa Falls, Iowa, and junction U.S. Highway 65 and Iowa Highway 64: From Iowa Falls over U.S. Highway 65 to junction of U.S. Highway 65 and Iowa Highway 64, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's regular-route operations.

No. MC 52629 (Sub-No. 55), filed June 20, 1963. Applicant: HUBER & HUBER MOTOR EXPRESS, INC., 970 South Eighth Street, Louisville, Ky. 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 commodities requiring special equipment), between Lexington and Ashland, Ky., from Lexington over U.S. Highway 60 to Ashland, and return over the same route, as an alternate route for operating convenience only, serving no intermediate points.

No. MC 59728 (Sub-No. 10), filed June 13, 1963. Applicant: MORRISON MOTOR FREIGHT, INC., 1100 East Jenkins Boulevard, Akron, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading) from point of departure at the junction Indiana Highways 37 and 100, over Indiana Highway 100 to the junction of Indiana Highway 100 and U.S. Highway 465, and over U.S. Highway 465 to the junction U.S. Highway 465 and U.S. Highway 40, and return over the same route, as an alternate route for operating convenience only, in connection



tion with applicant's regular route operations, serving no intermediate points thereon except as otherwise authorized.

NOTE: Common control may be involved.

No. MC 84511 (Sub-No. 13), filed June 12, 1963. Applicant: COMMERCIAL FREIGHT LINES, INC., 1700 West Ninth Street, Kansas City 1, Mo. Applicant's attorney: Clarence D. Todd, 1825 Jefferson Place NW., Washington 36, 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, household goods, as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), from Des Moines, Iowa, over Interstate Highway 35 to junction U.S. Highway 34, thence over U.S. Highway 34 to Osceola, Iowa, thence over U.S. Highway 69, to Kansas City, Mo., and return over the same route, serving no intermediate points. Note: Applicant states the proposed service is restricted in that it "is to be used solely for the purposes of joinder with applicant's presently authorized service route from Chicago, Ill., to Des Moines, Iowa, and is further restricted to traffic originating at or interchanged at Chicago." Applicant further states that it "now holds authority to serve Kansas City, Mo., and Des Moines, Iowa, from Chicago, Ill., over two separate routes. The purpose of the instant application is to enable applicant to deliver part loads at Des Moines on traffic moving to Kansas City."

No. MC 110525 (Sub-No. 584), filed June 12, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Spent phosphoric acid*, in bulk, in tank vehicles, from Spencerville and Van Wert, Ohio, to Kentland and Remington, Ind.

No. MC 112750 (Sub-No. 147), filed June 17, 1963. Applicant: ARMORED CARRIER CORPORATION, 222-17 Northern Boulevard, Bayside 61, N.Y. Applicant's attorney: John Kevin Murphy, Esq. (same address as applicant). Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Charge sales tickets, cash sales tickets, charge credit sales tickets, refund slips, cash register tapes, application forms and accompanying documents*, between Menlo Park (Middlesex County), N.J., on the one hand, and, on the other, Wilmington, Del., points in Albany, Nassau, and Suffolk Counties, N.Y., and points in Bucks, Delaware, Montgomery, and Philadelphia Counties, Pa.

NOTE: Applicant states that the proposed operation will be for the account of J. C. Penney Company. Also, common control may be involved.

#### MOTOR CARRIERS OF PASSENGERS

No. MC 57678 (Sub-No. 6), filed June 17, 1963. Applicant: PAINTER BUS LINES, INC., 115 East South Street, Uvalde, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415, Perry-

Brooks Building, Austin 1, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, newspapers, and mail*, in the same vehicle with passengers, (1) between Uvalde, Tex., and Del Rio, Tex.: from Uvalde over U.S. Highway 90 to Del Rio, and return over the same route, serving all intermediate points, (2) between Uvalde, Tex., and Pearsall, Tex.: From Uvalde over Farm Road 117 to Batesville, Tex., thence over Texas Highway 76 to junction with Farm Road 140, thence over Farm Road 140 to Pearsall, and return over the same route, serving all intermediate points, and (3) between Batesville, Tex., and La Pryor, Tex.: From Batesville over Texas Highway 76 to La Pryor, and return over the same route, serving all intermediate points.

No. MC 107638 (Sub-No. 1), filed March 18, 1963. Applicant: EVERGREEN TRAILS, INC., 1936 Westlake Avenue, Seattle 1, Wash. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in one way and round trip charter operations, from points in Figaldo Island (Skagit County), Wash., and Whidbey Island (Island County), Wash., to points in the United States, including ports of entry on the international boundary line between the United States and Canada.

NOTE: Common control may be involved.

#### NOTICE OF FILING OF PETITIONS

No. MC 67245, No. MC 67245 (Sub-No. 1TA), No. MC 67245 (Sub-No. 2) (PETITION TO SUBSTITUTE NAME OF CONTRACT SHIPPER IN DOCUMENTS FILED WITH THE INTERSTATE COMMERCE COMMISSION), filed May 20, 1963. Petitioner: L & R TRUCKING CO., INC., 296 Midland Avenue, Saddle Brook, N.J. Petitioner's attorney: Martin D. Cohen, 744 Broad Street, Newark 2, N.J. Petitioner is authorized in MC 67245 to operate as a contract carrier, by motor vehicle, transporting mustard, mustard seed and empty bottles, between New York, N.Y., on the one hand, and, on the other, Garden City, N.Y., and Elizabeth, Hoboken, Newark, New Brunswick, Passaic, Paterson, Perth Amboy, and Weehawken, N.J. Permit No. MC 67245 (Sub-No. 1TA) authorizes the transportation of mustard, in bottles, kegs and barrels, for the account of Charles Gulden, Inc., from Saddle Brook, N.J., to points in Suffolk, Queens, Nassau, and Westchester Counties, N.Y. Proposed operating authority in MC 67245 (Sub-No. 2) covers the transportation of mustard, in containers, from Saddle Brook, N.J., to points in Westchester, Nassau, and Suffolk Counties, N.Y., under a continuing contract with Charles Gulden, Inc., of Saddle Brook. On October 29, 1962, American Home Products Corporation acquired all the outstanding stock of Charles Gulden, Inc. By the instant petition, petitioner requests the substitution of American Home Products Corporation for Charles Gulden, Inc., as the contract shipper. Any person or persons desiring to participate in this proceeding, may, within 30 days from

the date of this publication in the FEDERAL REGISTER, file an appropriate pleading.

#### 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 sections 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

Nos. MC-F-8471 and MC-F-8472 (correction), were published in the June 26, 1963, issue of the FEDERAL REGISTER on page 6621, under the heading "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", whereas it should have been published under the heading "Applications Under Sections 5 and 210a(b)".

No. MC-F-8480. Authority sought for purchase by G & A TRUCK LINE, INC., 404 West Peck Avenue, White Pigeon, Mich., of a portion of the operating rights of HOMER H. JACKSON, doing business as JACKSON TRUCKING COMPANY, Post Office Box 145, Otsego, Mich., and for acquisition by GLENN McNAMARA, also of White Pigeon, Mich., of control of such rights through the purchase. Applicants' attorneys: William P. Sullivan, 1825 Jefferson Place, Washington 6, D.C., and L. F. Richardson, Michigan National Tower, Lansing 8, Mich. Operating rights sought to be transferred: *Paper and paper products, empty steel drums, and supplies*, used by paper mills in the manufacture of paper, as a *contract carrier* over regular routes, between Otsego, Mich., and Aurora, Ill., serving the intermediate point of Joliet, Ill., restricted to traffic moving to or from Otsego, between Otsego, Mich., and Chicago, Ill., serving the intermediate points of South Chicago and Cicero, Ill., restricted to traffic moving to or from Otsego; *corn meal, animal or poultry feeds, rolled oats, and fertilizer*, from Chicago, Ill., to Otsego, Mich., serving the intermediate points of Riverdale, Ill., and Hammond, Ind., restricted to pickup only, and Plainwell, Mich., restricted to delivery only, from Chicago Heights, Ill., to Otsego, Mich., serving the intermediate points of Riverdale, Ill., and Hammond, Ind., restricted to pickup only, and Plainwell, Mich., restricted to delivery only; *paper and paper products, empty steel drums, and supplies* used by paper mills in the manufacture of paper, over irregular routes, between Otsego, Mich., on the one hand, and, on the other, points in Indiana; *farm products*, from Hooper, Mich., to Chicago, Ill.; *paper mill products*, from Otsego, Mich., to points in Ohio; *scrap or waste paper, paper mill rolls, skids, and covers for skids*, from points in Ohio to Otsego, Mich.; *fresh and dried fruits and vegetables*, from Martin, Mich., and points within 15 miles of Martin, to points in Ohio, Indiana, Missouri, Kentucky, and Illinois. Vendee



is authorized to operate as a *contract carrier* in Michigan, Illinois, Indiana, Ohio, Wisconsin, Kentucky, New York, Pennsylvania, Maryland, and Missouri. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8481. Authority sought for purchase by CHANEY TRANSPORTATION COMPANY, 23 Howard Street, Cumberland, Md., of the operating rights of ERNEST KEIM, Salisbury, Pa., and for acquisition by EARL D. CHANEY, also of Cumberland, Md., of control of such rights through the purchase. Applicants' representative: Donald E. Freeman, 172 East Green Street, Westminster, Md. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except high explosives, livestock, household goods (when transported as a separate and distinct service in connection with so-called "household movings"), commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier* over a regular route, between Salisbury, Pa., and Cumberland, Md., serving all intermediate points in Pennsylvania, and off-route points in Pennsylvania within 8 miles of Salisbury. Vendee is authorized to operate as a *common carrier* in Maryland, West Virginia, Pennsylvania, New Jersey, New York, Virginia, South Carolina, Delaware, North Carolina, Connecticut, Massachusetts, Rhode Island, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8483. Authority sought for purchase by LAKE SHORE DELIVERY, INC., 219 Brigham Road, Dunkirk, N.Y., of the operating rights of WALDE PETERSON, INC., Allen Street Extension, Jamestown, N.Y., and for acquisition by JOHN W. COOGAN, 417 Temple Street, Dunkirk, N.Y., of control of such rights through the purchase. Applicants' attorneys: Johnson, Peterson, Tener, & Anderson, Bank of Jamestown Building, Jamestown, N.Y. 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 Jamestown, N.Y., and Buffalo, N.Y., between Jamestown, N.Y., and Dunkirk, N.Y., between Jamestown, N.Y., and Irving, N.Y., between Jamestown, N.Y., and Barcelona, N.Y., serving all intermediate points, between Fredonia, N.Y., and Bradford, Pa., serving no intermediate points, between Fredonia, N.Y., and Warren, Pa., serving the off-route point of Corry, Pa., between Buffalo, N.Y., and Lewis Run, Pa., serving the intermediate point of Bradford, Pa.; *vener and plywood*, over irregular routes, from Jamestown, Falconer, and Celeron, N.Y., to Warren, Pa.; *household goods*, between points in Chautauqua, Cattaraugus, and Erie Counties, N.Y., on the one hand, and, on the other, points in Ohio and Pennsylvania; *such commodities*, as require specialized handling or rigging because of weight or bulk, between points in Chautauqua County, N.Y., on the one hand, and, on the other, points in Pennsylvania and

Ohio within 150 miles of City Hall, Jamestown, N.Y.; *theatrical properties*, between points in Chautauqua, Cattaraugus, and Erie Counties, N.Y., on the one hand, and, on the other, points in New York, Ohio, and Pennsylvania; *new furniture, metal doors, door frames, door jams, window frames, and interior trimmings*, from points in Chautauqua and Cattaraugus Counties, N.Y., to points in Pennsylvania, and Ohio; and *rejected or returnable new furniture, metal doors, door frames, door jams, window frames, and interior trimmings*, from points in Pennsylvania and Ohio to points in Chautauqua and Cattaraugus Counties, N.Y. Vendee is authorized to operate as a *common carrier* in New York, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8484. Authority sought for purchase by LLOYD H. BOWSER AND STELLA CAMPBELL, doing business as BOWSER AND CAMPBELL, Petrolia St., Knox, Pa., of a portion of the operating rights of MOTORWAY CORPORATION, 131 Matzinger Road, Toledo, 12, Ohio. Applicants' attorney: Wilhelmina Boersma, 2850 Penobscot Building, Detroit 26, Mich. Operating rights sought to be transferred: *Glass containers and caps, covers, disks or tops* therefor, as a *common carrier* over irregular routes, from Gas City, Ind., to points in that part of New York on and south of New York Highway 13 from Port Ontario to Pulaski, N.Y., and on and west of U.S. Highway 1 from Pulaski, N.Y., to the New York/Pennsylvania State line; *glass containers, caps, covers, disks and tops, and fibreboard boxes*, corrugated or knocked down flat, from Gas City, Ind., to points in Pennsylvania; *glass containers, glass bottles and glass jars*, with or without caps, covers, tops or stoppers, *glassware*, other than cut, caps, covers and tops for glass containers, and *boxes and containers*, wooden or corrugated paper, set up or knocked down, from points in Clarion, Forest, Armstrong, Venango and Warren Counties, Pa., to points in Ohio, West Virginia, Kentucky, Indiana, Illinois, the lower peninsula of Michigan, St. Louis County, Mo., and St. Louis, Mo.; *machinery, equipment, materials, and supplies*, used or useful in the manufacture of the commodities specified next above, from points in Ohio, West Virginia, Kentucky, Indiana, Illinois, the lower peninsula of Michigan, St. Louis County, Mo., and St. Louis, Mo., to points in Clarion, Forest, Armstrong, Venango and Warren Counties, Pa.; *glass bottles, glass jars, and caps, covers, disks and tops* therefor, and *fibreboard boxes*, from Gas City, Ind., to that part of New York north of New York Highway 13 from Port Ontario to Pulaski, N.Y., and east of U.S. Highway 11 from Pulaski, N.Y., to the New York/Pennsylvania State line; *glass blocks and materials* used in the installation thereof, from Muncie, Ind., to points in Pennsylvania and New York; *fresh fruit*, from points in Ohio, to points in Monroe and Orleans County, N.Y.; *canned and preserved foodstuffs*, from Hamlin and Hilton, N.Y. to points in Ohio; *canned goods, frozen foods and fruits, vinegar stock and fresh fruits and*

*vegetables*, from points in Erie, Niagara, and Orleans Counties, N.Y., to points in Ohio; *cereal preparations*, dry, from Hamlin, Hilton, and Holley, N.Y., to points in Ohio; *fertilizer and fertilizer compounds*, except when moving in bulk, in tank vehicles, from Sandusky, Ohio, to points in Allegany, Cattaraugus, Chautauqua, Erie, Genesee, Livingston, Monroe, Orleans, Niagara, and Wyoming Counties, N.Y.; and *soup mixes*, dehydrated, from Albion, N.Y., to points in Ohio. Vendee is authorized to operate as a *contract carrier* in Pennsylvania, Ohio, West Virginia, and New York. Application has been filed for temporary authority under section 210a(b).

NOTE: No. MC-125469 is a matter directly related.

No. MC-F-8485. Authority sought for purchase by GLOSSON MOTOR LINES, INC., Route 9, Box 11-A, Hargrave Road, Lexington, N.C., of the operating rights of FOBER FREIGHT LINES, INC., 2 Kimball Street, Chicopee, Mass., and for acquisition by J. C. GLOSSON, Route 5, Lexington, N.C., of control of such rights through the purchase. Applicants' attorneys: James E. Wilson, 1111 E Street NW., Washington, D.C., and Reubin Kaminsky, 410 Asylum Street, Hartford, 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 Dover, N.H., and Hartford, Conn., and Haverhill, Mass., between certain points in Massachusetts, between Seabrook, N.H., and Providence, R.I., between Taunton, Mass., and Providence, R.I., serving all intermediate points; *baker's ovens*, knocked down, over irregular routes, between Newburyport, Mass., on the one hand, and, on the other, points in New Hampshire, Rhode Island, Connecticut, and New York; *clothing and athletic goods*, between Lawrence, Mass., on the one hand, and, on the other, points in New Hampshire, Rhode Island, Connecticut, and New York; *textile mills supplies*, between Andover, Methuen, Lowell, Haverhill, North Andover and Lawrence, Mass., on the one hand, and, on the other, Franklin, N.H., Peacedale, R.I., and Rockville, Conn. In addition to the operating rights described above, GLOSSON MOTOR LINES, INC., wishes to purchase the operating rights which FOBER FREIGHT LINES, INC., proposes to purchase in pending MC-F-8035 (FOBER FREIGHT LINES, INC.—PURCHASE (PORTION)—H & B FREIGHTWAYS, INC. (JOHN H. FRICK, TRUSTEE), which operations are presently being conducted under temporary authority, as more specifically described in the January 10, 1962, issue of the FEDERAL REGISTER, on page 286. Vendee is authorized to operate as a *common carrier* in Virginia, North Carolina, New York, Maryland, Pennsylvania, New Jersey, Delaware, Tennessee, South Carolina, Georgia, Florida, Kentucky, Ohio, Massachusetts, Rhode Island, Connecticut, Maine, New Hampshire, Vermont, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).



No. MC-F-8486. Authority sought for continuance in control by BASILIO CINNERA, 1906 Southeast 10th, Portland, Oreg., of P & A REFRIGERATED EXPRESS, INC., 1011 Southeast Salmon Street, Portland 14, Oreg. Applicants' attorney: George R. LaBissoniere, 333 Central Building, Seattle 4, Wash. Operating rights sought to be controlled: *Fresh dressed lambs, as a common carrier over irregular routes, from Portland, Oreg., Nampa, Idaho, and Spokane, Wash., to points in Massachusetts, Maryland, Pennsylvania, New York, New Jersey, Connecticut, Rhode Island, and the District of Columbia.* BASILIO CINNERA holds no authority from this Commission. However, he controls HOME TRANSFER & STORAGE CO., 1906 Southeast 10th Avenue, Portland, Oreg., which is authorized to operate as a *common carrier* in Oregon, Washington, Idaho, and California. Application has not been filed for temporary authority under section 210a(b).

#### MOTOR CARRIER OF PASSENGERS

No. MC-F-8482. Authority sought for control by PROVINCIAL TRANSPORT COMPANY, 1188 Dorchester Boulevard, West, Montreal 2, Province of Quebec, Canada, of LA CIE d'AUTOBUS ET DE CAMIONNAGE d'ABITIBI LIMITEE, which corporate name has been changed to ABITIBI PROVINCIAL INC., Post Office Box 608, Val d'Or, Province of Quebec, Canada, and for acquisition by TRANSPORTATION INVESTMENTS LIMITED, also of Montreal 2, Province of Quebec, Canada, of control of LA CIE d'AUTOBUS ET DE CAMIONNAGE d'ABITIBI LIMITEE, through the acquisition by PROVINCIAL TRANSPORT COMPANY. Applicants' attorney: Anthony C. Vance, 2001 Massachusetts Avenue NW., Washington 6, D.C. Operating rights sought to be controlled: Authority applied for in Docket No. MC-124911, covering the transportation of *passengers and their baggage, as a common carrier over irregular routes, in round-trip charter operations, beginning and ending at the Ports of Entry on the International Boundary Line between the United States and Canada, in Maine, New Hampshire, Michigan, Minnesota, and New York, except Rouses Point, Trout River, and Champlain, N.Y., and extending to points in the United States, except Alaska and Hawaii.* PROVINCIAL TRANSPORT COMPANY is authorized to operate as a *common carrier* in Connecticut, Maine, Massachusetts, New Hampshire, New York, Rhode Island, and Vermont. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 63-7013; Filed, July 2, 1963;  
8:54 a.m.]

[Notice No. 542]

#### MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JUNE 28, 1963.

The following publications are governed by the Interstate Commerce Com-

mission'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 prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

#### APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

##### MOTOR CARRIERS OF PROPERTY

*Special rules.* The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

##### *Special rules of procedure for hearing.*

(1) All of the testimony to be adduced by applicant's company witness shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statements as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will at the time of offer, be subject to the same rules as if the evidence was produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 30844 (Sub-No. 106) (AMENDMENT), filed May 10, 1963, published FEDERAL REGISTER issue May 29, 1963, amended June 17, 1963, and republished as amended this issue. Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and meat products*, from Wahoo, Nebr., and Council Bluffs, Iowa, to points in Colorado, Connecticut, Delaware, Kansas, Illinois, Indiana, Maine, Maryland, Massachusetts, Michigan, Missouri, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Texas, Vermont, Virginia, West Virginia, and the District of Columbia.

NOTE: The purpose of this republication is to include the destination state of West Virginia, as shown above, which applicant inadvertently omitted from the application.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 94265 (Sub-No. 105), filed May 16, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat byproducts, and articles distributed by meat packing houses*, as described in Sections A and C of Appendix I, *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, from points in Saunders County, Nebr., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, North Carolina, Pennsylvania, Rhode Island, Virginia, West Virginia, and the District of Columbia.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 111812 (Sub-No. 208), filed June 7, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., Wilson Terminal Building, Post Office Box 747, Sioux Falls, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat by-products*, as defined by the Commission in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Wahoo, Nebr., to points in California, Delaware, Maryland, Massachusetts, New Jersey, New York, Ohio, Oregon, Pennsylvania, Rhode Island, and the District of Columbia.

NOTE: Common control may be involved.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

No. MC 119741 (Sub-No. 4), filed June 17, 1963. Applicant: KIM FREIGHT LINES, INC., 4234 South Emerald Avenue, Chicago 9, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products and meat byproducts, and commodities used by packinghouses*, as defined by the Commission, between Wahoo, Nebr., on the one hand, and, on the other, Chicago, Highwood, Hoopeston, North Chicago and Rantoul, Ill.

HEARING: September 4, 1963, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Edith H. Cockrill.

By the Commission.

[SEAL] HAROLD D. McCoy,  
Secretary.

[F.R. Doc. 63-7014; Filed, July 2, 1963;  
8:55 a.m.]

[Notice No. 827]

#### MOTOR CARRIER TRANSFER PROCEEDINGS

JUNE 28, 1963.

Synopses of orders entered pursuant to section 212(b) of the Interstate Com-



merce Act, and rules and regulations prescribed thereunder (49 CFR Part 179), appear below:

As provided in the Commission's general rules of practice any interested person may file a petition seeking reconsideration of the following numbered proceedings within 30 days from the date of service of the order. Pursuant to section 17(8) of the Interstate Commerce Act, the filing of such a petition will postpone the effective date of the order in that proceeding pending its disposition. The matters relied upon by petitioners must be specified in their petitions with particularity.

No. MC-FC 65548. By order of June 20, 1963, Division 3, Acting as an Appellate Division, approved the transfer to Midwest Coaches, Inc., Mankato, Minn.; of a portion of the operating rights in certificate in No. MC 58084 (Sub-No. 2), issued January 8, 1948, to Sioux Lines, Inc., Sioux City, Iowa; authorizing the transportation of: Passengers and their baggage, and express, mail and newspapers in the same vehicle with passengers, over regular routes, between Le Mars, Iowa, and Spirit Lake, Iowa; serving all intermediate points. D. C. Nolan, 405 Iowa State Bank Building, Iowa City, Iowa, attorney for transferee.

No. MC-FC 65640. By order of June 19, 1963, Division 3, Acting as an Appellate Division, approved the transfer to Jack's Delivery Service, Inc., Greenwich, Conn., of Certificates in Nos. MC 7903, MC 7903 (Sub No. 1) and MC 7903 (Sub No. 2), issued March 28, 1942, May 22, 1950 and May 7, 1952, respectively, to The Henry G. Drinkwater's Sons, Inc., Greenwich, Conn., authorizing the transportation of: Ball and roller bearings, with jackets, from points in the New York, N.Y. Commercial Zone, to Glenbrook, Conn., wines and liquors, from points in the New York, N.Y. Commercial Zone, to Greenwich, Darien, and South Norwalk, Conn., flowers and plants, from Greenwich and Stamford, Conn., to New York, N.Y., Jersey City, N.J. and points in Westchester County, N.Y., and

those in Massachusetts on and west of U.S. Highway 5; books, magazines, and catalogs, from Greenwich, Conn., to points in the New York, N.Y. Commercial Zone, general commodities, with exceptions, between Greenwich, Conn., on the one hand, and on the other, points within 10 miles of Greenwich; baggage, between Greenwich, Conn., and points within 10 miles of Greenwich, on the one hand, and, on the other, Harmon, N.Y., and points in the New York, N.Y. Commercial Zone; new furniture and household utensils, between New York, N.Y., on the one hand, and on the other, points in Fairfield County, Conn.; household goods, as defined by the Commission, between Greenwich, Conn., and points in Connecticut and New York within 30 miles of Greenwich, Conn., on the one hand, and, on the other, points in Maine, Massachusetts, Vermont, New Hampshire, New York, New Jersey, Pennsylvania, Rhode Island, Maryland, Delaware, Virginia, and the District of Columbia; household goods, as defined by the Commission, from New York, N.Y., and Greenwich, Conn., and points in New York and Connecticut within 15 miles of Greenwich, to points in Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Maine, Vermont, Pennsylvania, Virginia, New Hampshire, Maryland, Delaware, and the District of Columbia; from points in Massachusetts, Rhode Island, New York, New Jersey, Maine, Vermont, New Hampshire, Pennsylvania, Maryland, Delaware, Virginia, and the District of Columbia, to points in Connecticut; between Greenwich, Conn., on the one hand, and, on the other, points in Fairfield County, Conn. John E. Fay, Litchfield Lane, New Hartford, Conn., representative for applicants.

No. MC-FC 65711. By order of June 20, 1963, Division 3, Acting as an Appellate Division, approved the transfer to Iowa Coaches, Incorporated, Dubuque, Iowa; of a portion of the operating rights described in certificate in No. MC 58084 (Sub-No. 2), and the entire operating

rights in certificate in No. MC 58084 (Sub-No. 4), issued January 8, 1948, and October 8, 1948, respectively, to Sioux Lines, Inc., Sioux City, Iowa; authorizing the transportation of: Passengers and their baggage, and express, mail and newspapers in the same vehicle with passengers, over regular routes, between Sioux City, Iowa and Le Mars, Iowa; and between Le Mars, Iowa, and Storm Lake, Iowa; and between Storm Lake, Iowa; and Fort Dodge, Iowa. M. M. Cooney, 705 Roshek Building, Dubuque, Iowa; attorney for transferee.

[SEAL]

HAROLD D. MCCOY,  
Secretary.[F.R. Doc. 63-7015; Filed, July 2, 1963;  
8:55 a.m.]

#### FOURTH SECTION APPLICATION FOR RELIEF

JUNE 28, 1963.

Protests to the granting of an application must be prepared in accordance with Rule 1.40 of the general rules of practice (49 CFR 1.40) and filed within 15 days from the date of publication of this notice in the FEDERAL REGISTER.

#### LONG-AND-SHORT HAUL

FSA No. 38403: *Crushed brick or brickbats from and to Farber and Wellsville, Mo.* Filed by Southwestern Freight Bureau, agent (No. B-8412), for interested rail carriers. Rates on crushed brick or brickbats, in carloads, between Farber and Wellsville, Mo., on the one hand, and points in Arkansas, Kansas and Oklahoma, on the other.

Grounds for relief: Market competition.

Tariff: Supplement 207 to Southwestern Freight Bureau, agent, tariff I.C.C. 4319.

By the Commission.

[SEAL]

HAROLD D. MCCOY,  
Secretary.[F.R. Doc. 63-7009; Filed, July 2, 1963;  
8:53 a.m.]



## CUMULATIVE CODIFICATION GUIDE—JULY

The following numerical guide is a list of the parts of each title of the Code of Federal Regulations affected by documents published to date during July.

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