



FEDERAL REGISTER

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of State

Effective upon publication in the FEDERAL REGISTER, subparagraph (5) is added to paragraph (b) of § 213.3304 as set out below.

§ 213.3304 Department of State.

(b) Bureau of Security and Consular Affairs. * * *

(5) Deputy Administrator.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 63-12375; Filed, Nov. 27, 1963; 8:52 a.m.]

PART 213—EXCEPTED SERVICE

Peace Corps

Effective upon publication in the FEDERAL REGISTER, paragraph (w) is added to § 213.3360 as set out below.

§ 213.3360 Peace Corps.

(w) The Director, Division of Evaluation, Office of Planning and Evaluation.

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 63-12374; Filed, Nov. 27, 1963; 8:51 a.m.]

Title 7—AGRICULTURE

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

PART 724—TOBACCO

Subpart—Announcement and Apportionment of the National Marketing Quota for Flue-Cured Tobacco for the 1964-65 Marketing Year

§ 724.18 Basis and purpose.

(a) Sections 724.18 and 724.19 are issued (1) to determine the reserve sup-

ply level and the total supply of flue-cured tobacco for the marketing year beginning July 1, 1963; (2) to announce the amount of the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1964; and (3) to apportion such national marketing quota among the several States. The determinations by the Secretary contained in § 724.19 have been made on the basis of the latest available statistics of the Federal Government, and after due consideration of data, views, and recommendations received from flue-cured tobacco producers and others as provided in a notice (28 F.R. 10214) given in accordance with the Administrative Procedure Act (5 U.S.C. 1003).

(b) Since flue-cured tobacco farmers are now making their plans for 1964 flue-cured tobacco production and need to know the 1964 flue-cured tobacco acreage allotments for their farms at the earliest date possible, it is hereby found that compliance with the 30-day effective date provision of the Administrative Procedure Act is impracticable and contrary to the public interest. Therefore, the announcement and apportionment of the national marketing quota for flue-cured tobacco for the 1964-65 marketing year contained herein shall become effective upon the date of filing with the Director, Office of the Federal Register.

§ 724.19 Determinations with respect to the national marketing quota for flue-cured tobacco for the marketing year beginning July 1, 1964.

(a) *Reserve supply level.*¹ The reserve supply level for flue-cured tobacco for the marketing year beginning July 1, 1963, is 3,231.2 million pounds, calculated, as provided in the Agricultural Adjustment Act of 1938, as amended (7 U.S.C. 1281 et seq.), hereinafter referred to as the Act, from a normal year's domestic consumption of 825.0 million pounds and a normal year's exports of 490.0 million pounds.

(b) *Total supply.*¹ The total supply of flue-cured tobacco for the marketing year beginning July 1, 1963, is 3,610.7 million pounds, consisting of carryover of 2,281.6 million pounds and estimated 1963 production of 1,329.1 million pounds.

(c) *Carryover.*¹ The estimated carryover of flue-cured tobacco at the beginning of the marketing year for such tobacco beginning July 1, 1964, is 2,293.9 million pounds, calculated by subtracting the estimated disappearance for the marketing year beginning July 1, 1963, of 1,316.8 million pounds from the total supply of such tobacco.

(d) *National marketing quota.*¹ The amount of flue-cured tobacco which will make available during the marketing year beginning July 1, 1964, a supply of flue-cured tobacco equal to the reserve supply level of such tobacco is 937.3 million pounds, and a national marketing

¹ Rounded to the nearest tenth of a million pounds, except for increase pursuant to Section 313(e) of the Act.

quota of such amount is hereby announced. It is determined, however, that a national marketing quota in the amount of 937.3 million pounds would result in undue restrictions of marketings during the 1964-65 marketing year and such amount is hereby increased by 20 percent to 1,124.8 million pounds. The national marketing quota as so increased is further increased by 197,830 pounds pursuant to Section 313(e) of the Act relating to minimum flue-cured tobacco State marketing quotas. Therefore, the amount of the national marketing quota for flue-cured tobacco in terms of the total quantity of such tobacco which may be marketed during the marketing year beginning July 1, 1964, is 1,124,997,830 pounds.

(e) *Apportionment of the quota.* The national marketing quota is hereby apportioned among the several States pursuant to section 313(a) of the Act and converted into State acreage allotments in accordance with section 313(g) of the Act as follows:

State:	Acreage allotment
Alabama ¹	500.00
Florida	13,586.02
Georgia	64,912.49
North Carolina.....	421,092.74
South Carolina.....	74,128.45
Virginia.....	64,041.95
Reserve ²	1,599.54

¹ Increased to 500 acres pursuant to section 313(e) of the Act.

² Acreage reserved for establishing allotments for new farms.

(Secs. 301, 312, 313, 375, 52 Stat. 38, 46, 47, 66, as amended; 7 U.S.C. 1301, 1312, 1313, 1375)

Effective date: Date of filing with the Director, Office of the Federal Register.

Signed at Washington, D.C., on November 26, 1963.

CHARLES S. MURPHY,
Acting Secretary.

[F.R. Doc. 63-12454; Filed, Nov. 27, 1963; 8:55 a.m.]

Chapter IX—Agricultural Marketing Service (Marketing Agreements and Orders; Fruits, Vegetables, Tree Nuts), Department of Agriculture

PART 929—CRANBERRIES

Findings and Determinations Relative to Decreased Expenses To Be Incurred and Fixing of Lower Rate of Assessment for 1963-64 Fiscal Period

Pursuant to the marketing agreement and Order No. 929 (7 CFR Part 929), regulating the handling of cranberries grown in the States of Massachusetts, Rhode Island, Connecticut, New Jersey, Wisconsin, Michigan, Minnesota, Oregon, Washington, and Long Island in the State of New York, effective under the

applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon an analysis by the Cranberry Marketing Committee, established pursuant to aforesaid marketing agreement and order, it is hereby found that (1) the expenses to be incurred by the Cranberry Marketing Committee will be curtailed to an amount less than the amount previously established (28 F.R. 10634); and (2) the assessable revenue collectable at the rate previously fixed (28 F.R. 10634) will be in excess of the amount needed to meet the curtailed expenses of the Cranberry Marketing Committee. *It is, therefore, ordered*, That the provisions of § 929.203 Expenses and rate of assessment for the 1963-64 fiscal period (28 F.R. 10634) be, and hereby are, amended to read as follows:

§ 929.203 Expenses and rate of assessment for the 1963-64 fiscal period.

(a) *Expenses.* The reasonable expenses to be incurred by the Cranberry Marketing Committee, established pursuant to the provisions of the marketing agreement and Order No. 929, for its maintenance and functioning during the fiscal period ending July 31, 1964, will amount to \$29,000.

(b) *Rate of assessment.* The rate of assessment to be paid by each handler who first handles cranberries shall be two cents (\$0.02) per barrel of cranberries, or an equivalent quantity of cranberries, handled by him as the first handler thereof during the said fiscal period.

It is hereby further found that it is impracticable, unnecessary, and contrary to the public interest to give preliminary notice, engage in public rule making procedure and good cause exists for not postponing the effective time of this action until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that: (1) The relevant provisions of said marketing agreement and this part require that the rate of assessment, including an amended rate of assessment, fixed for a particular fiscal period shall be applicable to all assessable cranberries from the beginning of such year; (2) the current fiscal period began on August 1, 1963, and the amended rate of assessment herein fixed will automatically apply to all assessable cranberries beginning with such date; and (3) this amendment relieves restrictions on the handling of cranberries.

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

Dated: November 21, 1963.

FLOYD F. HEDLUND,
Director, Fruit and Vegetable
Division, Agricultural Market-
ing Service.

[F.R. Doc. 63-12371; Filed, Nov. 27, 1963;
8:51 a.m.]

Title 21—FOOD AND DRUGS

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

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 19—CHEESES; PROCESSED CHEESES; CHEESE FOODS; CHEESE SPREADS, AND RELATED FOODS; DEFINITIONS AND STANDARDS OF IDENTITY

Grated American Cheese Food; Order Amending Standard of Identity

In the matter of amending the standard of identity for grated American cheese food (1) by changing the basis and the minimum percentage, as set out in § 19.790(a)(2), for prescribing the milk fat requirement from 28 percent on the dry solids basis to 23 percent on the over-all weight of the finished food; and (2) by changing the listing of optional ingredients as set out in § 19.790(c) to include dried whey and those emulsifying ingredients and acidifying ingredients permitted by § 19.765(e)(1) and (2) to be used in pasteurized process cheese food.

No comments were received in response to the notice of proposed rulemaking in the above-identified matter published in the FEDERAL REGISTER of September 6, 1963 (28 F.R. 9788). On the basis of the relevant information available, it is concluded that it will promote honesty and fair dealing in the interest of consumers to adopt the amendments proposed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (25 F.R. 8625): *It is ordered*, That the standard of identity for grated American cheese food be amended by changing paragraphs (a)(2), (c), and (d)(1) to read as follows:

§ 19.790 Grated American cheese food; identity; label statement of optional ingredients.

(a) * * *
(2) Grated American cheese food contains not less than 23 percent of milk fat, as determined by the methods prescribed in § 19.500(c).

(c) The other optional ingredients referred to in paragraph (a) of this section are:

- (1) Notfat dry milk.
- (2) Dried whey.
- (3) An emulsifying agent consisting of one or any mixture of two or more of the emulsifying ingredients named in § 19.765(e)(1), in such quantity that the weight of the solids thereof is not more than 3 percent of the weight of the grated American cheese food.

(4) An acidifying agent consisting of one or more of the acid-reacting ingredients named in § 19.765(e)(2).

(5) Salt.

(6) Artificial coloring.

(d)(1) The label of grated American cheese food shall bear the common name of the optional ingredients used as prescribed in paragraphs (b) and (c) (1), (2), (3), (4), and (5) of this section, except that the cheese ingredient may be designated as "American cheese."

Any person who will be adversely affected by the foregoing order may within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing, and such objections must be supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall become effective 60 days from the date of its publication in the FEDERAL REGISTER, and, simultaneously, the stay of the effective date of the definition and standard of identity for grated American cheese food (22 F.R. 7785) shall end: *Provided, however*, That if objections are filed to the amendments hereby ordered then the stay of the effective date of the entire regulation establishing the standard of identity for grated American cheese food shall remain in effect. Notice of the filing of objections or lack thereof will be announced by publication in the FEDERAL REGISTER.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended 70 Stat. 919, 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12362; Filed, Nov. 27, 1963;
8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart C—Food Additives Permitted in Animal Feed or Animal-Feed Supplements

Subpart D—Food Additives Permitted in Food for Human Consumption

FURAZOLIDONE

1. The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 1118) filed by Hess and Clark, Division of Richardson-

Merrell Inc., Ashland, Ohio, and other relevant data, has concluded that the food additive regulations should be amended to provide the conditions under which furazolidone may be safely used in swine feed. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Part 121 is amended by adding to Subpart C the following new section:

§ 121.255 Furazolidone.

Furazolidone may be safely used in animal feed when incorporated therein in accordance with the following conditions:

(a) The additive is the chemical 3-(5-nitrofurfurylideneamino) - 2 - oxazolidinone, C₈H₈N₂O₆.

(b) Permitted uses of furazolidone alone and with certain other additives are described in tabular form in this section, and these tables are to be read as follows:

(1) The numbered line items establish the required limitations and indications for use of the principal ingredient as the medicament alone or with an additional

ingredient added for increased effectiveness.

(2) The lettered line items establish the required limitations and indications for use of secondary ingredients that may be added to the indicated principal ingredient. Where principal and secondary ingredients have been mixed, the applicable limitations and indications for use from both the numbered items and lettered items apply. If duplicate limitations occur, these may be appropriately combined.

(3) Permitted combinations of principal ingredient and secondary ingredients are individually listed. Unless specifically provided for by the regulations, the principal ingredient may not be mixed with two or more secondary ingredients.

(4) Where cross-references specify a particular table and item number of another section, use of only the principal ingredient of the numbered item is authorized thereby.

(5) The term "principal ingredient" as used in this section refers to the additive named in the title of this section, and is not intended to imply that the ingredient if of greater value than any other additive named in this section.

(c) It is used or intended for use in feed, as follows:

FURAZOLIDONE IN ANIMAL FEED

Principal ingredient	G. per ton	Combined with—	Gm. per ton	Limitations	Indications for use
1. Furazolidone	150 (0.0165%)	-----	-----	For sows: feed 1 week before farrowing and 2 weeks after farrowing.	Prevention of bacterial scours in baby pigs; growth promotion while on medication.
2. Furazolidone	100-200 (0.011%—0.022%)	-----	-----	For swine, as follows: 100 gm. per ton for 5 weeks or 150 gm. per ton for 3 weeks; or 200 gm. per ton for 2 weeks.	Prevention of bacterial enteritis (necrotic enteritis, necro) and vibronic (bloody) dysentery; growth promotion while on medication.
3. Furazolidone	300 (0.033%)	-----	-----	For swine; feed 10-14 days.	Treatment of bacterial enteritis (necrotic enteritis, necro) and vibronic (bloody) dysentery, while on medication; growth promotion while on medication.

(d) To assure safe use, the label and labeling of the additive or any premix or final feed shall contain, in addition to the other information required by the act, the following:

(1) The name of the additive or additives.

(2) A statement of the quantity or quantities contained therein.

(3) Adequate directions and warnings for use.

2. Based upon the data before him and proceeding under the authority of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(4), 72 Stat. 1786; 21 U.S.C. 348(c)(4)), the Commissioner of Food and Drugs has further concluded that where swine have received furazolidone-containing feed in accordance with § 121.255 a tolerance limitation is required in order to assure that the edible tissues of swine are safe for human food. Therefore, pursuant to the above-referenced provisions of the Federal Food, Drug, and Cosmetic Act, and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), Subpart D of the food additive regulations is amended by adding thereto the following new section:

§ 121.2582 Furazolidone.

A tolerance of zero is established for residues of furazolidone in the edible portions of swine after slaughter.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), (4), 72 Stat. 1786; 21 U.S.C. 348(c)(1), (4))

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12363; Filed, Nov. 27, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

LACTONES

The Commissioner of Food and Drugs, having evaluated data in a petition (FAP 1147) filed by Lever Brothers Company, 390 Park Avenue, New York 22, New York, and other relevant material, has concluded that a regulation should issue to prescribe the safe use of Δ-decalactone and Δ-dodecalactone as flavoring agents in margarine. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart D the following new section:

§ 121.1144 Lactones.

The food additives Δ-decalactone and Δ-dodecalactone may be used as artificial flavoring agents in margarine when such use is prescribed by an effective temporary permit issued under § 10.5 of this chapter.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 19, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12364; Filed, Nov. 27, 1963; 8:49 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

ADHESIVES

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by:

E. I. du Pont de Nemours and Company, Inc., Wilmington 98, Delaware (FAP 1200); Eastman Chemical Products, Inc., Kingsport, Tennessee (FAP 1194); Rubber Corporation of America, New South Road, Hicksville, New York (FAP 1204); and Union Carbide Corporation, Post Office Box 65, Tarrytown, New York (FAP 1172)

and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of additional substances in food-packaging adhesives. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), paragraph (c)(5) of § 121.2520 *Adhesives* is amended by inserting alphabetically in the list "Components of Adhesive" the following new items:

Dibutyltin dilaurate for use only as a catalyst for polyurethane resins.
Sodium diisopropyl- and triisopropyl-naphthalenesulfonate.
Tin oleate for use only as a catalyst for polyurethane resins.
2,2,4 - Trimethylpentanediol - 1,3 - diisobutyrate.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12365; Filed, Nov. 27, 1963; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RUBBER ARTICLES INTENDED FOR REPEATED USE

The Commissioner of Food and Drugs, having evaluated the data submitted in petitions filed by The B. F. Goodrich Company, 500 South Main Street, Akron 18, Ohio (FAP 1191), and The Goodyear Tire and Rubber Company, Akron 16, Ohio (FAP 1154), and other relevant material, has concluded that § 121.2562 (28 F.R. 969, 1222, 6498, 7220) of the food additive regulations should be amended to provide for the use of additional substances in the manufacture of rubber articles intended for repeated use in contact with food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), paragraph (c)(4) of § 121.2562 *Rubber articles intended for repeated use* is amended as follows:

1. By inserting alphabetically in subdivision (i) the following new items:

Butadiene-acrylonitrile-methacrylic acid copolymer.
Butadiene-styrene-methacrylic acid copolymer.

2. By inserting alphabetically in subdivision (iii) the following new items:

Alkylated (C₆ and/or C₈) phenols.
Butylated, styrenated cresols.
Diaryl-*p*-phenylenediamine, where the aryl group may be phenyl, tolyl, or xylyl.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12367; Filed, Nov. 27, 1963; 8:51 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

RESINOUS AND POLYMERIC COATINGS FOR POLYOLEFIN FILMS

The Commissioner of Food and Drugs, having evaluated the data submitted in a petition (FAP 1134) filed by Eastman Chemical Products, Inc., Kingsport, Tennessee, and other relevant material, has concluded that the food additive regulations (21 CFR 121.2569; 28 F.R. 4183) should be amended to provide for the use of sodium dioctyl sulfosuccinate as an adjuvant in resinous and polymeric food-contact coatings for polyolefin films. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), paragraph (b)(3)(iii) of § 121.2569 *Resinous and polymeric coatings for polyolefin films* is amended by inserting alphabetically therein the following new item:

Sodium dioctyl sulfosuccinate.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12366; Filed, Nov. 27, 1963; 8:50 a.m.]

PART 121—FOOD ADDITIVES

Subpart F—Food Additives Resulting From Contact With Containers or Equipment and Food Additives Otherwise Affecting Food

1,1,2,2-TETRACHLOROETHYLENE

The Commissioner of Food and Drugs, having evaluated the data submitted

in a petition (FAP 1173) filed by Syracuse University Research Corporation, 1075 Comstock Avenue, Syracuse 10, New York, and other relevant material, has concluded that the food additive regulations should be amended to provide for the use of 1,1,2,2-tetrachloroethylene in the manufacture of foamed polystyrene intended for use in contact with certain types of dry and aqueous food. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)) and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (25 F.R. 8625), the food additive regulations (21 CFR Part 121) are amended by adding to Subpart F the following new section:

§ 121.2583 1,1,2,2-Tetrachloroethylene.

1,1,2,2-Tetrachloroethylene may be safely used in the manufacture of foamed polystyrene intended for use in contact with food only of the types identified in § 121.2526(c), table 1, under categories I, II, VI, and VIII, provided that the finished foamed polystyrene does not contain more than 0.3 percent by weight of 1,1,2,2-tetrachloroethylene.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington 25, D.C., written objections thereto. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify

the relief sought. Objections may be accompanied by a memorandum or brief in support thereof. All documents shall be filed in quintuplicate.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: November 20, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12368; Filed, Nov. 27, 1963;
8:51 a.m.]

Title 36—PARKS, FORESTS, AND MEMORIALS

Chapter I—National Park Service, Department of the Interior

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

Blue Ridge Parkway, Virginia and North Carolina; Camping and Horseback Riding

On page 10677 of the FEDERAL REGISTER of October 3, 1963, there was published a notice and text of a proposed amendment to § 7.34 of Title 36, Code of Federal Regulations. The purpose of the amendment is to establish hours camps may be left unattended and to control horseback riding on trails.

Interested persons were given 30 days within which to submit written comments, suggestions, or objections with respect to the proposed amendment. Consideration having been given to all relevant matters presented, it has been determined that the amendment should be and is hereby adopted without change

and it is set forth below. This amendment shall become effective at the beginning of the 30th calendar day following the date of this publication in the FEDERAL REGISTER.

New paragraphs (i) and (j) are added to § 7.34 to read as follows:

§ 7.34 Blue Ridge Parkway.

* * * * *

(i) *Camping.* Campers shall not leave their camps unattended for more than 24 hours without special permission of the Superintendent, obtained in advance and camps must be occupied 24 hours prior to the request to leave them unattended. In the absence of such permission camping equipment left unattended in any public camping area for more than 24 hours is subject to removal by order of the Superintendent, the expense of such removal and storage to be paid by the person leaving such equipment.

(j) *Horseback riding.* Horseback riding is prohibited on the Appalachian Trail, and on all other trails except where otherwise indicated by appropriate signs posted by the Superintendent.

(60 Stat. 236; 5 U.S.C. 1003; 39 Stat. 535; 16 U.S.C. 3)

SAM P. WEEMS,
Superintendent,
Blue Ridge Parkway.

[F.R. Doc. 63-12379; Filed, Nov. 27, 1963;
8:52 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

EDITORIAL REVISION OF FCC RULES

CROSS REFERENCE: For notice regarding the forthcoming editorial revision of portions of the rules of the Federal Communications Commission, see F.R. Doc. 63-12383 in Notices section, *infra*.

Proposed Rule Making

DEPARTMENT OF AGRICULTURE

Agricultural Marketing Service

[7 CFR Part 971]

LETTUCE GROWN IN LOWER RIO GRANDE VALLEY OF SOUTH TEXAS

Notice of Rule Making With Respect to Limitation of Shipments

Consideration is being given to the issuance of the limitation of shipments regulation, as hereinafter set forth, which was recommended by the South Texas Lettuce Committee, established pursuant to Marketing Agreement No. 144 and Marketing Order No. 971 (7 CFR Part 971) regulating the handling of lettuce grown in the Lower Rio Grande Valley in South Texas. This program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.).

Consideration will be given to any written data, views, or arguments pertaining thereto, which are filed with the Director, Fruit and Vegetable Division, Agricultural Marketing Service, United States Department of Agriculture, Washington, D.C., 20250, not later than 10 days following publication of this notice in the FEDERAL REGISTER. The proposals are as follows:

§ 971.306 Limitation of shipments.

During the period December 16, 1963, through March 31, 1964, no person may handle any lot of lettuce grown in the production area unless the lettuce meets requirements of paragraphs (a) *Grade*, (b) *Size and pack*, and (c) *Containers*, or unless the lettuce is handled in accordance with paragraphs (d) or (e), of this section.

(a) *Grade*. Eighty percent U.S. No. 1 quality, or better, with not more than 10 percent serious damage including not more than 5 percent decay in any lot. Individual containers shall have not less than 60 percent U.S. No. 1 quality, with not more than 23 percent serious damage, including not more than three heads affected by decay.

(b) *Sizing and pack*. (1) Lettuce heads, if wrapped, may be packed only 18, 20, 22, or 24 heads per container.

(2) Lettuce heads, if not wrapped, may be packed only 18, 24, or 30 heads per container.

(c) *Containers*. Containers may be only:

(1) Cartons with inside dimensions of 10 inches x 14 $\frac{1}{4}$ inches x 21 $\frac{5}{16}$ inches (designated as carrier container No. 7303), or

(2) Cartons with inside dimensions of 9 $\frac{3}{4}$ inches x 14 inches by 21 inches (designated as carrier container No. 7306).

(d) *Minimum quantities*. Any person may handle up to, but not to exceed two cartons of lettuce a day without regard

to inspection, assessment, grade, size, and pack requirements, but it must meet container requirements. This exception may not be applied to any portion of a shipment of over two cartons of lettuce.

(e) *Special purpose shipments*. Lettuce not meeting grade, size, or container requirements of paragraphs (a), (b), or (c) of this section may be handled for any purpose listed, if handled as prescribed in this paragraph. Inspection or assessments are not required on such shipments.

(1) For relief, charity, or experimental purposes, if, prior to handling, the handler pursuant to §§ 971.120-971.125 obtains a Certificate of Privilege applicable thereto and reports thereon.

(2) For export to Mexico, if the handler of such lettuce loads or transports it only in a vehicle bearing Mexican registration (license) and he maintains the following records of each transaction.

(i) Name and address of the purchaser;

(ii) Quantity involved in each sale;

(iii) Date of sale; and

(iv) Identification by make, model, and license number of the purchaser's or trucker's vehicle.

(f) *Inspection*. (1) No handler may handle any lettuce for which an inspection certificate is required unless an appropriate inspection certificate has been issued with respect thereto.

(2) No handler may transport, or cause the transportation of, by motor vehicle, any shipment of lettuce for which an inspection certificate is required unless each such shipment is accompanied by a copy of an inspection certificate or by a copy of a shipment release form (SPI-23) furnished by the inspection service verifying that such shipment meets the current grade, size, pack and/or container regulations promulgated under this part. A copy of the inspection certificate, or shipment release form, applicable to each truck lot shall be available and surrendered upon request to authorities designated by the committee.

(3) For administration of this part, an inspection certificate or shipment release form required by the committee as evidence of inspection is valid for only 72 hours following completion of inspection, as shown on such certificate or form.

(g) *Definitions*. (1) "Wrapped" heads of lettuce refers to those which are enclosed individually in parchment, plastic, or other commercial film (cf. AMS 481) and then packed in cartons or other containers.

(2) "U.S. No. 1" and "serious damage" shall have the same meaning as in the U.S. Standards for Lettuce (§§ 51.2510-51.2531 of this title).

(3) All other terms used in this section shall have the same meaning as when used elsewhere in this part.

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

Dated: November 21, 1963.

FLOYD F. HEDLUND,

Director,

Fruit and Vegetable Division.

[F.R. Doc. 63-12370; Filed, Nov. 27, 1963; 8:51 a.m.]

DEPARTMENT OF LABOR

Division of Public Contracts

[41 CFR Part 50-204]

SAFETY AND HEALTH STANDARDS FOR FEDERAL SUPPLY CONTRACTS

Extension of Time

On October 1, 1963, a proposed revision of the safety and health regulations established pursuant to the Walsh-Healey Public Contracts Act (41 CFR Part 50-204) was published in the FEDERAL REGISTER (28 F.R. 10524).

Interested persons were given until November 30, 1963, to submit written statements of data, views, and arguments regarding the proposal. Based upon requests received from several interested persons, I have decided to, and do hereby, extend the time for such submissions to December 31, 1963.

Signed at Washington, D.C., this 21st day of November 1963.

JOHN F. HENNING,
Acting Secretary of Labor.

[F.R. Doc. 63-12378; Filed, Nov. 27, 1963; 8:52 a.m.]

FEDERAL AVIATION AGENCY

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-WE-74]

FEDERAL AIRWAY

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

VOR Federal airway No. 6 includes north alternate airways extending from Ogden, Utah, to Fort Bridger, Utah, to Rock Springs, Wyo., to Cherokee, Wyo., to Medicine Bow, Wyo. The FAA's latest IFR peak day airway traffic survey shows no aircraft movements on these alternate airways. Therefore, it appears that the retention of these north alternates of Victor 6 are unjustified as assignments of airspace. Accordingly, the FAA proposes their revocation.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director,

Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Ave. SW., Washington, D.C. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on November 19, 1963.

MICHAEL J. BURNS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-12344; Filed, Nov. 27, 1963;
8:45 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-WE-80]

TRANSITION AREA

Proposed Alteration

Notice is hereby given that the Federal Aviation Agency (FAA) is considering an amendment to Part 71 [New] of the Federal Aviation Regulations, the substance of which is stated below.

The Malad City, Idaho, transition area is presently designated as that airspace extending upward from 1,200 feet above the surface within 10 miles east and 7 miles west of the Malad City VORTAC 165° and 345° True radials, extending from 9 miles north to 20 miles south of the VORTAC, excluding the portion within Federal airways.

The FAA, having completed a comprehensive review of the airspace structure requirements in the Malad City area, including studies attendant to the implementation of the provisions of CAR Amendments 60-21/60-29, has under consideration the following airspace action:

Alter the Malad City transition area by redesignating it as that airspace extending upward from 1,200 feet above the surface within 9 miles east and 6 miles west of the Malad City VORTAC 165° and 345° True radials, extending from 18 miles south to 8 miles north of

the VORTAC, and within 5 miles north and 8 miles south of the Malad City VORTAC 290° True radial, extending from the VORTAC to 12 miles west of the VORTAC. The floors of the airways which traverse the transition area proposed herein would automatically assume the floor of the transition area.

The proposed alteration of the Malad City transition area would provide additional controlled airspace for the protection of aircraft executing prescribed instrument holding and approach procedures at Malad City.

No revisions to prescribed instrument procedures would be required by the actions proposed herein.

Interested persons may submit such written data, views or arguments as they may desire. Communications should be submitted in triplicate to the Director, Western Region, Attn: Chief, Air Traffic Division, Federal Aviation Agency, 5651 West Manchester Avenue, P.O. Box 90007, Airport Station, Los Angeles, Calif., 90009. All communications received within forty-five days after publication of this notice in the FEDERAL REGISTER will be considered before action is taken on the proposed amendment. No public hearing is contemplated at this time, but arrangements for informal conferences with Federal Aviation Agency officials may be made by contacting the Regional Air Traffic Division Chief, or the Chief, Airspace Utilization Division, Federal Aviation Agency, Washington, D.C. Any data, views or arguments presented during such conferences must also be submitted in writing in accordance with this notice in order to become part of the record for consideration. The proposal contained in this notice may be changed in the light of comments received.

The official Docket will be available for examination by interested persons at the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue SW., Washington, D.C. An informal docket will also be available for examination at the office of the Regional Air Traffic Division Chief.

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

Issued in Washington, D.C., on November 19, 1963.

MICHAEL J. BURNS,
Acting Chief,
Airspace Utilization Division.

[F.R. Doc. 63-12345; Filed, Nov. 27, 1963;
8:45 a.m.]

[14 CFR Part 514]

[Reg. Docket No. 2073; Notice No. 63-44]

AIRBORNE WEATHER AND GROUND MAPPING RADAR OPERATING WITHIN THE RADIO-FREQUENCY BANDS OF 5,350 TO 5,470 MC. AND 9,300 TO 9,500 MC.

Proposed Technical Standard Order

The Federal Aviation Agency has under consideration a proposal to amend

§ 514.68 of Part 514 of the regulations of the Administrator by amending the Technical Standard Order. This Technical Standard Order establishes minimum performance standards for airborne weather radar which specifically is required to be approved for use on United States civil aircraft.

The amendment is proposed to incorporate new environmental test procedures which were developed to be more compatible with existing and anticipated aircraft environmental conditions. Provisions are also included for equipment intended for use on aircraft subject to less stringent environmental conditions of pressure, altitude, temperature, vibrations, etc. The emission of spurious radio frequency energy requirements were revised to provide for the adequate protection of other electronic equipment in the aircraft. In addition, a change was made to the minimum performance standard to incorporate a range capability requirement based on the cruising speed of the aircraft. Six range capability classes were established to cover the variations in cruising speeds of various types of aircraft.

Interested persons are invited to participate in the making of the proposed rule by submitting such written data, views or arguments as they may desire. Communications should identify the regulatory docket number and be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, Room A-103, 1711 New York Avenue NW., Washington, D.C., 20553. All communications received on or before January 13, 1964, will be considered by the Administrator before taking action upon the proposed rule. The proposals contained in this notice may be changed in the light of comments received. All comments submitted will be available, both before and after the closing date for comments, in the Rules Docket for examination by interested persons.

This amendment is proposed under the authority of sections 313(a) and 601 of the Federal Aviation Act of 1958 (72 Stat. 752, 775; 49 U.S.C. 1354(a), 1421).

In consideration of the foregoing it is proposed to amend Part 514 by revising § 514.68 to read as follows:

§ 514.68 Airborne weather radar operating within the radio-frequency bands of 5,350 to 5,470 mc. and 9,300 to 9,500 mc.—TSO-C63a.

(a) *Applicability.* Minimum performance standards are hereby established for airborne weather radar which specifically is required to be approved for use on United States civil aircraft. New models of airborne weather radar manufactured on or after the effective date of this section shall meet the minimum performance standards specified in Federal Aviation Agency Standard, "Minimum Performance Standards for Airborne Weather and Ground Mapping Radar Operating Within the Radio-Frequency Bands of 5,350 to 5,470 mc. and 9,300 to 9,500 mc.," dated January 15, 1963,¹ and

¹ Copies may be obtained upon request addressed to Publishing and Graphics Division, Inquiry Branch, HQ-440, Federal Aviation Agency, Washington, D.C., 20553.

Federal Aviation Agency document, "Environmental Test Procedures for Airborne Electronic Equipment", dated August 31, 1962.¹

(b) *Marking.* (1) In addition to the markings specified in § 514.3(d), the equipment shall be marked to indicate the environmental extremes over which it has been designed to operate. There are six environmental test procedures outlined which have categories established. These should be identified on the nameplate by the words "Environmental Categories" or, as abbreviated, "Env. Cat." followed by six letters which identify the categories designated in the FAA document. Reading from left to right, the category designations shall appear on the nameplate in the following order so that they may be readily identified:

- (i) Temperature-Altitude Test Category;
- (ii) Vibration Test Category;
- (iii) Audio-Frequency Magnetic Field Susceptibility Test Category;
- (iv) Radio-Frequency Susceptibility Test Category;
- (v) Emission of Spurious Radio-Frequency Energy Test Category; and
- (vi) Explosion Test.

(2) Six classes of equipment based on range capability have been established in the FAA Standard under paragraph 2.4, Range Capability. The equipment shall be marked to indicate the distance range declared by the manufacturer.

(3) In some cases such as under the Temperature-Altitude Test Category, a manufacturer may wish to substantiate

his equipment under two categories. In this case, the nameplate shall be marked with both categories in the space designated for that category by placing one letter above the other in the following manner: Env. Cat. ^ABAAAX Class 3.
_D

(4) Each separate component of equipment (antenna, synchronizer unit, indicator console, etc.) shall be identified with at least the manufacturer's name, TSO number, and the environmental categories over which the equipment component is designed to operate.

(c) *Data requirements.* In accordance with the provisions of § 514.2, the manufacturer shall furnish to the Chief, Engineering and Manufacturing Branch, Flight Standards Division, Federal Aviation Agency, in the region in which the manufacturer is located, the following technical data:

(1) Six copies of the manufacturer's operating instructions and equipment limitations;

(2) Six copies of the installation procedures with applicable schematic drawings, wiring diagrams, and specifications, indicating any limitations, restrictions, or other conditions pertinent to installation; and

(3) One copy of the manufacturer's test report.

Issued in Washington, D.C., on November 20, 1963.

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

[F.R. Doc. 63-12343; Filed, Nov. 27, 1963;
8:45 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

WICHITA, CADDO, DELAWARE
TRIBAL ENTITIES

Transfer of Land Records to Custody
of Anadarko Area Office

NOVEMBER 21, 1963.

In accordance with 25 CFR Part 120 and pursuant to authority delegated by Amendment No. 49 to Secretarial Order 2508 (26 F.R. 11395), notice is hereby given that the official custody of all source title documents and land records pertaining to the Wichita, Caddo, Delaware Tribal Entities in the State of Oklahoma, have been transferred from the City of Washington, D.C., to the Anadarko Area Office, Bureau of Indian Affairs, Federal Building, Anadarko, Oklahoma.

Effective November 25, 1963, the Anadarko Area Office will be the office for the maintenance of records for all such trust and restricted lands.

JOHN O. CROW,
Deputy Commissioner.

[F.R. Doc. 63-12353; Filed, Nov. 27, 1963;
8:46 a.m.]

Bureau of Land Management

[Los Angeles 0155815]

CALIFORNIA

Notice of Partial Termination of Proposed Withdrawal and Reservation of Land

NOVEMBER 19, 1963.

The Forest Service, United States Department of Agriculture, filed an application for withdrawal from location and entry under the mining laws, serial number Los Angeles 0155815 on February 28, 1958. These lands have previously been withdrawn for the San Bernardino Forest Reserve by Presidential Proclamation dated February 25, 1893, and as such have been open to entry under the mining laws.

Notice of proposed withdrawal and reservation of the land under this application, LA 0155815, was published as F.R. Doc. 62-9876; Filed October 2, 1962; 8:48 a.m., on pages 9778 and 9779 of the Wednesday issue, October 3, 1962.

The applicant agency has amended its application to delete therefrom certain of the lands originally filed for. Therefore, pursuant to the regulations contained in 43 CFR Part 295, those lands deleted from the original application will at 10:00 a.m., on December 15, 1963, be relieved of the segregative effect of the above mentioned application.

The lands involved in this notice of termination are:

SAN BERNARDINO MERIDIAN

T. 1 N., R. 1 E.,
Sec. 5, SW $\frac{1}{4}$.
T. 2 N., R. 3 W.,
Sec. 19, lots 1 and 2;
Sec. 30, lot 1, and NE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 2 N., R. 5 W.,
Sec. 18, lot 18.
T. 3 N., R. 2 W.,
Sec. 22, NE $\frac{1}{4}$ NE $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ NW $\frac{1}{2}$ SW $\frac{1}{4}$.
T. 4 S., R. 2 E.,
Sec. 7, SE $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 5 S., R. 2 E.,
Sec. 2, NW $\frac{1}{4}$ SE $\frac{1}{4}$.

The total area terminated contains
395.33 acres.

KEITH H. CONIGALL,
Acting Manager, Riverside Office.

[F.R. Doc. 63-12354; Filed, Nov. 27, 1963;
8:46 a.m.]

[Los Angeles 0155815]

CALIFORNIA

Notice of Proposed Withdrawal and
Reservation of Additional Lands

NOVEMBER 19, 1963.

The Forest Service, United States Department of Agriculture, has amended its application, Serial No. Los Angeles 0155815, for the withdrawal of the additional lands described below from entry under the mining laws, subject, however, to existing withdrawals and to valid existing rights. These lands have previously been withdrawn for the San Bernardino Forest Reserve by Presidential Proclamation dated February 25, 1893, and as such have been open to entry under the mining laws.

Notice of proposed withdrawal and reservation of the land under this application, LA 0155815, was published as F.R. Doc. 62-9876; Filed October 2, 1962; 8:48 a.m., on pages 9778 and 9779 of the Wednesday issue, October 3, 1962.

The applicant desires the exclusion of mining activity to permit the use of such lands for administrative sites, public service sites, recreation areas, campgrounds, or other public purposes as set forth specifically with regard to each area or description. Such uses are incompatible with mineral development.

For a period of 30 days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal of the additional lands may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1414 8th St., Box 723, Riverside, California, 92502.

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

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

The lands involved in the amended application are:

SAN BERNARDINO MERIDIAN

T. 2 N., R. 3 W.,
Sec. 19, S $\frac{1}{2}$ lot 2 of NW $\frac{1}{4}$, and N $\frac{1}{2}$ lot 2 of SW $\frac{1}{4}$;
Sec. 30, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 2 N., R. 5 W.,
Sec. 18, lot 3.
T. 2 N., R. 6 W.,
Sec. 26, N $\frac{1}{2}$ NW $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 3 N., R. 2 W.,
Sec. 22, NE $\frac{1}{4}$ SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 23, NW $\frac{1}{4}$ SW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 4 S., R. 2 E.,
Sec. 7, SE $\frac{1}{4}$ NE $\frac{1}{4}$.
T. 6 S., R. 3 E.,
Sec. 25, S $\frac{1}{2}$ NW $\frac{1}{4}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.

The total area of additional lands in the amended application contains 275.33 acres.

KEITH H. CONIGALL,
Acting Manager, Riverside Office.

[F.R. Doc. 63-12355; Filed, Nov. 27, 1963;
8:46 a.m.]

[Classification No. 40; C-083548]

COLORADO

Small Tract Classification; Partial
Revocation

1. Pursuant to the authority delegated to me by the Colorado State Director of the Bureau of Land Management, effective February 19, 1958 (23 F.R. 1098), Colorado Small Tract Classification No. 40, appearing as F.R. Doc. 63-3679 on page 3458 of the issue for April 9, 1963, is hereby revoked as to the following lands:

SIXTH PRINCIPAL MERIDIAN, COLORADO

T. 1 N., R. 102 W.,
Sec. 12, S $\frac{1}{2}$ SW $\frac{1}{4}$.

The area described contains 80 acres.

2. The public lands affected by this order are hereby restored as of 10:00 a.m., December 18, 1963 to the operation of the public land laws, subject to valid existing rights, and the requirements of applicable laws, rules, and regulations.

J. ELLIOTT HALL,
Chief, Lands and Minerals.

[F.R. Doc. 63-12356; Filed, Nov. 27, 1963;
8:47 a.m.]

DEPARTMENT OF AGRICULTURE

Office of the Secretary

MISSOURI

Designation of Areas for Emergency
Loans

For the purpose of making emergency loans pursuant to section 321 of the Consolidated Farmers Home Administration Act of 1961 (7 U.S.C. 1961), it has been determined that in the hereinafter-named counties in the State of Missouri a natural disaster has caused a need for

agricultural credit not readily available from commercial banks, cooperative lending agencies, or other responsible sources.

MISSOURI

Dallas.	Phelps.
Dent.	Polk.
Douglas.	Pulaski.
Howell.	Stone.
Laclede.	Taney.
Miller.	Texas.
Oregon.	Webster.
Ozark.	Wright.

Pursuant to the authority set forth above, emergency loans will not be made in the above-named counties after December 31, 1964, except to applicants who previously received emergency or special livestock loan assistance and who can qualify under established policies and procedures.

Done at Washington, D.C., this 22d day of November 1963.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 63-12372; Filed, Nov. 27, 1963;
8:51 a.m.]

DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

Food and Drug Administration FOOD CONCENTRATES, INC.

Notice of Filing of Petition Regarding Food Additive Fumed Silicon Dioxide

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(b)(5), 72 Stat. 1786; 21 U.S.C. 348(b)(5)), notice is given that a petition (FAP 1273) has been filed by Food Concentrates, Inc., P.O. Box 71, Rahway, New Jersey, proposing the issuance of an amendment to § 121.1058 *Silicon dioxide* to provide for the safe use of fumed silicon dioxide as an anticaking agent in amounts not exceeding 2.0 percent in dehydrated molasses, dehydrated honey, and dehydrated nondiastatic malt.

Dated: November 20, 1963.

J. K. KIRK,
*Assistant Commissioner of
Food and Drugs.*

[F.R. Doc. 63-12360; Filed, Nov. 27, 1963;
8:47 a.m.]

OLEOMARGARINE DEVIATING FROM IDENTITY STANDARD

Notice of Issuance of Temporary Permit To Cover Market Testing

Pursuant to § 10.5(j) of Title 21 of the Code of Federal Regulations, concerning temporary permits to facilitate market testing of foods varying from the requirements of the standards of identity promulgated pursuant to section 401 of the Federal Food, Drug, and Cosmetic Act, notice is given that a temporary permit has been issued to Lever Brothers Company, 390 Park Avenue, New York, N.Y., to cover interstate marketing tests

of oleomargarine deviating from the requirements of the standard of identity for oleomargarine, margarine (21 CFR 45.1), in that it will contain Δ-decalactone in a quantity not to exceed 10 parts per million and Δ-dodecalactone in a quantity not to exceed 20 parts per million, as artificial flavoring. The oleomargarine containing these ingredients will be labeled to show that it is "artificially flavored."

This permit expires November 1, 1964.

Dated: November 19, 1963.

GEO. P. LARRICK,
Commissioner of Food and Drugs.

[F.R. Doc. 63-12361; Filed, Nov. 27, 1963;
8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

EDITORIAL REVISION OF FCC RULES

NOVEMBER 21, 1963.

Revised Parts 6 (now 23), 21, 25, 31, 33, 34, 41, 42, 43, 51, 52, 61, 62, 63, 64, and 66 of the rules and regulations (Subchapter B) will be published as Part II of the FEDERAL REGISTER issue of December 5, 1963. These rules pertain to the common carrier services. Persons interested in those services are urged to place orders for these rules as soon as possible with the Superintendent of Documents. This FEDERAL REGISTER issue will be the only official version of the revised rules available for several months. Orders should be placed as soon as possible and must reach the Superintendent of Documents on or before December 3, 1963.

Orders for copies of Part II of the FEDERAL REGISTER issue of December 5, 1963, should be addressed to:

Superintendent of Documents,
U.S. Government Printing Office,
Washington, D.C., 20402.

Do not address orders to the Federal Communications Commission. The price for that issue will be 35 cents a copy. Remittance should be by check or money order made payable to the Superintendent of Documents. Currency may be sent at the sender's risk.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[SEAL]
[F.R. Doc. 63-12383; Filed, Nov. 27, 1963;
8:54 a.m.]

[Docket No. 15209; FCC 63M-1254]

VINCENT R. BANVILLE, SR.

Order Scheduling Hearing

In the matter of Vincent R. Banville, Sr., Fort Lauderdale, Florida, Docket No. 15209; order to show cause why there should not be revoked the license for radio station KDH-1734 in the Citizens Radio Service.

It is ordered, This 19th day of November 1963, that James D. Cunningham will serve as presiding officer in the above-entitled proceeding, and that the hearing

in said proceeding will be held in the Offices of the Commission, Washington, D.C., commencing at 10:00 a.m., January 8, 1964.

Released: November 20, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,
BEN F. WAPLE,
Secretary.

[F.R. Doc. 63-12384; Filed, Nov. 27, 1963;
8:54 a.m.]

[Docket Nos. 14341-14344; FCC 63R-503]

COLLIER ELECTRIC CO.

Memorandum Opinion and Order Amending Issues

In re applications of Collier Electric Company, Docket No. 14341, File No. 848-Cl-R-61, for renewal of the License for Station KAQ79, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Fort Morgan, Colorado; Docket No. 14342, File No. 849-Cl-R-61, for renewal of the License for Station KAQ80, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Sterling, Colorado; Docket No. 14343, File No. 2670-Cl-R-61, for renewal of the License for Station KAQ81, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Sidney, Nebraska; Docket No. 14344, File No. 2710-Cl-R-61, for renewal of the License for Station KAS41, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Bridgeport, Nebraska.

1. The Board has before it for consideration (a) its Memorandum Opinion and Order in Laramie Community TV Company, Docket Nos. 14552 et al., FCC 63R-504) released November 19, 1963; (b) Petition for Modification and Enlargement of Issues, filed by the Common Carrier Bureau on September 25, 1963; (c) Statement in support of petition, filed by the Broadcast Bureau on October 9, 1963; (d) Response and opposition to petition, filed by Collier Electric Company on October 9, 1963; and (e) Reply to opposition, filed by the Common Carrier Bureau on October 21, 1963.

2. In its petition, the Common Carrier Bureau requests that the issues in this proceeding be enlarged to include a determination as to whether on or about January 3, 1963, a dissolution of Collier Electric Company (Collier) occurred; whether there has been an unauthorized transfer of control under section 310(b) of the Act and § 21.28 of the rules; and whether Collier or its principals knowingly misrepresented or withheld facts in documents filed with the Commission subsequent to January 3, 1963. The Broadcast Bureau supports the Common Carrier Bureau's petition. Collier has filed an opposition to the Common Carrier Bureau's request.

3. On January 4, 1961, Collier filed applications for renewal of the licenses of Stations KAQ79, KAQ80, KAQ81, and KAS41 in the Domestic Public Point-to-Point Microwave Radio Service, serving community antenna television systems in Sterling, Colorado; and Sidney, Kimbel, Alliance and Gering, Nebraska, respec-

tively. Collier's renewal applications state that Collier is a partnership comprised of two general partners, J. E. Collier and Karl O. Krummel, who have interests of 63 percent and 25 percent, respectively, and six limited partners, each having a 2 percent interest. By Order (FCC 61-1248) released October 30, 1961, the Commission designated the above-captioned applications for hearing on issues as to the public need for this common carrier service; past business activities of Collier; and Collier's alleged involvement in unlawful or discriminatory practices.

4. The Common Carrier Bureau alleges that on September 16, 1963, the initial hearing date, Karl O. Krummel testified that on January 3, 1963, his 25 percent interest in the partnership was sold to the remaining partners and as of that date all connection with the partnership had been severed. The Bureau alleges that this transaction resulted in a dissolution of the partnership and the formation of a new partnership, exclusive of Krummel. It contends that since this transaction was not made known to the Commission until September 16, 1963, some 8 months later, a substantial question exists whether there has been an unauthorized assignment or transfer of control in violation of section 310(b) of the Act.¹ The Common Carrier Bureau alleges that due to this late disclosure it could not file the instant petition within the time prescribed in § 1.141(b) of the rules.² The Broadcast Bureau supports the addition of the requested issues and submits that a licensee is under an obligation to keep the Commission informed of any significant changes in ownership and that failure to make such disclosures constitutes an affirmative misrepresentation to the Commission. Collier opposes the petition and contends that under Colorado partnership law a dissolution of the partnership did not occur upon Krummel's withdrawal. Collier also maintains that there was no transfer of control upon Krummel's removal since by agreement of the partners real control of the partnership was at all times vested in J. E. Collier, not Krummel. The Common Carrier Bureau alleges in its reply that Collier never apprised the Commission of any agreement vesting real control in J. E. Collier, and that, therefore, such an agreement would not be binding on the Commission. Also, it claims that even if the partnership was not dissolved, Krummel's withdrawal should have been reported as required by section 310(b) of the Act and § 21.305 of the rules.³

5. It is clear from the above that the partnership entity to which the subject licenses were granted has changed. This change occurred when Krummel, a 25 percent partner, withdrew from the partnership. At the time of such withdrawal, it was incumbent on the licensee to notify the Commission thereof pursuant to the provisions of § 21.305 of the rules, and to obtain the Commission's prior consent to the proposed change in the licensee partnership in accordance with the provisions of sections 310(b) of the Communications Act and § 21.28 of the rules.⁴ As a licensee, Collier was required to report any significant transaction relating to its authorizations to the Commission. Page Boy Radio Corporation, FCC 63R-320, 25 RR 765 (1963). Further, its failure to disclose relevant information may have constituted an affirmative misrepresentation to the Commission. Jefferson Radio Company, 35 FCC 331, 24 RR 1033 (1963). Collier's failure to comply with these requirements raises questions which call for exploration in the instant proceedings.

6. Collier Electric Company is the parent corporation of Laramie Community TV Company, an applicant for new VHF television translators at Laramie, Wyoming. In its above-referenced Memorandum Opinion and Order in the Laramie Community proceeding, the Board dismissed, with prejudice, and at said applicant's request its applications therein (Docket Nos. 14552 et al.). At the same time, the Board indicated that it would revise and supplement the issues in the instant proceedings to permit consideration herein of the issues, record, Initial Decision, exceptions and replies in the Laramie Community proceeding.⁵ The following order reflects our actions on the petition herein and as proposed in said Memorandum Opinion and Order.

Accordingly, it is ordered, This 15th day of November 1963, that the Petition for Modification and Enlargement of Issues, filed by the Common Carrier Bureau is granted to the extent that the following issues are added:

To determine whether, on or about January 3, 1963, applicant's licenses were assigned and/or whether control of the applicant was transferred without the prior consent of the Commission in violation of section 310(b) of the Communications Act of 1934, as amended, and § 21.28 of the Commission's rules.

To determine whether, on or about January 3, 1963 and subsequent thereto,

articles of incorporation or association or partnership agreements shall promptly be filed with the Secretary, Federal Communications Commission."

⁴ Cf. Note to § 1.343 of the rules which reads as follows:

NOTE: Any change in partners or in their rights will require prior consent of the Commission upon an application for consent to assignment of license or permit. If such change involves less than a controlling interest, the application for Commission consent to such change may be made upon FCC Form 316 (Short Form).

⁵ As we pointed out in the Laramie Community opinion, in the absence of a clear showing of the need to do so, the Board does not anticipate that it will be necessary to take any further evidence on these issues.

the applicant failed to comply with the provisions of § 21.305 of the Commission's rules.

To determine whether the applicant or its principals made misrepresentations to or withheld facts from the Commission with respect to changes in the licensee partnership, or were lacking in candor with respect to documents filed with the Commission subsequent to January 3, 1963.

It is further ordered, That in light of the Memorandum Opinion and Order adopted by the Board in Docket Nos. 14552 et al., FCC 63R-504, released November 19, 1963, the following issues are added and revised:

To determine whether, with respect to the applications for construction permits for VHF Translator Stations filed by Laramie Community TV Company in the proceedings in Docket Nos. 14552 et al., the applicant or its principals made misrepresentations to or withheld facts from the Commission, or were lacking in candor, and, if so, whether Collier Electric Company possesses the requisite character qualifications to be a licensee of the Commission.

To determine, in light of the evidence adduced on the issues herein, and in light of the issues, record, Initial Decision, exceptions and replies thereto in the proceedings involving the applications of Laramie Community TV Company in Docket Nos. 14522 et al., whether a grant of any or all of the above-captioned applications of Collier Electric Company would serve the public interest, convenience or necessity.

It is further ordered, That issue "(j)" is amended to read as follows:

To determine, if in the light of the evidence adduced herein, the above-captioned applications are denied, whether, in view of the evidence adduced on issue (g) through (i), the effective date of the Commission's final decision should be stayed in order to afford the applicant a reasonable period of time in which to recover the unamortized portion of its investment in its microwave systems, and if so, to determine the length of that stay.

Released: November 21, 1963.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,

Secretary.

[F.R. Doc. 63-12385; Filed, Nov. 27, 1963;
8:54 a.m.]

[Docket Nos. 1431-14344; FCC 63M-1258]

COLLIER ELECTRIC CO.

Order Continuing Hearing

In re applications of Collier Electric Company, Docket No. 14341, File No. 848-Cl-R-61, Docket No. 14342, File No. 849-Cl-R-61, Docket No. 14343, File No. 2670-Cl-R-61, Docket No. 14344, File No. 2710-Cl-R-61; for renewal of the license for Station KAQ79, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Fort Morgan, Colorado et al.

The Hearing Examiner having under consideration:

¹ Section 310(b) of the Act reads as follows: "No construction permit or station license, or any rights thereunder, shall be transferred, assigned, or disposed of in any manner, voluntarily or involuntarily, directly or indirectly, or by transfer of control of any corporation holding such permit or license, to any person except upon application to the Commission and upon findings by the Commission that the public interest, convenience, and necessity will be served thereby."

² The Board is of the opinion that petitioner has shown good cause for late filing.

³ Section 21.305 of the rules reads as follows: "Reports required concerning amendments to charters, bylaws, and partnership agreements. Any amendments to charters,

(a) His order released October 31, 1963 (FCC 63M-1207), wherein the resumption of the hearing was rescheduled to November 25, 1963; and

(b) A Memorandum Opinion and Order released by the Review Board on November 19, 1963 (FCC 63R-503), wherein various of the issues in this proceeding were modified, enlarged and revised;

It appearing, that in view of the aforementioned modifications, enlargements and revisions prompt and orderly procedure would be served by the holding of a further hearing conference to discuss the procedures necessary to meet such actions;

It further appearing, that counsel for all parties which have thus far participated in the hearings have informally advised the Examiner of their desire for such further conference;

It is ordered, This 21st day of November 1963, on the Examiner's own motion that the hearing heretofore scheduled to resume on November 25, 1963 at 9:30 a.m., is postponed until further order of the Examiner:

And it is further ordered, That a hearing conference will be held on November 25, 1963, beginning at 9:00 a.m., at the offices of the Commission in Washington, D.C., to discuss the appropriate procedures to be followed and the nature of the evidence to be introduced in light of the aforementioned modifications, enlargements and revisions of the issues.

Released: November 22, 1963.

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

[F.R. Doc. 63-12386; Filed, Nov. 27, 1963;
8:54 a.m.]

[Docket Nos. 15218-15220]

**JUPITER BROADCASTING, INC.
(WSAI-FM) ET AL.**

**Order Designating Applications for
Consolidated Hearing on Stated
Issues**

In re applications of Jupiter Broadcasting, Inc. (WSAI-FM), Cincinnati, Ohio, Docket No. 15218, File No. BPH-3433, has: 102.7 mc, No. 274; 14.7 kw; 550 ft., requests: 98.5 mc, No. 253; 33.1 kw; 593 ft.; North Cincinnati Broadcasting Company (WAEF-FM), Cincinnati, Ohio, Docket No. 15219, File No. BPH-3806, has: 104.3 mc, No. 282; 4.8 kw; 100 ft., requests: 98.5 mc, No. 253; 20 kw; 100 ft.; Edward D. Scotch, Cincinnati, Ohio, Docket No. 15220, File No. BPH-3880, requests: 98.5 mc, No. 253; 30.9 kw; 285 ft.; for construction permits.

The Commission, by the Chief of the Broadcast Bureau under delegated authority, considered the above-captioned applications on November 14, 1963;

It appearing, that the above-captioned applications are mutually exclusive in that operation by the applicants as proposed would result in mutually destructive interference; and

It further appearing, that the areas for which the applicants propose to pro-

vide FM broadcast service vary in size and that, for the purpose of comparison, the areas and populations within the proposed one mv/m contours will be considered in the hearing ordered below; and

It further appearing, that upon due consideration of the above-captioned applications, the Commission finds that pursuant to section 309(e) of the Communications Act of 1934, as amended, a hearing is necessary; that each of the applicants is legally, financially, technically and otherwise qualified to construct, own and operate the FM broadcast facilities proposed:

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

1. To determine the area and population within the proposed 1 mv/m contour of Edward D. Scotch, the areas and populations therein which would be served by the proposed station and the availability of other FM services (at least 1 mv/m) to such proposed service areas.

2. To determine the area and population within the proposed 1 mv/m contours of Stations WSAI-FM and WAEF-FM, the areas and populations which would gain or lose FM broadcast service resulting from the operation of Stations WSAI-FM and WAEF-FM as proposed and the availability of other FM services (at least 1 mv/m) to such proposed service areas.

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

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

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

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

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

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

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

Commission of the publication of such notice as required by § 1.362(h) of the rules.

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

Released: November 21, 1963.

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

[F.R. Doc. 63-12387; Filed, Nov. 27, 1963;
8:55 a.m.]

[Docket Nos. 15218-15220; FCC 63M-1247]

**JUPITER BROADCASTING, INC.
(WSAI-FM) ET AL.**

Order Scheduling Hearing

In re applications of Jupiter Broadcasting, Inc. (WSAI-FM), Cincinnati, Ohio, Docket No. 15218, File No. BPH-3433; North Cincinnati Broadcasting Company (WAEF-FM), Cincinnati, Ohio, Docket No. 15219, File No. BPH-3806; Edward B. Scotch, Cincinnati, Ohio, Docket No. 15220, File No. BPH-3880; for construction permits.

It is ordered, This 15th day of November 1963, that Basil P. Cooper will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 15, 1963, in Washington, D.C.; that a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., December 13, 1963; and that counsel for the parties to the proceeding, at the time of their appearance at this conference, will be prepared to discuss, to the fullest extent applicable in light of the governing issues, all of the pertinent points enumerated in § 1.111 of the Commission's rules of practice and procedure.

Released: November 18, 1963.

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

[F.R. Doc. 63-12388; Filed, Nov. 27, 1963;
8:55 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. G-19024, 19926]

**BRITISH-AMERICAN OIL PRODUCING
CO. ET AL.**

Order Amending Order To Allow Substitution of Undertaking in Lieu of Bond to Assure Refund of Excess Charges

NOVEMBER 19, 1963.

The British-American Oil Producing Company and Rex Monahan, Docket No. G-19024; J. Ray McDermott & Co., Inc.,

et al. and Rex Monahan, Docket No. G-19926.

On September 17, 1963, the Commission issued its order in the above-captioned proceedings entitled, "Order Making Successor in Interest Co-Respondent, Redesignating proceedings, and Requiring Filing of Successor's Bond". By said order the Commission ordered that Rex Monahan (Monahan) be joined as co-respondent with British-American Oil Producing Company (British-American) and J. Ray McDermott & Co., Inc., et al. (McDermott) in the rate suspension proceedings in Docket Nos. G-19024 and G-19926, respectively, and that such proceedings be redesignated accordingly, and that Monahan be required to file an acceptable surety bond, in Docket Nos. G-19024 and G-19926, to assure refund of any excess charges which the Commission may require in accordance with the provisions of the temporary authorization granted in Docket No. CI63-545 by letter order issued May 23, 1963. The acreage acquired by Monahan is located in Logan County, Colorado.

Monahan by letter dated October 1, 1963, requested that the Commission waive the requirement of a surety bond. In support thereof, Monahan states that the difference between the rate in effect subject to refund here and the predecessor's underlying effective rate, without refund obligation, is only \$312.79 for the past year.

In view of the small amount involved in these proceedings, we believe that our order of September 17, 1963, should be amended so as to require Monahan to file his agreement and undertaking in lieu of the surety bond required therein to assure refund of any excess charges.

The Commission finds: It is appropriate and in the public interest in carrying out the provisions of the Natural Gas Act to permit Monahan to file his agreement and undertaking in lieu of the corporate surety bond required by paragraph (C) of the Commission's order issued on September 17, 1963, in the proceedings in Docket Nos. G-19024 and G-19926.

The Commission orders:

(A) Paragraphs (C) and (D) of the Commission's order issued on September 17, 1963, in Docket Nos. G-19024 and G-19926, are hereby amended so as to permit Monahan to file his agreement and undertaking in lieu of the surety bond therein required to be filed to assure refund of any excess charges which the Commission may require in accordance with the provisions of the temporary authorization granted in Docket No. CI63-545.

(B) Monahan within 30 days of the issuance of this order shall execute in accordance with the form attached hereto,¹ an acceptable agreement and undertaking in the above-entitled proceedings and tender it for filing with the Commission. Unless Monahan is advised to the contrary within 15 days after the date of the filing of such agreement and undertaking, the agreement and undertaking shall be deemed to have been accepted.

¹ Form filed as part of original document.

(C) Monahan shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder. Monahan's agreement and undertaking shall remain in full force and effect until discharged by the Commission.

(D) In all other respects the terms and conditions set forth in the Commission's order issued in these proceedings on September 17, 1963, as amended by this order, shall remain in full force and effect.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12346; Filed, Nov. 27, 1963;
8:45 a.m.]

[Docket No. CP64-57]

CITY OF MONTEZUMA, GA.

Notice of Application

NOVEMBER 19, 1963.

Take notice that on September 5, 1963, the City of Montezuma, Georgia (Applicant), filed in Docket No. CP64-57 an application pursuant to section 7(a) of the Natural Gas Act for an order of the Commission directing South Georgia Natural Gas Company (South Georgia) 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 Montezuma 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 a distribution system in Montezuma and approximately 11 miles of transmission line connecting said system with a proposed transmission line to be constructed by South Georgia. Applicant will also distribute gas to customers located along its proposed transmission line.

The application shows Applicant's estimated third year peak day and annual natural gas requirements to be 1,098 Mcf and 180,730 Mcf, respectively.

The total estimated cost of transmission and distribution facilities for the proposed project is \$696,000. Said cost will be financed by the issuance of revenue bonds in the amount of \$367,000 and by a grant of \$329,000 under the Accelerated Public Works Program of the Housing and Home Finance Administration.

On September 9, 1963, South Georgia filed an answer to the subject application stating that it is willing to render natural gas service to Applicant. South Georgia will construct and operate approximately 10 miles of 4½-inch pipeline connecting its 4½-inch line, located south of Americus, Georgia, with the proposed transmission line of Applicant. The total cost of South Georgia's proposed facilities is estimated to be \$115,000.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, in accord-

ance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before December 11, 1963.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12347; Filed, Nov. 27, 1963;
8:45 a.m.]

[Docket No. RP63-2]

MISSISSIPPI RIVER FUEL CORP.

Notice Fixing Oral Argument

NOVEMBER 19, 1963.

Upon consideration of the motion filed herein for an opportunity to present oral argument;

Notice is given that an oral argument is hereby scheduled to be held at 10:00 a.m., January 14, 1964, in a hearing room of the Federal Power Commission, on the Examiner's decision issued August 20, 1963, and the exceptions thereto;

Any party desiring to participate in the oral argument should notify the Secretary on or before December 20, 1963, of the time desired for the presentation of argument.

By direction of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12348; Filed, Nov. 27, 1963;
8:46 a.m.]

[Project No. 2199]

SKAMANIA COUNTY, WASH.; PUBLIC UTILITY DISTRICT NO. 1

Notice Fixing Oral Argument

NOVEMBER 19, 1963.

Upon consideration of the request filed herein for an opportunity to present oral argument;

Notice is given that an oral argument is hereby scheduled to be held at 10:00 a.m., January 20, 1964, in a hearing room of the Federal Power Commission, on the Examiner's Decision issued August 8, 1963, and the exceptions thereto;

Any party desiring to participate in the oral argument should notify the Secretary on or before December 20, 1963, of the time desired for the presentation of argument.

By direction of the Commission.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12349; Filed, Nov. 27, 1963;
8:46 a.m.]

[Docket No. G-17613 etc.]

TEXACO, INC., ET AL.

Order Denying Applications for Rehearing in Part, Denying Motions in Part, Severing Proceedings for Limited Purpose, Initiating Proceedings, Consolidating Proceedings, and Providing for Hearing

NOVEMBER 19, 1963.

Texaco Inc., Docket No. G-17613; Sun-ray DX Oil Company, Docket No. G-17726 and G-17727; Phillips Petroleum

Company, Docket No. G-17740; The Atlantic Refining Company, Docket No. G-17741; Austral Oil Company, Inc., Docket No. G-17797; Texas Gulf Producing Company, Docket No. G-17925; P. R. Rutherford, Docket No. G-17928; Continental Oil Company, Docket No. G-17936; The Superior Oil Company (Operator), et al., Docket No. G-17989; Ted Weiner (Operator), et al., Docket No. G-17993; Jefferson Lake Sulphur Company (Operator), et al., Docket No. G-17997; Willard E. Walker, Docket No. G-18099; Southwest Gas Producing Company, Docket No. G-18100; Trice Production Company, Docket No. G-18516; David Crow, Trustee, Docket No. G-20083; J. P. Owen (Operator), et al., Docket No. G-20555; Maracaibo Oil Exploration Corporation (Operator), et al., Docket No. RI60-138; Socony Mobil Oil Company, Docket No. G-17526; Sun Oil Company (Operator), et al., Docket No. G-17923; Hassie Hunt Trust Estate, Docket No. RI64-296; Wm. Herbert Hunt Trust Estate, Docket No. RI64-297; Area Rate Proceeding, Docket No. AR61-2.

By order issued September 5, 1963, in Docket Nos. AR61-2, G-17613, et al.,¹ rehearing was granted for purposes of reconsideration of the order issued July 24, 1963, denying UGI's motions to reject, cancel and dismiss certain favored-nation rate increases allegedly triggered by sales from Pan American Petroleum Corporation (Pan American) to Transcontinental Gas Pipe Line Corporation (Transco) under its FPC Gas Rate Schedule No. 242, among others, in the light of Pan American's settlement proposal in Docket No. G-16946. Subsequently, Pan American's proposal was approved by order issued November 19, 1963 in Docket Nos. G-13221, G-16946, et al. As a result thereof, a 20.625 cents per Mcf settlement rate for Pan American's instant sale was approved as of April 1, 1963, and no refunds were required for the period prior thereto.²

We held in the July 24, 1963, order that the producers had the right under the favored-nation provisions in their contracts to file for increased rates of 23.55 cents per Mcf based on the 23.55 cents per Mcf initial rate of Pan American at least during the period that Pan

American's temporary authorization was in effect. It was also indicated that the producers' triggering rights under their contracts are not necessarily dependent solely upon the sales by Pan American and Oil Participations Inc. (Oil Participations)³ mentioned in Transco's letter, since there were other sales being made at 23.55 cents to Transco under Hassie Hunt Trust Estate FPC Gas Rate Schedule No. 3 and Wm. Herbert Hunt Trust Estate FPC Gas Rate Schedule No. 5 and under renegotiated rates involved in Docket Nos. G-17726, G-17727, G-17740, and G-17936, among others.

Long Island Lighting Company, The United Gas Improvement Company and Philadelphia Electric Company (petitioners) in their applications for rehearing argue that the Pan American sale did not trigger the producer contracts involved here claiming, inter alia, (1) favored-nation clauses cannot be activated by sales made under temporary authorization, (2) under the doctrine of "like suspect prices" used in certificate proceedings, UGI v. F.P.C., 283 F. 2d 817, 824-825, Placid Oil Co., Opinion No. 398, there should be no triggering, (3) the Pan American rate was presumptively invalid because it would cause the very triggering condemned in Atlantic Refining Company v. PSC, 350 U.S. 378, and (4) favored nation clauses are illegal and contrary to public policy, citing the dissent in Wisconsin v. F.P.C., 373 U.S. 294 at 330-331.

While it may be argued in retrospect that temporary authorization should not have been granted for the Pan American sale to Transco or if granted should earlier have been withdrawn, this situation does not derogate from the fact that Pan American has been lawfully collecting the 23.55 cent rate without refund obligation since 1958. Under the favored nation clauses the producers had the right to file for rate increases up to 23.55 cents because Transco was lawfully paying that rate to Pan American and it makes no difference that the rate was being charged pursuant to temporary rather than permanent authorization. The important point is that the 23.55 cent rate was the legally effective rate under Pan American's rate schedule. Moreover, the doctrine of "like suspect prices", although applicable to determining what are "in-line prices" in a section 7 proceeding, has no applicability to a question of contractual authorization for a filing.

In the Pure Oil case, Opinion No. 341, 25 FPC 383, affirmed (7 Cir. 1962, 299 F. 2d 370), we rejected the contention that favored-nation clauses should be stricken from rate schedules on file with the Commission.⁴ The Supreme Court in Wisconsin v. F.P.C., 373 U.S. 294, rejected a similar argument by California with respect to spiral escalations. The Court stated (373 U.S. at 304):

Further, we see no merit in California's contention. It is true that the Commission has announced prospectively that it would not accept for filing contracts containing

such clauses,⁵ but it would have been quite a different matter for the Commission to have declared that past rate increases were ineffective simply because they were based on spiral provisions. The effect of a contract clause of this type, of course, is only to permit the producer to resort to the filing provisions of § 4(d) of the Act. If the increase is challenged, the producer must still establish its lawfulness wholly apart from the terms of the contract. Thus we have sustained the right of a seller to file an increase under a contract which, in effect, authorized him to do so at any time. United Gas Pipe Line Co. v. Memphis Light, Gas and Water Division, 358 U.S. 103. The spiral clauses here are far more limited in scope, depending as they do on the occurrence of external events. [Footnote omitted]

In view of the foregoing, we hold that the producers did have the contractual right to file for increased rates of 23.55 cents at least during the period prior to April 1, 1963, when Pan American's rate of 23.55 cents was in effect.⁶ For the same reasons mentioned above, we also hold that Sun Oil Company in Docket No. G-17923 and Socony Mobil Oil Company in Docket No. G-17526 had the contractual right to file the favored-nation increased rates of 23.55 cents involved therein at least during the period prior to April 1, 1963. We shall therefore deny UGI's motions filed on August 30 and September 3, 1963, respectively (which were not involved in the July 24 and September 5 orders) to reject, cancel, and dismiss the favored-nation increases in Docket Nos. G-17923 and G-17526 insofar as such motions relate to the period prior to April 1, 1963. The question arises, however, whether or not the producers' rates should be reduced as of April 1, 1963 to 20.625 cents or less⁷ inasmuch as the triggering clauses expressly provide that the triggered rates will remain in effect only as long as the purchaser pays the higher rate to another producer in the area. As indicated in the July 24 order there are certain Hunt sales and renegotiated rates at 23.55 cents per Mcf which also might provide a triggering basis.

Petitioners claim that under certain of the contracts⁷ triggering could not occur as a result of the Hunt rates or the renegotiated rates because the favored-nation provisions in such contracts are

⁵ Should approval of the Pan American settlement be rescinded for any reason, the effect thereof would be to permit Pan American to continue collection of the 23.55 cent initial rate, thus increasing the length of time that the triggered rates may remain in effect subject to refund under the producers' contracts.

⁶ Petitioners argue on a comparable basis the proper contractual rates should be below the Pan American settlement rate because of the fringe benefits related to the settlement rate, such as a 5-year moratorium and a 4-year take or pay provision.

⁷ Austral Oil Co. Inc. (Operator), et al., Docket No. G-17797; Ted Weiner (Operator), et al., Docket No. G-17993; Trice Production Co., Docket No. G-18516; Willard E. Walker, Docket No. G-18099; and Southwest Gas Producing Co., Docket No. G-18100. The rate schedule involved in Maracaibo Oil Exploration Corp., Docket No. RI60-138, and Phillips' Rate Schedule No. 220 involved in Docket No. G-17740 do not contain, as petitioners claim, the type of favored-nation clause discussed in this part. Phillips' Rate

³ Now Austral Oil Co., Inc.

⁴ Cf. Opinion No. 382 issued Mar. 15, 1963, 29 FPC —, Shell Oil Co., et al.

applicable only if Transco "purchases from producers new gas from new sources of supply in the state of Louisiana". They aver that the triggering price must be in a "new" contract for "new" gas.

Petitioners also argue with respect to the Hunt rates and the renegotiated rates that such rates could not cause triggering in any of the producer contracts because inter alia, (1) they were not included as a contractual basis for the producer filings here, and (2) there is no basis for inferring that Transco would deem these sales as affording a contractual basis for such filings. In connection with (2) above, petitioners also claim that a hearing is necessary to determine if the sales under the Hunt and renegotiated rates are comparable to the producers' sales, i.e. if the gas involved was of a higher quality, usefulness or if other contractual provisions differentiated the sales.

We believe in the light of petitioners' arguments with respect to the Hunt sales and the renegotiated rates that these matters should be set for hearing, thus giving all parties an opportunity to present evidence relating to the contractual matters involved here. The hearing will involve a determination of the proper contractual rates for the period subsequent to April 1, 1963, of the producers involved in the July 24 and September 5 orders, except as indicated in the footnote below.⁹ The proceedings in Docket Nos. G-17526 and G-17923⁹ were not included in the July 24 and September 5 orders. These proceedings, however, involve essentially the same contractual issues as those mentioned above. We therefore consider it appropriate to consolidate these proceedings for the limited hearing purpose mentioned above. The justness and reasonableness of all the rates involved here will be determined in AR61-2, or in Docket No. G-8288, et al., if or to the extent that such rates are determined to be contractually authorized.

The Hunt 23.55 cents rates mentioned above were triggered by the Pan American rate of 23.55 cents, which, as indicated above, is no longer in effect. Due to administrative error in 1959¹⁰ the Hunt

Schedule No. 149, also involved in Docket No. G-17740, at one time contained a favored-nation provision, but no longer contains such a provision due to the filing of a superseding contract which was accepted as of Apr. 7, 1960, without prejudice to the suspension proceeding in Docket No. G-17740. UGI in its motions in Docket Nos. G-17923 (Sun's Rate Schedule No. 44 only) and G-17526 (Sococony's Rate Schedule No. 16) claims that these rate schedules also involve the "new gas from new sources of supply" favored-nation provisions. With respect to these rate schedules, UGI's claim is incorrect.

⁹The proceedings in Docket Nos. G-17726, G-17727, G-17936, and G-17740 (to the extent it relates to Phillips' Rate Schedule No. 149) will not be set for hearing, because the 23.55 cents rates involved in these proceedings are renegotiated rates not involving the contractual problems discussed here for the period subsequent to Apr. 1, 1963.

¹⁰Docket No. G-17923 is presently consolidated with Docket Nos. G-8288, et al.

¹¹Hassie Hunt Trust, et al., Docket No. G-17431, et al., 21 FPC 639.

rates rather than being suspended within the period allowed under section 4(e) of the Act were erroneously rejected. We therefore consider it necessary and proper in the public interest to aid in the enforcement of the provisions of the Natural Gas Act that the Commission enter upon hearings as hereinafter provided for the limited purpose of determining the contractual basis, if any, for Hunt's 23.55 cents rates for the period subsequent to April 1, 1963. In the event it is determined that the Hunt rates are no longer contractually authorized, it should also be determined what is the proper contractual rate and as of what date the 23.55 cents rates ceased to be effective.

We shall consolidate for the purpose of hearing all of the proceedings set for hearing herein. It is not clear to what extent there is disagreement as to the material facts here. We shall therefore provide for a prehearing conference at which the substantive matters to be resolved by formal hearing will be set forth, and all matters that can be resolved without formal hearing will be stipulated. Thereafter the Presiding Examiner shall give notice of hearing and shall prescribe such other procedures as he deems appropriate in the disposition of these matters.

The Commission orders:

(A) For the reasons heretofore set forth, the motions filed by UGI et al., in Docket Nos. AR61-2, G-17613, et al., are hereby denied insofar as such motions are applicable to the period prior to April 1, 1963, and to this extent the applications for rehearing filed by Petitioners are also denied.

(B) For the reasons heretofore set forth, the motions filed by UGI on August 30 and September 3, 1963, in Docket Nos. G-17923 and G-17526, respectively, are hereby denied insofar as such motions are applicable to the period prior to April 1, 1963.

(C) Pursuant to the authority of the Natural Gas Act, particularly sections 4, 5, 14, 15, and 16 thereof, the Commission's rules of practice and procedure and the regulations under the Natural Gas Act (18 CFR Ch. I), proceedings in Docket Nos. RI64-296 and RI64-297 are hereby initiated concerning the contractual basis for the 23.55 cents per Mcf rates in effect under Hassie Hunt Trust Estate FPC Gas Rate Schedule No. 3 and Wm. Herbert Hunt Trust Estate FPC Gas Rate Schedule No. 5, respectively, for the period subsequent to April 1, 1963; the remaining above entitled proceedings except as indicated in the footnote below¹¹ are set for hearing herein and are hereby severed from the area rate proceeding in Docket No. AR61-2 or Docket No. G-8288, et al., as the case may be, only for the limited purpose set forth herein but shall remain in Docket No. AR61-2 and Docket No. G-8288, et al., respectively, for the purpose of determining the justness and reasonableness of the increased rates; the above-entitled

¹¹The proceedings in Docket Nos. G-17726, G-17727, and G-17936 are not set for hearing. The proceeding in Docket No. G-17740 is set for hearing only insofar as it relates to Phillips' Rate Schedule No. 220.

proceedings except to the extent otherwise indicated, including the proceedings initiated above in Docket Nos. RI64-296 and RI64-297 with respect to the Hunt sales, are hereby consolidated for the limited purpose set forth herein; and public hearings shall be held in these proceedings pursuant to the procedures prescribed herein concerning the contractual basis for the rates involved in these consolidated proceedings for the period subsequent to April 1, 1963.

(D) Any officer or officers of the Commission designated by the Chief Hearing Examiner for that purpose, shall preside at the prehearing conference and the hearing in the above-designated proceedings, pursuant to the Commission's rules of practice and procedure, and as further provided by this order.

(E) Pursuant to the provisions of § 1.18 of the Commission's rules of practice and procedure, a prehearing conference before the Presiding Examiner to be designated shall commence at 10:00 a.m., e.s.t., on January 28, 1964, in a hearing room of the Federal Power Commission, 441 G Street N.W., Washington, D.C., for the purpose of effectuating the intent of the Commission, as hereinabove set out in the body of this order.

(F) After the prehearing conference, the Presiding Examiner shall give notice of the date of hearing and shall prescribe such other procedures as he deems appropriate in the disposition of these matters.

(G) 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 December 31, 1963.

By the Commission.¹²

[SEAL] ~ JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12350; Filed, Nov. 27, 1963; 8:46 a.m.]

[Docket No. G-13221 etc.]

UNION TEXAS PETROLEUM ET AL.

Order Severing Proceedings, Conditionally Approving Proposed Settlement, Conditionally Issuing Certificates of Public Convenience and Necessity and Amending Order Issuing Certificate

NOVEMBER 19, 1963.

Union Texas Petroleum, et al., Docket Nos. G-13221, et al.; Pan American Petroleum Corporation, Docket Nos. G-16946, G-19223, G-20049, CI60-133, CI60-777, CI61-143, CI61-355, CI61-808, CI61-974, CI62-724, CI62-782, CI62-1341, G-17977, CI61-127 and G-10022; Transcontinental Gas Pipe Line Corporation, Docket No. RP63-3.

On July 30, 1963, Pan American Petroleum Corporation (Pan American) filed a motion for severance of the above-captioned Pan American dockets from

¹²Dissenting statement of Commissioners Ross and Black filed as part of original documents.

the proceedings in Union Texas Petroleum, et al., Docket Nos. G-13221, et al. (hereinafter referred to as the Union Texas Proceeding), for approval of its settlement proposal and for the prompt issuance of certificates of public convenience and necessity, and for an order amending an order issuing a certificate of public convenience and necessity.

A joint response in support of Pan American's proposal was filed on August 16, 1963, by the Eastern Seaboard Inter-veners.¹

Pan American's settlement proposal is similar to the settlement approved for Humble Oil & Refining Company² and provides the following:³

(1) In respect to the rate schedules listed in paragraphs (2), (3), (4), (5) and the supplement referred to in (4) below, a moratorium on rate increase filings from July 1, 1963, through June 30, 1968; except that such filings may be made (1) prior to July 1, 1968, to the extent that the maximum statutory suspension period under Section 4(e) of the Natural Gas Act may be extended beyond 5 months or the Commission may hereafter be authorized to lengthen such period, and (2) at any time for reimbursement for one-half the amount of increased State or Federal taxes or payments in lieu of such taxes, provided that such rate increase does not exceed the reimbursement to which Pan American is entitled by contract.

(2) The issuance of certificates of public convenience and necessity at settlement initial rates⁴ of 20.625 cents per Mcf⁵ authorizing the sales proposed in Docket Nos. G-16946, (R.S. 242), G-19223 (R.S. 257), G-20049 (R.S. 267), CI60-133 (R.S. 284), CI60-777 (R.S. 278), CI61-143 (R.S. 282), CI61-808 (R.S. 293), CI62-724 (R.S. 325), CI62-782 (R.S. 326), G-17977 (R.S. 354), and CI61-127 (R.S. 304).

(3) The issuance of a certificate of public convenience and necessity at the contractual initial rate of 20.25 cents per Mcf authorizing the sale proposed in Docket No. CI61-974 (R.S. 297) and amendment of the order issuing the certificate in Docket No. G-10022 to include the additional acreage covered by Supplement No. 12 to R.S. No. 190 at the contractual initial rate of 20.3 cents per Mcf.

¹ Long Island Lighting Co., Philadelphia Gas Works Division of The United Gas Improvement Co., The United Gas Improvement Co., The New England Distributors Group (41 distributor companies), The East Ohio Gas Co., Hope Natural Gas Co., Lake Shore Pipe Line Co., New York State Natural Gas Corp., The Peoples Natural Gas Co. and The River Gas Co.

² See order issued August 7, 1963, in Union Texas Petroleum, et al., Docket Nos. G-13221, et al., — FPC —.

³ See appendix for further details.

⁴ The rate provisions refer to gas "delivered". As we have stated in other orders conditionally approving settlements in this proceeding, in the context of the settlement proposals, we interpret the term to include gas required to be taken during the moratorium period but paid for and not taken. Our approval of this proposal is conditioned upon such interpretation.

⁵ All rates expressed inclusive of applicable tax reimbursement and all volumes expressed at 15.025 psia.

(4) The issuance of a certificate of public convenience and necessity at the settlement initial rate of 19.0 cents per Mcf authorizing the sale in Docket No. CI62-1341 (R.S. 333).

(5) The issuance of a certificate of public convenience and necessity authorizing the sale in Docket No. CI61-355 (R.S. 288) at the settlement initial rate of 19.0 cents per Mcf plus 1.625 cents per Mcf to be placed in an escrow account to provide for the contingency of the producing acreage's being finally adjudicated as lying within the taxing jurisdiction of the State of Louisiana. The purchaser also will place in the escrow account an amount equal to 2.05 cents per Mcf times the volumes delivered from April 17, 1961, through June 30, 1963.

(6) Continued collection of the rates now in effect subject to refund in Docket Nos. RI62-220⁶ and RI63-44,⁷ subject to further orders of the Commission in those dockets.

(7) Extension of the make-up periods to 4 years under all rate schedules and supplements subject to this settlement which provide for a lesser make-up period.

(8) Prospective upward or downward adjustment of rates according to any area rate or rates determined in Area Rate Proceeding, Docket No. AR61-2.

As noted above, the proposal provides that the rate reductions will take effect and that the moratorium will begin as of July 1, 1963. If we were to allow Pan American to use this effective date we would be giving Pan American an advantage over those numerous applicants which have settled their cases in the Union Texas Proceeding with effective dates of April 1, 1963.

On August 20, 1963, Pan American, filed a telegram with the Secretary⁸ stating that its effective date should not be moved back to April 1, 1963, because Pan American has already paid April, May and June royalties based on rates higher than the settlement rates and that the public interest will not be affected adversely by the later effective date because Pan American's moratorium period has been correspondently extended by three months.

We do not feel that we should depart from our announced policy merely for the convenience of Pan American in dealing with its royalty owners. Doubtless, Pan American may resort to its legal remedies to make itself whole. Nor do we agree with the contention that by extending the moratorium period through June 30, 1968, Pan American's proposal is put on a par with those having moratoria from April 1, 1963, through May 31, 1968. Since the Area Rate Proceeding, Docket No. AR61-2 will certainly be completed prior to May 31, 1968, the extension of the moratorium period has little or no value. Accordingly, our ap-

⁶ Related to Supplement No. 1 to Pan American's R.S. No. 297 (CI61-974).

⁷ Related to Supplement No. 13 to Pan American's R.S. No. 190 (G-10022).

⁸ Pan American's telegram was in reply to a telegram of the Brooklyn Union Gas Co., filed with the Secretary August 16, 1963, urging that the effective date of all settlements in the Union Texas Proceeding be April 1, 1963.

proval of this proposal will be subject to the conditions that the rate reductions go into effect on April 1, 1963, and the 5 year moratorium begins on that date. Pan American will be required to refund the monies above the settlement rates collected for deliveries made subsequent to March 31, 1963. Similarly, the 2.05 cents per Mcf escrow referred to in Paragraph (5) above will apply from April 17, 1961, through March 31, 1963.

In keeping with our present policy, we shall require that Pan American pay interest on the amounts to be refunded at a rate of 7 percent per annum, such interest to accrue through the last day of the month in which the motion and offer of settlement was filed.

The settlement provisions for adjustments in rates according to our order or orders in Area Rate Proceeding, Docket No. AR61-2, seek to anticipate in part the nature of our final determinations in that matter. It is clear that we shall make no determinations in this matter which will control our conclusions in Docket No. AR61-2. The settlement proposal also provides that adjustments in price growing out of the Area Rate Proceeding, Docket No. AR61-2, should go into effect upon conclusion of judicial review of our final order. However, we cannot now commit the Commission to conditionally staying the effectiveness of its final order in Docket No. AR61-2. These matters should be decided at the conclusion of that proceeding and our approval of the settlement will be so conditioned.

We find the settlement proposal as modified to be in the public interest. Accordingly, we shall sever the above-captioned Pan American dockets from the consolidated proceedings in Union Texas Petroleum et al., Docket Nos. G-13221, et al., omit the intermediate decisions in regard to these dockets⁹ and conditionally issue certificates of public convenience and necessity.

As we have done in other settlements which provided for escrow arrangements,¹⁰ we shall require that Transcontinental Gas Pipe Line Corporation (Transco), the purchaser under Rate Schedule No. 288 (Docket No. CI61-355), file a copy of the escrow agreement and make special reports concerning the escrow account. These filings will be made in Docket No. RP63-3.

With the exceptions noted below, the pipeline purchasers (shown below in the appendix) which will receive refunds and whose overall purchased gas costs will be affected substantially by this settlement will pass on the refunds and adjust their rates in accordance with the Commission's latest rate orders concerning the respective pipelines. United Gas Pipe Line Company, the purchaser under Rate Schedules Nos. 282 (CI61-143) and 297 (CI61-974) has a rate case, in Docket No. RP63-1, presently pending before the Commission. Any adjustments necessary to reflect Pan American's reduced rates will be effected in that proceeding.

⁹ The hearings in the Union Texas Petroleum, et al., consolidated proceeding concluded July 25, 1963.

¹⁰ See Socony Mobil Oil Company, Inc., 28 FPC 357, 362.

The flow through provisions in Transco's settlement in Docket No. RP61-13¹¹ specifically apply to Docket Nos. G-16946, G-17977, G-19223, CI61-355 and CI61-808. Transco, in the recent Socony Mobil Oil Company and Gulf Oil Corporation settlements¹² contended that the flow through provisions in the settlement agreement in Docket No. RP61-13 do not apply to producer rate schedules not specifically referred to therein. Since Pan American's Rate Schedules Nos. 326 (CI62-782) and 333 (CI62-1341) are not specifically referred to in the settlement agreement in Docket No. RP61-13, and in order to avoid a situation in which a pipeline obtains and keeps the benefits of refunds and reductions in gas purchase costs even though it may be, in the absence of such refunds and reductions, earning a reasonable rate of return on invested capital, we shall require Transco to report to the Commission the amount of refund and interest received as a result of the settlement in Docket Nos. CI62-782 and CI62-1341, the estimated annual reduction in purchased gas costs, the proposed disposition of the refunds and the proposed rate adjustments, if any, to reflect the reduction in gas purchase costs. We shall require Transco to hold the refunds and amounts equal to the reductions in purchased gas costs which will accrue as a result of the settlement in these two dockets in a special account subject to further orders of the Commission.

One further matter requires discussion. We note that certain of the intervenors who urge approval of this settlement proposal are presently contesting the validity of certain increased rate filings of other producers which rely on the 23.55 cents per Mcf rate under Pan American's Rate Schedule No. 242 (G-16946).¹³ While the question of the validity of such filings is not before us in the instant settlement proposal, we deem it proper to observe that consummation of this proposal would confirm the legality of Pan American's collecting the 23.55 cents rate during the period from the date of initial delivery through March 31, 1963.¹⁴ This is so because under the settlement proposal no refunds will be paid for amounts collected during this period above the settlement rate of 20.625 cents per Mcf. Thus, even if we are incorrect in the decision we are releasing today on rehearing of UGI's motion to cancel certain rate filings in Docket Nos. AR61-2, G-17613, et al. (in which we hold that the fact that Pan American's temporary certificate carries no express refund obligation

means that it was a triggering sale during the period the temporary was in effect), adoption of the settlement might validate the triggering. As we have indicated in the order on rehearing, supra, it may well be that even if the Pan American temporary is ignored there were other triggering sales during all or most of this period and it may be that the intervenors here will still wish to proceed with the proposed settlement. But, in view of the foregoing, we think it only fair to give any party involved here an opportunity to object to the terms of this order.

The Commission finds:

(1) Pan American is a "natural-gas company" within the meaning of the Natural Gas Act, and is engaged in the sale of natural gas in interstate commerce for resale for ultimate public consumption, subject to the jurisdiction of the Commission.

(2) The proposed sales of natural gas are subject to the jurisdiction of the Commission, and such sales, together with the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, are subject to the requirements of subsections (c) and (e) of section 7 of the Natural Gas Act.

(3) Pan American is able and willing properly to do the acts and to perform the services proposed, and to conform to the provisions of the Natural Gas Act and the requirements, rules and regulations of the Commission thereunder.

(4) The proposed sales, together with the construction and operation of any facilities subject to the jurisdiction of the Commission, and necessary therefor, are required by the public convenience and necessity and are in the public interest upon the conditions set forth below, and the certificates should be issued and the amendment should be granted as ordered below.

(5) It is in the public interest and it is appropriate in carrying out the provisions of the Natural Gas Act that Transco be required to submit the reports and retain the refunds, interest and purchased gas cost reductions as ordered below.

(6) The conditions attached to the certificates herein issued are required by the public convenience and necessity.

(7) No party has opposed the waiver of the intermediate decisions in these proceedings.

The Commission orders:

(A) The motion for waiver of the intermediate decisions is granted.

(B) The matters in the above-captioned Pan American dockets are severed from the consolidated proceeding, Union Texas Petroleum, et al., Docket Nos. G-13221, et al.

(C) Certificates of public convenience and necessity are hereby issued upon the conditions set forth herein to Pan American for the sales of natural gas in interstate commerce for resale as proposed in each Pan American docket except Docket No. G-10022 and as modified by the settlement proposals and this order, and for the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, as more fully described in the ap-

plications and settlement proposal herein.

(D) The order granting the certificate of public convenience and necessity of Pan American in Docket No. G-10022, issued on October 16, 1956 (16 FPC 1470) is hereby amended to authorize the sale proposed in Docket No. G-10022 herein, as modified by the settlement proposal and this order, and the construction and operation of any facilities subject to the jurisdiction of the Commission necessary therefor, as more fully described in the application to amend and the settlement proposal herein.

(E) The certificates issued by paragraph (C) above, and the amendment granted by paragraph (D) above are granted upon the express condition that Pan American comply fully with the terms of the settlement proposal which settlement is expressly approved, as modified by this order.

(F) Pan American shall make the refunds required by this order within 60 days from the date of issuance thereof. Within 30 days after making the refunds required by the terms and conditions of this order and the settlement proposals, Pan American shall report to the Commission, in triplicate, the amount of the refunds made to each pipeline purchaser, showing separately the amount of principal and interest so paid and the bases used for such determinations, together with releases from the purchasers showing receipt of the refunds in conformity with the settlement and the conditions of this order.

(G) The certificates issued by paragraph (C) above and the amendment granted by paragraph (D) above are granted upon express condition that the effective date for rate reductions proposed herein be April 1, 1963, and that Pan American refund to the respective pipeline purchasers all amounts above the settlement rates collected for gas delivered since April 1, 1963; and upon the further condition that interest at 7 percent be paid on all monies to be refunded, such interest to accrue through the last day of the month in which the settlement offer was filed, July 31, 1963.

(H) Upon full compliance of Pan American with all the terms of this order and of the settlement proposal as modified, Pan American shall be relieved of any further refund obligations in these certificate proceedings and such proceedings shall terminate.

(I) The certificates herein issued are not transferable and shall be effective only so long as Pan American continues the acts and operations hereby authorized in accordance with the provisions of the Natural Gas Act and the applicable rules, regulations and orders of the Commission.

(J) The grant of the certificates and amendment herein shall not be construed as a waiver of the requirements of section 4 of the Natural Gas Act, or Part 154 of the regulations thereunder; *Provided, however*, That the 30-day notice provision of § 154.94(b) and the detailed submittal requirements of § 154.94(f) are hereby waived insofar as they apply to the filing of reductions in rates as required by this order and the settlement proposals.

¹¹ Transcontinental Gas Pipe Line Corporation, 27 FPC 187.

¹² See our order of Oct. 9, 1963, in Union Texas Petroleum, et al., Docket Nos. G-13221, et al. — FPC —.

¹³ See order denying motions to reject, cancel, and dismiss rate filings, issued July 24, 1963 and order granting rehearing of said order issued Sept. 5, 1963 in Docket Nos. AR61-2, G-17613, et al.

¹⁴ We recognize, of course, that the intervenor's position in the triggering cases that favored-nation clauses cannot be activated by sales made under temporary authorization is not affected by the legality of Pan American's rate.

(K) The grant of certificates and the amendment herein and approval of the settlement proposal is without prejudice to any findings or orders which have been or may hereafter be made by the Commission in any proceeding now pending or hereafter instituted by or against Pan American particularly any proceeding under section 5 of the Natural Gas Act or section 5(c) of the Outer Continental Shelf Lands Act, and is without prejudice to claims or contentions which may be made by the Commission, applicant, the Commission staff, or any affected party herein in any other proceeding.

(L) Within 15 days from the date of receipt of refunds and interest required by this order in Docket Nos. CI62-782 and CI62-1341, Transco shall submit a report to the Commission and serve a copy on its jurisdictional customers, and the various state commissions wherein it does business, setting forth the amount of refund and interest received, the estimated annual reduction in purchased gas costs due to these particular rate reductions, its proposed disposition of such refunds and interest and its proposed rate adjustments to reflect the reductions in gas purchase costs. Pending Commission action and further orders respecting such proposed dispositions and adjustments, Transco shall hold such refunds, interest and amounts equal to the reduction in purchased gas costs which accrue as a result of the settlement of these dockets in a special account (without interest obligation).

(M) Within 30 days after it has executed an agreement with an escrow agent, pursuant to this order, Transco shall file with the Commission a conformed copy of such agreement and a special report of the amounts paid into escrow. Each year thereafter and until the escrow agreement terminates, Transco shall file contemporaneously with its Form 2 Annual Report a report of the amounts in the escrow account as of the last day of the reporting year. In addition, whenever the escrow agent pays out monies from the escrow account, Transco shall file a special report of the principal and interest so paid out, the reason for such payments, and the manner of distribution and basis therefor. Whenever the escrow agent pays out monies to Transco's customers, Transco shall serve a copy of its special report on each interested State Commission. All filings and reports required by this paragraph shall be made by a responsible corporate official, in Docket No. RP63-3.

(N) Any party to these proceedings having objections to the terms of this order shall within 30 days from the date of issuance of this order set forth such objections in writing to the Commission (original and one copy), and serve copies on the other parties. If such objections be filed as set forth above, the effectiveness of this order shall be automatically stayed, pending further order or orders of the Commission.

By the Commission.¹

JOSEPH H. GUTRIDE,
Secretary.

APPENDIX

Rate schedule number	Docket No.	Buyer	Present rate cents Mcf	Settlement rate
242	G-16946	Transco	23.55	20.625
257	G-19223	do	23.55	20.625
267	G-20049	Southern Natural Gas Co.	23.55	20.625
284	CI60-133	Tennessee Gas Transmission Co.	23.6	20.625
278	CI60-777	Trunkline Gas Co.	24.05	20.625
282	CI61-143	United Gas Pipe Line Co.	23.55	20.625
288	CI61-355	Transco	21.4	¹ 20.625
293	CI61-808	do	23.25	20.625
297	CI61-974	United Gas Pipe Line Co.	23.30	² 20.25
325	CI62-724	Tennessee Gas Transmission Co.	21.25	20.625
326	CI62-782	Transco	21.25	20.625
333	CI62-1341	do	19.5	³ 19.0
354	G-17977	do	23.55	20.625
304	CI61-127	Texas Gas Transmission Corp.	22.75	20.625
190	G-10022	United Fuel Gas Co.	20.7	² 20.3

¹ 19.0 cents plus 1.625 cents in escrow.

² Rate increase will remain in effect subject to refund in suspension dockets.

³ Offshore.

[F.R. Doc. 63-12351; Filed, Nov. 27, 1963; 8:46 a.m.]

[Docket No. G-20426]

**WARREN PETROLEUM CORP. AND
NATIONAL FUELS CORP.**

**Order Making Successor in Interest
Co-Respondent, Redesignating Proceeding,
and Accepting Successor's
Agreement and Undertaking**

NOVEMBER 19, 1963.

On December 31, 1962, National Fuels Corporation (National Fuels) acquired by assignment the interest of Warren Petroleum Corporation (Warren) in the Madill Plant in Marshall County, Oklahoma. Warren has been making jurisdic-

ditional sales from the Madill Plant to Lone Star Gas Company (Lone Star) under its FPC Gas Rate Schedule No. 19. The last rate in effect not subject to refund under Warren's FPC Gas Rate Schedule No. 19 is 11.0 cents per Mcf. The presently effective rate under Warren's rate schedule is 16.8 cents per Mcf, subject to refund in the proceeding in Docket No. G-20426.

By letter order issued March 13, 1963, National Fuels was granted temporary authorization, inter alia, to sell gas to

¹ Dissenting statement of Commissioners Ross and Black filed as part of original document.

Lone Star from the Madill Plant under National Fuel's FPC Gas Rate Schedule No. 1.

National Fuels has tendered an agreement and undertaking, by which it proposes to assure refund of any excess charges that may be determined by the Commission in Docket No. G-20426 from and after the date of acquisition of the plant. Warren will remain responsible under its agreement and undertaking in the above-entitled proceeding for any refunds that may be required for the period prior to the transfer of ownership.

In support of its agreement and undertaking, National Fuels has submitted indemnity agreements executed by certain specified producers from whom it purchases gas under percentage sales contracts. By the indemnity agreements these producers agree to refund to National Fuels with 7 percent interest any amounts they receive from National Fuels which the Commission may require National Fuels to refund in the above-entitled proceeding.¹ National Fuels does not propose to pass on any refundable amounts to any producer who has not executed an indemnity agreement. In this connection, we will specifically require that National Fuels not pass on refundable amounts to any producer who has not executed an indemnity agreement approved herein by the Commission. To the extent that National Fuels may wish in the future to add to the present list of producers to whom it may pass on refundable amounts, it should tender an indemnity agreement applicable thereto to the Commission for approval.

In regard to the remaining amount subject to refund herein, National Fuels has filed documents showing that under the provisions of its purchase agreement, as amended, with Warren, relating to the Madill Plant, National Fuels may use amounts collected subject to refund only for the limited purpose of investing such money in Government securities maturing in less than four years, while the refund obligation is outstanding.² In effect the purchase agreement limits National Fuels' right to utilize amounts collected subject to refund in much the same manner as a trust agreement would limit it.

Under the above-enumerated circumstances, we consider National Fuels' agreement and undertaking to be acceptable.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act and the Regulations thereunder, that National Fuels be joined as co-respondent with Warren in the rate suspension proceeding in Docket No. G-20426, that such proceeding be redesignated accordingly, and that National Fuels' agreement and

¹ With one exception, the producers executing indemnity agreements are producers from whom we have in the past accepted agreements and undertakings. With respect to the lone exception, National Fuels submitted financial data which would warrant acceptance of his agreement.

² Under the purchase agreement National Fuels may also pass on refundable amounts to producers executing indemnity agreements satisfactory to Warren.

undertaking be accepted for filing as hereinafter ordered.

The Commission orders:

(A) National Fuels Corporation is hereby joined as co-respondent with Warren Petroleum Corporation in the proceeding in Docket No. G-20426, and such proceeding is hereby redesignated as "Warren Petroleum Corporation (Operator) and National Fuels Corporation."

(B) The agreement and undertaking filed by National Fuels Corporation in Docket No. G-20426 appears to be satisfactory and is hereby accepted for filing.

(C) National Fuels Corporation shall not pass on refundable amounts involved here to any producer except those who have executed an indemnity agreement as indicated in the documents filed by National Fuels with its agreement and undertaking on October 11, 1963.

(D) The agreement and undertaking heretofore filed by Warren in Docket No. G-20426 shall remain in full force and effect until discharged by the Commission, and shall assure refund of any excess charges which might be determined in this proceeding to be applicable to sales prior to the acquisition by National Fuels.

(E) National Fuels Corporation shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the Regulations thereunder, and its agreement and undertaking filed in Docket No. G-20426 shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL]

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-12352; Filed, Nov. 27, 1963; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS PRODUCED OR MANUFACTURED IN POLAND

Limitation on Entry or Withdrawal From Warehouse

NOVEMBER 22, 1963.

The United States Government, in furtherance of the objectives of, and under the terms of, the long term arrangement regarding international trade done at Geneva on February 9, 1962, has informed the Government of Poland that it is renewing for an additional twelve-month period the arrangements in effect between the two governments on the exports of cotton textiles and cotton textile products to the United States in categories 19, 26, 28, and 34, produced or manufactured in Poland, at the levels referred to below.

There is published below a letter of November 22, 1963, from the Chairman, President's Cabinet Textile Advisory Committee to the Commissioner of Customs, directing that the amounts in categories 19, 26, 28, and 34 of cotton textiles

and cotton textile products produced or manufactured in Poland which may be entered, or withdrawn from warehouse, for consumption in the United States from December 4, 1963, through December 3, 1964, be limited to certain designated levels.

THOMAS JEFF DAVIS,
Acting Chairman, Interagency Textile Administrative Committee, and Acting Deputy to the Secretary of Commerce for Textile Programs.

THE SECRETARY OF COMMERCE

PRESIDENT'S CABINET TEXTILE ADVISORY COMMITTEE

Washington 25, D.C.
November 22, 1963

COMMISSIONER OF CUSTOMS,
DEPARTMENT OF THE TREASURY,
Washington, D.C.

DEAR MR. COMMISSIONER: Under the terms of the long term arrangement regarding international trade done at Geneva on February 9, 1962, and in accordance with the procedures outlined in Executive Order 11052 of September 28, 1962, you are directed to prohibit, effective December 4, 1963, and for the period extending through December 3, 1964, entry into the United States for consumption and withdrawal from warehouse for consumption of cotton textiles and cotton textile products in categories 19, 26, 28, and 34, produced or manufactured in Poland, in excess of the following levels of restraint:

Category:	Level of restraint
19-----	595,000 square yards
26-----	79,000 square yards
28-----	105,000 number
34-----	60,000 number

A detailed description of the categories in terms of T.S.U.S.A. numbers was published in the FEDERAL REGISTER on October 1, 1963 (28 F.R. 10551).

In carrying out this directive, entries of cotton textiles and cotton textile products in categories 19, 26, 28, and 34, produced or manufactured in Poland, which have been exported to the United States from Poland prior to December 4, 1963, shall, to the extent of any unfilled balances, be charged against the levels of restraint established for such goods during the period December 4, 1962, through December 3, 1963. In the event that the levels of restraint established for the period December 4, 1962, through December 3, 1963, have been exhausted by previous entries, such goods shall be subject to the directives set forth in this letter.

In carrying out the above directions, entry into the United States for consumption shall be construed to include entry for consumption into the Commonwealth of Puerto Rico.

The actions taken with respect to the Government of Poland and with respect to imports of Polish cotton textiles and cotton textile products have been determined by the President's Cabinet Textile Advisory Committee to involve foreign affairs functions of the United States. Therefore, the directions to the Commissioner of Customs, being necessary to the implementation of such actions, fall within the foreign affairs exception to the notice provisions of Section 4 of the Administrative Procedure Act. This letter is being published in the FEDERAL REGISTER.

Sincerely yours,

FRANKLIN D. ROOSEVELT, Jr.,
Acting Secretary of Commerce, and
Acting Chairman, President's Cabinet Textile Advisory Committee.

[F.R. Doc. 63-12390; Filed, Nov. 27, 1963; 8:55 a.m.]

OFFICE OF EMERGENCY PLANNING

VOLUNTARY TANKER PLAN FOR CONTRIBUTION OF TANKER CAPACITY FOR NATIONAL DEFENSE REQUIREMENTS

Addition to Membership

Pursuant to section 708 of the Defense Production Act of 1950, as amended, there are published herewith additional companies which have accepted the request to participate in the voluntary plan entitled, "Voluntary Tanker Plan for the Contribution of Tanker Capacity for National Defense Requirements," as amended March 20, 1958. The request and complete list of earlier acceptances were published in 24 F.R. 4119, May 21, 1959.

- Albatross Tanker Corp., 120 Wall Street, New York 5, N.Y.
 - American Eagle Tanker Corp., 80 Broad Street, New York 4, N.Y.
 - Broad Tankers Corp., c/o Tidewater Oil Co., 660 Madison Avenue, New York 21, N.Y.
 - Clearwater Shipping Corp., 17 Battery Place, New York 4, N.Y.
 - Eagle Terminal Tankers, Inc., 250 Park Avenue, New York 17, N.Y.
 - Eastern Tankship Corp., c/o Tidewater Oil Co., 660 Madison Avenue, New York 21, N.Y.
 - Hedge Haven Farms, Inc., Box 384, Clinton, N.J.
 - Hudson Waterways Corp., 1 Chase Manhattan Plaza, New York 5, N.Y.
 - Manhattan Tankers Co., Inc., 1 Chase Manhattan Plaza, New York 5, N.Y.
 - Mathiasen's Tanker Industries, Inc., Public Ledger Building, Philadelphia 6, Pa.
 - Mayflower Steamship Corp., 24 State Street, New York 4, N.Y.
 - Monticello Tanker Co., 655 Madison Avenue, New York 21, N.Y.
 - Montpelier Tanker Co., 655 Madison Avenue, New York 21, N.Y.
 - Mount Vernon Tanker Co., 655 Madison Avenue, New York 21, N.Y.
 - Newport Tankers, Inc., c/o A. L. Burbank & Co., 120 Wall Street, New York 5, N.Y.
 - Oceanic Petroleum Carriers, Inc., c/o Marine Carriers Corp., 17 Battery Place, New York 4, N.Y.
 - Ocean Transportation Co., Inc., 511 Fifth Avenue, New York 17, N.Y.
 - Sea Transport Corp., 250 Park Avenue, New York 17, N.Y.
 - Texaco, Inc., 135 East 42d Street, New York 17, N.Y.
 - Transeastern Shipping Corp., 1 Chase Manhattan Plaza, New York 5, N.Y.
 - U.S. Shipping Corp., 17 Battery Place, New York 4, N.Y.
 - U.S. Tankers Corp., c/o Marine Carriers Corp., 17 Battery Place, New York 4, N.Y.
 - Tidewater Oil Co., 4201 Wilshire Boulevard, Los Angeles 5, Calif.
 - Western Ocean Transport Co., c/o Pacific Coast Transport Co., Ocean Center Building, Long Beach 2, Calif.
- (Sec. 708, 64 Stat. 818, as amended; 50 U.S.C. App. Sup. 2158; Executive Order 10480, Aug. 14, 1953, 18 F.R. 4939; Reorganization Plan No. 1 of 1958, 23 F.R. 4991, as amended; Executive Order 11051, Sept. 27, 1962, 27 F.R. 9683)

Dated: November 21, 1963.

EDWARD A. McDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 63-12342; Filed, Nov. 27, 1963; 8:45 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1639]

AMERICAN RESEARCH AND DEVELOPMENT CORP.

Notice of Filing of Application for Order Exempting Transaction Be- tween Affiliates

NOVEMBER 21, 1963.

Notice is hereby given that American Research and Development Corporation ("applicant"), 200 Berkeley Street, Boston, Massachusetts, a registered closed-end investment company, has filed an application pursuant to section 17(b) of the Investment Company Act of 1940 ("Act") for an order of the Commission granting an exemption from the provisions of section 17(a) of the Act to permit the conversion by applicant of certain convertible debentures, held by applicant, into shares of common stock of Giannini Controls Corporation ("Giannini") to be issued by Giannini at the conversion price of \$6.92327 per share. All interested persons are referred to the application, which is on file with the Commission, for a full statement of the representations therein, which are summarized below.

Giannini is a New York corporation with its principal place of business at Duarte, California. Its business is primarily designing, developing, and manufacturing measurement and control devices used in aircraft and missile fields and for industrial control equipment, manufacturing electro-mechanical and electronic equipment in the time control field and manufacturing small AC-DC motors. Its common stock is listed on the American Stock Exchange. As of June 30, 1963 it had 1,121,385 shares of such stock outstanding. On November 13, 1963, the closing price of Giannini common stock was \$13.25 per share.

Applicant owns 62,374 shares of common stock of Giannini, or approximately 5.56 percent of its voting securities presently outstanding and Giannini is therefore an affiliated person of applicant under the provisions of section 2(a)(3) of the Act. After the proposed transaction applicant will own 83,491 shares, or approximately 7.34 percent of the shares of common stock of Giannini to be outstanding after conversion assuming that all debenture holders exercise their conversion privilege.

The debentures proposed to be converted by applicant consist of \$146,200 principal amount of 6 percent ten-year convertible debentures issued to applicant in December 1953 by Cramer Controls Corporation ("Cramer") as part of an issue aggregating \$149,000 principal amount. On March 20, 1961, Giannini entered into a Plan of Agreement with Cramer, which was consummated on June 2, 1961 under which Giannini assumed all of Cramer's obligations, including the debentures proposed to be converted, and exchanged 55/100 of a Giannini share of common stock for each outstanding share of Cramer.

Applicant asserts that the terms of the proposed transaction are reasonable and fair, that there is no overreaching and that the terms of the conversion transaction apply equally to all holders of this particular issue of debentures. Applicant further asserts that the proposed transaction is consistent with its investment policy and with the general purposes of the Act.

Section 17(a) of the Act in general prohibits an affiliated person of a registered investment company from selling to, or purchasing from, such registered company securities or property, unless the Commission upon application pursuant to section 17(b), grants an exemption from section 17(a) upon a finding that the terms of the proposed transaction, including the consideration to be paid, are reasonable and fair and do not involve overreaching on the part of any person concerned, that the proposed transaction is consistent with the policy of each registered investment company concerned, as recited in its registration statement and reports filed under the Act, and is consistent with the general purposes of the Act.

Notice is further given that any interested person may, not later than December 5, 1963, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicant at the address set forth above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 63-12357; Filed, Nov. 27, 1963;
8:47 a.m.]

[File No. 811-1107]

HILL STREET CO.

Notice of Filing of Application for an Order Declaring That Company Has Ceased To Be an Investment Com- pany

NOVEMBER 21, 1963.

Notice is hereby given that an application has been filed pursuant to section

8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Hill Street Company ("applicant"), 760 South Hill Street, Los Angeles, California, a California corporation and a closed-end investment company has ceased to be an investment company by reason of the exception contained in section 3(c)(1) of the Act.

Applicant states that it has never transacted any business; that it has no security holders and that it does not presently propose to make an offering of its securities. Section 3(c)(1) of the Act excepts from the definition of an investment company any issuer whose outstanding securities (other than short-term paper) are beneficially owned by not more than one hundred persons and which is not making and does not presently propose to make a public offering of its securities.

Section 8(f) of the Act provides, in pertinent part, that whenever the Commission upon application finds that a registered investment company has ceased to be an investment company, it shall so declare by order and upon the taking effect of such order, the registration of such company shall cease to be in effect.

Notice is further given that any interested person may, not later than December 6, 1963, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon applicant at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] NELLYE A. THORSEN,
Assistant Secretary.

[F.R. Doc. 63-12358; Filed, Nov. 27, 1963;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 281]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

NOVEMBER 22, 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 42487 (Deviation No. 21), CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif., filed November 12, 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 junction U.S. Highways 50 and 91 at or near Santaquin, Utah, over U.S. Highway 50 to junction U.S. Highway 93, approximately 27 miles southeast of Ely, Nev., thence over U.S. Highway 93 to junction U.S. Highway 91 at or near Glendale, Nev., 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 Salt Lake City, Utah, over U.S. Highway 91 to junction unnumbered highway, near Mesquite, Nev., thence over unnumbered highway via Bunker-ville, Nev., to junction U.S. Highway 91, thence over U.S. Highway 91 to Las Vegas, Nev., thence over U.S. Highway 93 to Boulder City, Nev., and return over the same route.

No. MC 75628 (Deviation No. 8), STASI MOTOR FREIGHT, INC., Post Office Box 1440, Houston, Tex., 77001, filed November 12, 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 junction U.S. Highway 70 and Interstate Highway 55 over Interstate Highway 55 to junction U.S. Highway 64, thence over U.S. Highway 64 to junction U.S. Highway 67, at or near Bald Knob, Ark., thence over U.S. Highways 64 and 67 to junction of

said highways near Beebe, Ark., thence over U.S. Highway 64 to Conway, Ark., 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 Memphis, Tenn., over U.S. Highway 70 to Little Rock, Ark.; and from Little Rock over U.S. Highway 65 to Conway, and return over the same routes.

No. MC 76266 (Deviation No. 11), ADMIRAL-MERCHANTS MOTOR FREIGHT, INC., 2625 Territorial Road, St. Paul 4, Minn., filed November 14, 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 St. Joseph, Mo., over U.S. Highway 59 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 75, thence over U.S. Highway 75 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 83, thence over U.S. Highway 83 to junction U.S. Highway 24, thence over U.S. Highway 24 to junction U.S. Highway 40, thence over U.S. Highway 40 to Denver, 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 St. Joseph over U.S. Highway 71 to junction Iowa Highway 2, thence over Iowa Highway 2 to junction U.S. Highway 275, thence over U.S. Highway 275 to junction U.S. Highway 30-A, thence over U.S. Highway 30-A to junction U.S. Highway 30, thence over U.S. Highway 30 to junction U.S. Highway 138, thence over U.S. Highway 138 to junction U.S. Highway 6, thence over U.S. Highway 6 to Denver, and return over the same route.

No. MC 109914 (Deviation No. 4), DUNDEE TRUCK LINE, INC., 660 Sterling Street, Toledo, Ohio, 43609, filed November 12, 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 Toledo, Ohio, over U.S. Highway 20 to junction U.S. Highway 23 in the Toledo commercial zone, thence over U.S. Highway 23 to junction U.S. Highway 12, thence over U.S. Highway 12 to Ypsilanti, 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 Toledo over unnumbered highway (formerly U.S. Highway 23) via Milan, Mich., to junction U.S. Highway 12 (formerly 112), thence over U.S. Highway 12 to Ypsilanti, and return over the same route.

No. MC 109914 (Deviation No. 5) DUNDEE TRUCK LINE, INC., 660 Sterling Street, Toledo, Ohio, 43609, filed November 12, 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 Ann Arbor, Mich., over Interstate Highway 94 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 pertinent service routes as follows: From Ann Arbor over Michigan Highway 17 to Ypsilanti, Mich., thence over U.S. Highway 12 (formerly 112) to Detroit, from Ann Arbor over unnumbered highway (formerly U.S. Highway 23) to junction County Highway 360, thence over County Highway 360 to junction County Highway 413, thence over County Highway 413 to junction Michigan Highway 56, thence over Michigan Highway 56 to junction County Highway 468, thence over County Highway 468 to junction U.S. Highway 25, thence over U.S. Highway 25 to Detroit, and from Ann Arbor over Michigan Highway 17 to Detroit, and return over the same routes.

MOTOR CARRIERS OF PASSENGERS

No. MC 41905 (Deviation No. 1), ILLINI-SWALLOW LINES, INC., 118-120 South Walnut Street, Champaign, Ill., filed November 8, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From Peoria, Ill., over Interstate Highway 74 to junction U.S. Highway 150 near Deer Creek, Ill., (B) from junction Interstate Highway 74 and U.S. Highway 150, 3 miles west of Champaign, Ill., over Interstate Highway 74 to Champaign, (C) from junction Interstate Highway 74 and U.S. Highway 150, 1 mile east of Urbana, Ill., over Interstate Highway 74 to junction U.S. Highway 150, 5 miles west of Danville, Ill., (D) from junction Interstate Highway 74, and U.S. Highway 36 over Interstate Highway 74 to junction U.S. Highway 136, 3 miles west of Veedersburg, Ind., (E) from junction Interstate Highway 74 and U.S. Highway 136 near Lizton, Ind., over Interstate Highway 74 to junction U.S. Highway 136 near Speedway, Ind., (F) from junction U.S. Highway 45 and Interstate Highway 74 over U.S. Highway 45 to Urbana, Ill., (G) from junction Cemetery Road and Interstate Highway 74 over Cemetery Road to Covington, Ind., (H) from junction Indiana Highway 39 and Interstate Highway 74 over Indiana Highway 39 to Lizton, Ind., (I) from junction unnamed County Road and Interstate Highway 74 over unnamed County Road to Pittsboro, Ind., and (J) from junction Indiana Highway 267 and Interstate Highway 74 over Indiana Highway 267 to Brownsburg, Ind., and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over pertinent service routes as follows: (A) From Champaign over U.S. Highway 150 to Danville, Ill., thence over U.S. Highway 136 (formerly Illinois Highway 10) to the Illinois-Indiana State line, and thence over U.S. Highway 136 (formerly Indiana Highway 34) to Indianapolis, Ind.; and return from Indianapolis over U.S. Highway 52 to Lebanon, Ind., thence over Indiana Highway 32 to Crawfordsville, Ind., thence over U.S. Highway 136 (formerly Indiana Highway 34) to the

Indiana-Illinois State line, thence over U.S. Highway 136 (formerly Illinois Highway 10) to Danville, and thence over U.S. Highway 150 to Champaign, (B) from Champaign over U.S. Highway 150 to Bloomington, Ill., thence over Illinois Highway 9 to Pekin, Ill., and (C) from Danville over Illinois Highway 1 to Hoopston, Ill., thence over Illinois Highway 9 to Bloomington, and thence over U.S. Highway 150 to Peoria, and return over the same routes in (B) and (C) of the notice.

No. MC 41905 (Deviation No. 2), ILLINOIS-SWALLOW LINES, INC., 118-120 South Walnut Street, Champaign, Ill., filed November 12, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From junction U.S. Highway 52, and Interstate Highway 65 near Indianapolis, Ind., over Interstate Highway 65 to junction U.S. Highway 52 near Royalton, Ind., and (B) from junction U.S. Highway 52 and Interstate Highway 65, southeast of Lebanon, Ind., over Interstate Highway 65 to junction Indiana Highway 32, west of Lebanon, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Indianapolis over U.S. Highway 52 to Lebanon, and return over the same route.

No. MC 48501 (Deviation No. 1), INDIANA MOTOR BUS COMPANY, 716 South Main Street, South Bend, Ind., filed November 13, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over a deviation route as follows: From Gary, Ind. over city streets to the Indiana East-West Toll Road, thence over the Indiana East-West Toll Road and Interstate Highway 94 to Chicago, Ill., 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 Chicago over U.S. Highway 41 to Hammond, Ind., thence over city streets to Gary, and return over the same route.

No. MC 55312 (Deviation No. 2), CONTINENTAL TENNESSEE LINES, INC., 418 Fifth Avenue South, Nashville, Tenn., filed November 14, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *passengers and their baggage*, over deviation routes as follows: (A) From Carthage, Tenn., over Tennessee Highway 53 to junction Interstate Highway 40, thence over Interstate Highway 40 to junction Tennessee Highway 42, thence over Tennessee Highway 42 to Cookeville, Tenn., (B) from Cookeville over Tennessee Highway 42 to junction Interstate Highway 40, thence over Interstate Highway 40 to junction U.S. Highway 70N, (C) from junction Interstate Highway 40 and U.S. Highway 70N, approximately 3 miles east of Cookeville, thence over Interstate Highway 40 to junction U.S. Highway 70N, approximately 2 miles west of Monterey, Tenn., (D) from junction Interstate Highway 40 and U.S. Highway 70N, approximately 1 mile west of Monterey,

thence over Interstate Highway 40 to junction U.S. Highway 70N, approximately 1 mile southeast of Monterey, and (E) from Carthage over Interstate Highway 40 to junction U.S. Highway 70N, approximately 2 miles west of Monterey, and return over the same routes, for operating convenience only. The notice indicates that the carrier is presently authorized to transport passengers over a pertinent service route as follows: From Nashville, Tenn., over U.S. Highway 70N to Crossville, Tenn., and return over the same route.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-12381; Filed, Nov. 27, 1963;
8:53 a.m.]

[Notice No. 580]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

NOVEMBER 22, 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 pre-hearing 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 PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 504 (Sub-No. 66), filed November 18, 1963. Applicant: HARPER MOTOR LINES, INC., 213 Long Avenue, Elberton, Ga. Applicant's attorney: Monty Schumacher, Suite 693, 1375 Peachtree Street NE., Atlanta 9, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment) serving Warner Robins, Ga., located on Georgia Highway 247 and the contiguous Warner Robins Air Force Base and Air Material Area as an intermediate point on applicant's presently authorized regular route between Atlanta and Waycross, Ga.

HEARING: December 18, 1963, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 2934 (Sub-No. 10), filed March 24, 1963. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 863 Massachusetts Avenue, Indianapolis, Ind. Applicant's attorney: James L. Beatty, Suite 1019-1029, 130 East Washington Street, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Furniture and*

furniture parts, and (2) store, kitchen, hospital, building, and office fixtures and equipment, uncrated, between points in Florida, on the one hand, and, on the other, points in the United States.

HEARING: January 20, 1964, at the Dupont Plaza Hotel, 300 Biscayne Boulevard Way, Miami, Fla., before Examiner Frank R. Saltzman.

No. MC 3961 (Sub-No. 3), filed October 11, 1963. Applicant: JOHN McINTYRE, doing business as J & H McINTYRE, 261 Kearney Avenue, Jersey City 5, N.J. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles*, from Jersey City, N.J., to points in New York on and south of New York Highway No. 7, and to points in Pennsylvania on and east of U.S. Highway No. 11.

NOTE: Applicant states that the proposed operations will be under a continuing contract with W. Ames and Company, Jersey City, N.Y.

HEARING: January 20, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. MC 19105 (Sub-No. 19), filed October 1, 1963. Applicant: FORBES TRANSFER COMPANY, INC., Post Office Box 346, 301 A Highway South, Wilson, N.C. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, packinghouse products, and commodities used by packinghouses*, as described in Appendix I in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 61 M.C.C. 766, in mechanically refrigerated vehicles equipped with meat rails, between the plant site of Swift and Company in or near Wilson, N.C. on the one hand, and, on the other, points in New York, New Jersey, Pennsylvania, Maryland, Delaware, and the District of Columbia.

HEARING: January 8, 1964, at the U.S. Courtrooms, Uptown Post Office Building, Raleigh, N.C., before Examiner Frank R. Saltzman.

No. MC 29566 (Sub-No. 82), filed November 12, 1963. Applicant: SOUTHWEST FREIGHT LINES, INC., 1400 Kansas Avenue, Kansas City 5, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses* (except commodities in bulk, in tank vehicles), as described in sections A and C, Appendix I, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, from Carthage, Mo., and Miami, Okla., to points in Iowa, Kansas, Minnesota, Nebraska, and Wisconsin, and *empty containers or other incidental facilities* (not specified) used in transporting the above-described commodities, and *rejected shipments*, on return.

HEARING: December 9, 1963, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Samuel Horwich.

No. MC 30374 (Sub-No. 15), filed September 19, 1963. Applicant: MOEY LIHN, doing business as TRI-STATE TRANSPORTATION CO., West and Railroad Avenue, Vineland, N.J. 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: *Clothing and wearing apparel, and materials, supplies, equipment, and machinery* used in the manufacture of clothing and wearing apparel between points in Atlantic, Cumberland, and Gloucester Counties, N.J., on the one hand, and, on the other, points in Bergen, Essex, Hudson, Middlesex, Monmouth, Morris, Passaic, Somerset, and Union Counties, N.J.

NOTE: Applicant proposes to tack the above with existing authority.

HEARING: January 13, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Harry M. Shooman.

No. MC 31600 (Sub-No. 555), filed November 12, 1963. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass. Applicant's attorney: H. C. Ames, Jr., Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Toluene di isocyanate*, in bulk, in tank vehicles, from Ashtabula, Ohio, to points in Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Maryland, Massachusetts, Michigan, Minnesota, Missouri, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, South Carolina, Tennessee, Virginia, West Virginia, and Wisconsin.

HEARING: December 16, 1963, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner J. Thomas Schneider.

No. MC 42487 (Sub-No. 587), filed August 2, 1963. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: W. J. Hickey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Linseed oil*, in bulk, in tank vehicles, from points in Montana, to points in Colorado and Wyoming.

HEARING: January 14, 1963, at the Board of Railroad Commissioners, Helena, Mont., before Joint Board No. 265.

No. MC 42487 (Sub-No. 591), filed October 24, 1963. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: W. J. Hickey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, (1) from the pipeline station of the Continental Oil Company located approximately 9½ miles south of Sheridan, Wyo., on U.S. Highway 87 to points in Montana, North Dakota, and South Dakota, and (2) from the pipeline station of the Continental Oil Company

located approximately 4½ miles west of Rock Springs, Wyo., on U.S. Highway 30 to points in Idaho, Utah, and Colorado.

NOTE: Common control may be involved.

HEARING: January 7, 1963, at the New Customs House, Denver, Colo., before Examiner J. Thomas Schneider.

No. MC 50069 (Sub-No. 278), filed September 9, 1963. Applicant: REFINERS TRANSPORT & TERMINAL CORPORATION, 111 West Jackson Boulevard, Chicago 4, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and vegetable oils, and products and blends thereof*, in bulk, in tank vehicles, from Columbus, Ohio, to points in Kentucky, North Carolina, South Carolina, Tennessee, Virginia, and Missouri.

HEARING: January 14, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner John L. York.

No. MC 52709 (Sub-No. 217), filed May 17, 1963. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Applicant's attorney: Alvin J. Meiklejohn, Jr., Suite 526, Denham Building, Denver 2, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *General commodities, including explosives*, (a) serving Green River, Utah, and points within ten (10) miles thereof, as intermediate and off-route points in connection with applicant's presently authorized regular routes through, from and to Green River, Utah, and (b) serving Spanish Fork, Utah, on applicant's authorized regular route between Los Angeles, Calif., and Grand Junction, Colo., for purposes of joinder of routes only, and (2) *explosives*, between Green River, Utah, and points within ten (10) miles thereof, on the one hand, and, on the other, Grand Junction, Colo., and Spanish Fork, Utah.

NOTE: Common control may be involved.

HEARING: January 10, 1964, at the New Customs House, Denver, Colo., before Joint Board No. 213, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 52709 (Sub-No. 226), filed September 18, 1963. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic liquors, grain neutral spirits (alcohol), and alcoholic liquor residues*, in bulk, in tank vehicles, between Peoria and Pekin, Ill., and San Francisco, Sausalito, and points in Fresno and San Joaquin Counties, Calif.

NOTE: Common control may be involved.

HEARING: January 30, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 52709 (Sub-No. 228), filed October 8, 1963. Applicant: RINGSBY TRUCK LINES, INC., 3201 Ringsby Court, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brandy, and neutral spirits*, in bulk, in tank vehicles, from points in Cali-

fornia to points in Arkansas and Tennessee.

NOTE: Common control may be involved.

HEARING: January 31, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 52917 (Sub-No. 51), filed September 24, 1963. Applicant: CHESAPEAKE MOTOR LINES, INC., 340 West North Avenue, Baltimore 17, Maryland. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods* from Baltimore, Md., to Englewood, N.J.

HEARING: January 8, 1964, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Examiner Harry M. Shooman.

No. MC 52917 (Sub-No. 52), filed October 8, 1963. Applicant: CHESAPEAKE MOTOR LINES, INC., 340 West North Avenue, Baltimore 17, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, and dairy products*, as defined by the Commission, from Baltimore, Md., to Selinsgrove, Pa.

HEARING: January 9, 1964, in Room 709, U.S. Appraisers' Stores Building, Gay and Lombard Streets, Baltimore, Md., before Examiner Harry M. Shooman.

No. MC 52953 (Sub-No. 25), filed November 4, 1963. Applicant: ET & WNC TRANSPORTATION COMPANY, a corporation, 132 Legion Street, Johnson City, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined in *Practices in Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment and those injurious or contaminating to other lading), serving the plant site and warehouse of E. T. Barwick Carpet Mills, Inc., located approximately nine (9) miles northwest of LaFayette, Ga., on Georgia Highway 341 between junction Georgia Highways 193 and 341 and junction Georgia Highways 143 and 341, as off-route points in connection with applicants presently authorized regular route operations between Chattanooga, Tenn., and Cedar-town, Ga.

NOTE: Common control may be involved.

HEARING: December 9, 1963, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 58495 (Sub-No. 1), filed October 21, 1963. Applicant: HOWARD SCHRAMM AND HERBERT SCHRAMM, HARRIET C. SCHRAMM, ADMINISTRATRIX, doing business as SCHRAMM TRANSFER, 125 Liberty, Winner, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Winner, S. Dak., and White River, S. Dak.: From Winner over U.S. Highway 18 west from

Winner to junction U.S. Highways 18 and 183, north on U.S. Highway 183 to junction U.S. Highway 183 and South Dakota Highway 40, west on South Dakota Highway 40 to White River, and return over the same route, serving the intermediate points of Witten, Mosher, and Wood, S. Dak.

NOTE: Applicant states that it will transport empty containers, cream, eggs, and freight alcoholic beverages, on return.

HEARING: January 7, 1964, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 230.

No. MC 58923 (Sub-No. 30), filed November 20, 1963. Applicant: GEORGIA HIGHWAY EXPRESS, INC., 2090 Jonesboro Road SE., Atlanta, Ga. Applicant's attorney: Bates Block, Sixth Floor, First National Bank Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, and except dangerous explosives, household goods as defined in *Practices of Motor Common Carriers of Household Goods*, 17 M.C.C. 467, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plant site of E. T. Barwick Mills, located on Georgia Highway 341, as an off-route point, in connection with applicant's authorized regular-route operations between Chattanooga, Tenn., and Atlanta, Ga.

NOTE: Common control may be involved.

HEARING: December 9, 1963, at the Georgia Public Service Commission, 244 Washington Street, SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 64932 (Sub-No. 333), filed October 8, 1963. Applicant: ROGERS CARTAGE CO., 1934 South Wentworth Avenue, Chicago, Ill. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry starch*, in pneumatic or hopper-type vehicles, from Muscatine, Iowa, to points in Illinois, Indiana, Missouri, Ohio, Michigan, and Wisconsin.

HEARING: January 8, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 65491 (Sub-No. 3), filed October 15, 1963. Applicant: GEORGE W. BROWN, INC., 1475 East 222d Street, Bronx 69, N.Y. Applicant's attorney: Harris J. Klein, 280 Broadway, New York 7, N.Y. 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 (1) Buffalo, N.Y., and Boston, Mass., from Buffalo over Interstate Highway 90 (comprising a portion of the New York Thruway and the Massachusetts Turnpike) to Boston, and return over the same route, serving no intermediate points, and (2) between Albany, N.Y., and Springfield, Mass., from Albany over U.S. Highway 20 to

Springfield, and return over the same route, serving no intermediate points.

NOTE: Applicant states (1) and (2) above will be used as alternate routes for operating convenience only, in connection with presently authorized regular-route operations.

HEARING: January 23, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. 71722 (Sub-No. 5), filed August 28, 1963. Applicant: ARDEN L. BROWN, Rural Delivery No. 1, St. Johns, Ohio. Applicant's attorney: Carl S. Clark, 3430 LeVeque-Lincoln Tower, Fifty West Broad Street, Columbus 15, Ohio. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Brass rods and brass tubing*, from Adrian, Mich., to East Liberty (Logan County), Ohio, and Lexington (Henderson County), Tenn., and scrap brass, on return.

NOTE: The proposed service will be limited to that performed under continuing contracts with Harding Machine and Screw Company and Paul T. Blackburn, Inc. Common control may be involved.

HEARING: January 16, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner John L. York.

No. MC 76032 (Sub-No. 184), filed October 28, 1963. Applicant: NAVAJO FREIGHT LINES, INC., 1205 South Platte River Drive, Denver 23, Colo. Applicant's attorney: O. Russell Jones, Post Office Box 1437, Santa Fe, N. Mex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except explosives, heavy machinery, livestock, fresh fish, coal, ore, sand, gravel, and household goods as defined by the Commission) (1) between Chicago, Ill., and Omaha, Nebr.: From Chicago over Interstate Highway 55 to junction Interstate Highway 80, at or near Joilet, Ill., thence over Interstate Highway 80 to Omaha, 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 (2) between Denver, Colo., and Omaha, Nebr.: From Denver over Interstate Highway 80S to junction Interstate Highway 80 at or near Big Springs, Nebr., thence over Interstate Highway 80 to Omaha, 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.

NOTE: Common control may be involved.

HEARING: January 6, 1964, at the New Customs House, Denver, Colo., before Examiner J. Thomas Schneider.

No. MC 76177 (Sub-No. 295), filed November 18, 1963. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham 5, Ala. Applicant's attorney: Harold B. Hernly, 711 14th Street NW., Washington, 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 ex-

plosives, blasting supplies, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plant site of E. T. Barwick Mills, Inc., located approximately nine (9) miles west of LaFayette, Ga., as an off-route point in connection with applicant's presently authorized regular-route operations between Rome, Ga., and Chattanooga, Tenn.

HEARING: December 9, 1963, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 79774 (Sub-No. 8), filed September 17, 1963. Applicant: VINCENT J. SUCATO, doing business as AUSTIN'S EXPRESS, 13-15 Verrazzano Boulevard, Poughkeepsie, N.Y. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, (1) between points in Dutchess County, N.Y., (2) between points in Dutchess County, N.Y., on the one hand, and, on the other, points in Orange and Westchester Counties, N.Y., and (3) between points in Dutchess County, on the one hand, and, on the other, points in Ulster County, N.Y. east and south of a line drawn along an unnumbered highway running from the Sullivan-Ulster County border to and through Branch, Oliveira and Big Indian, N.Y., thence over New York Highway 28 through Shandaken, N.Y., to Mount Tremper, N.Y., thence over New York Highway 212 to Saugerties, N.Y., and thence easterly to the Hudson River.

HEARING: January 24, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. MC 87966 (Sub-No. 10), filed August 14, 1963. Applicant: ELEVELD CHICAGO FURNITURE SERVICE, INC., 65 East 28th Street, Chicago, Ill. Applicant's attorney: Harold E. Marks (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *New furniture* (uncrated), and *office equipment*, from Aurora, Ill., and points within 15 miles thereof, to points in Arkansas, Connecticut, Delaware, District of Columbia, Georgia, Indiana, Iowa, Kansas, Kentucky, Maine, Maryland, Massachusetts, Michigan, Minnesota, Missouri, Nebraska, New Hampshire, New Jersey, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin.

HEARING: January 8, 1964, at the Midland Hotel, Chicago, Ill., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 92983 (Sub-No. 426), filed October 24, 1963. Applicant: ELTON MILLER, INC., Post Office Drawer 617, Kansas City, Mo. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Dry starch* in pneumatic or hopper type vehicles, from Muscatine, Iowa, to points in Illinois, Indiana, Missouri, Ohio, Michigan, and Wisconsin.

HEARING: January 8, 1963, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 95540 (Sub-No. 541), filed July 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 points in California, to points in North Dakota, South Dakota, Wyoming, Utah, and Colorado and to Scottsbluff, Gering, and Sidney, Nebr., with service to Utah and Colorado restricted to the transportation of shipments stopping to partially unload in these two States.

NOTE: Common control may be involved.

HEARING: January 20, 1964, at the Federal Building, Los Angeles, Calif., before Examiner J. Thomas Schneider.

No. MC 96892 (Sub-No. 1), filed September 29, 1963. Applicant: ERNEST J. TERPSTRA AND HATTIE TERPSTRA, a copartnership, doing business as BUTTE-BOZEMAN DELIVERY SERVICE, 612 East Main Street, Bozeman, Mont. Applicant's attorney: Charles F. Angel, First National Bank Building, Bozeman, Mont. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, between Butte, Mont., and Bozeman, Mont.: From Butte, over U.S. Highway 10 to Bozeman, and return over the same route serving the intermediate points of Belgrade, Manhattan, Three Forks, Cardwell, and Whitehall.

HEARING: January 9, 1964, at the Board of Railroad Commissioners, Helena, Mont., before Joint Board No. 82.

No. MC 99341 (Sub-No. 1), filed October 30, 1963. Applicant: WAYNE GLODERY, 630 South Roosevelt Street, Aberdeen, S. Dak. 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, livestock, commodities in bulk, and those requiring special equipment), between Aberdeen, S. Dak., and Hecla, S. Dak.: From Aberdeen over U.S. Highway 12 to Bath Corner, thence north over County Highways to junction South Dakota Highway 10, thence over South Dakota Highway 10 to junction South Dakota Highway 37, thence over South Dakota Highway 37 to Hecla, and return over the same route, serving the intermediate points of Columbia, Houghton, and Sand Lake, S. Dak.

HEARING: January 10, 1964, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 230.

No. MC 99916 (Sub-No. 1), filed October 9, 1963. Applicant: ELWOOD H. HORTON AND HAROLD H. NEWSOM, a partnership, doing business as CONTRA COSTA DELIVERY SERVICE, 2717 North Main, Walnut Creek, Calif. Applicant's attorney: Marquam C. George, 5653 College Avenue, Oakland 18, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular and regular routes, transporting: (A) *Drugs, medicines, or toilet preparations; electrical appliances or equip-*

ment, namely: Fuses, insulators, sockets, and switches; games or toys; groceries and grocers' supplies; hardware; lamps, lanterns, or lighting fixtures or parts named, namely: lamps, electric, lighting fixtures, or parts, electric or gas; sheet steelware; tools or parts; bicycles; cement, rubber; chinaware; cloth or paper, abrasive; clothing; fishing rods; flowers, fresh, cut; meat, cooked, cured, or preserved; paint; plaster of Paris; rifles or pistols, air; screens, window. Irregular routes.

(1) Between Walnut Creek, Calif., on the one hand, and, on the other, Lafayette, Concord, Pleasant Hill, Orinda, Alamo, Saranap, Martinez, and Oakland, Calif., (2) between Oakland, Calif., on the one hand, and, on the other, Concord, Lafayette, Orinda, and Pittsburg, Calif., and (3) between Orinda, Calif., on the one hand, and, on the other, Lafayette, Calif. (B) *General Commodities* (except used household goods and personal effects; automobiles, trucks, and buses, namely: New and used, finished or unfinished passenger automobiles (including jeeps), ambulances, hearses, and taxis; freight automobiles, automobiles chassis, trucks, truck chassis, truck trailers, trucks and trailers combined, buses and bus chassis; livestock, namely: 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 refrigerated 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). Regular routes: (1) Between San Francisco, Calif., and South San Francisco, Calif., from San Francisco over U.S. Highways 101 and 101 Bypass to South San Francisco, and return over the same route, (2) between San Francisco and Vallejo, Calif., from San Francisco over U.S. Highway 40 to Vallejo, and return over the same route, (3) between San Francisco and Stockton, Calif., from San Francisco over U.S. Highway 50 to Stockton, and return over the same route, (4) between Oakland, Calif., and San Lorenzo, Calif., from Oakland over California Highway 17 to San Lorenzo, and return over the same route, (5) between Castro Valley, Calif., and Hayward, Calif., from Castro Valley over California Highway 9 to Hayward, and return over the same route, (6) between Oakland and Pittsburg, Calif., from Oakland over California Highway 24 to Pittsburg, and return over the same route, (7) between Martinez, Calif., and Pleasanton, Calif., from Martinez over California Highway 21 to junction unnumbered county road near Pleasanton, and return over the same route, (8) between Pittsburg and Stockton, from Pittsburg over California Highway 4 to Stockton, and return over

the same route, (9) between Stockton and Lodi, Calif., from Stockton over U.S. Highway 99 to Lodi, and return over the same route, (10) between Crockett, Calif., and Antioch, Calif., from Crockett over unnumbered county road to Port Costa, Martinez, Avon, Port Chicago, Shore Acres, Pittsburg, and Antioch, and return over the same route, (11) between junction U.S. Highway 50 and California Highway 21, from junction U.S. Highway 21, from junction U.S. Highway 50 with unnumbered county road, thence over unnumbered county road to Livermore and Pleasanton, thence to junction California Highway 21, and return over the same route, (12) between San Pablo, Calif., and Moraga, Calif., from San Pablo over unnumbered county road to El Sobrante, Orinda, and Moraga, and return over the same route, (13) between Moraga and Lafayette, Calif., from Moraga over unnumbered county road to Lafayette, and return over the same route, and (14) between Concord, Calif., and California Highway 4, from Concord over unnumbered county road to Clayton and Byron, Calif., thence to junction California Highway 4, and return over the same route.

NOTE: Applicant states he intends to serve all intermediate points and off-route points within three (3) miles laterally of the above-described proposed regular routes.

HEARING: February 3, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 103435 (Sub-No. 144), filed August 15, 1963. Applicant: UNITED-BUCKINGHAM FREIGHT LINES, a corporation, East 915 Springfield Avenue, Spokane 2, Wash. Applicant's attorney: Ray F. Koby, 314 Montana Building, Great Falls, Mont. 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), between Great Falls, Mont., and the port of entry on the international boundary line between the United States and Canada, at or near Sweetgrass, Mont., from Great Falls, over Interstate Highway 15 to junction U.S. Highways 89 and 91, at or near Vaughn, Mont., thence over U.S. Highway 91, also designated Interstate Highway 15, to the port of entry on the international boundary line between the United States and Canada at or near Sweetgrass, Mont., and return over the same route, serving the intermediate and off-route points of Dutton, Brady, Conrad, Shelby, Oilmont, Four Corners, Sunburst, and Sweetgrass, Mont.

HEARING: January 7, 1964, at the Board of Railroad Commissioners, Helena, Mont., before Joint Board No. 345.

No. MC 103880 (Sub-No. 297), filed September 4, 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: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminal site of Tuloma Gas Products Company, at or near Wood River, Ill., to points in Indiana, Iowa, Michigan, Missouri, Ohio, Wisconsin, and Kentucky.

HEARING: January 6, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 106657 (Sub-No. 7), filed August 15, 1963. Applicant: MACHINERY & MATERIALS CORPORATION, 3200 Gibson Transfer Road, Hammond, Ind. 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: *Ferro alloys*, in bulk, in dump trucks, (1) from Chicago, Ill., to points in Wisconsin, Minnesota, Iowa, Missouri, Kentucky, Michigan, Ohio, Pennsylvania, and West Virginia, and (2) from Monaca, Pa., to points in Ohio, Michigan, Indiana, Illinois, and Wisconsin.

HEARING: January 9, 1964, at the Midland Hotel, Chicago, Ill., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 106657 (Sub-No. 8), filed August 15, 1963. Applicant: MACHINERY & MATERIALS CORPORATION, 3200 Gibson Transfer Road, Hammond, Ind. 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: *Coke*, in bulk, from Milwaukee, Wis., to points in Indiana, Illinois, Iowa, Ohio, and Michigan.

HEARING: January 10, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 106657 (Sub-No. 11), filed August 15, 1963. Applicant: MACHINERY & MATERIALS CORPORATION, 3200 Gibson Transfer Road, Hammond, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer, fertilizer ingredients, and fertilizer materials*, in bulk, in dump trucks, from Peoria, Ill., to points in Wisconsin, Iowa, Ohio, Missouri, Minnesota, Michigan, and Kentucky.

HEARING: January 10, 1964, at the Midland Hotel, Chicago, Ill., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 107496 (Sub-No. 289), filed August 29, 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: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminal site of Tuloma Gas Products Company at or near Wood River, Ill., to points in the States of Indiana, Iowa, Michigan, Missouri, Ohio, Wisconsin, and Kentucky.

NOTE: Common control may be involved.

HEARING: January 6, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 108207 (Sub-No. 124), filed September 26, 1963. Applicant: FRO-

ZEN FOOD EXPRESS, 318 Cadiz Street, Dallas, Tex. Applicant's attorney: Ralph W. Pulley, Jr., First National Bank Building, Dallas 2, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foods, foodstuffs, food preparations, candy and confections*, from points in the Milwaukee, Wis., commercial zone and points in Waukesha and Jefferson Counties, Wis., to points in Kansas, Iowa, Missouri, Arkansas, Nebraska, Oklahoma, Texas, Louisiana, Mississippi, and Memphis, Tenn.

HEARING: January 16, 1964, at the U.S. Courtrooms, Milwaukee, Wis., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 109455 (Sub-No. 4), filed October 14, 1963. Applicant: GEORGIA-FLORIDA MOTOR EXPRESS, 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 and except classes A and B explosives, household goods, commodities in bulk, and commodities requiring special equipment), between Macon, Ga., and Warner Robins Airfield Base and Warner Robins, Ga.; from Macon over Georgia Highway 11 (U.S. Highway 41) to junction Georgia Highway 247, thence over Georgia Highway 247 to Warner Robins Airfield Base and Warner Robins, and return over the same route, serving no intermediate points, and without the right to transport traffic originating at Macon through interchange or otherwise and destined to Warner Robins Airfield Base or Warner Robins, or traffic originating at Warner Robins Airfield Base or Warner Robins with final destination at Macon or for interchange at Macon.

NOTE: Common control may be involved.

HEARING: December 18, 1963, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., before Joint Board No. 101.

No. MC 109584 (Sub-No. 116), filed September 9, 1963. Applicant: ARIZONA-PACIFIC TANK LINES, 3201 Ringsby Court, Denver, Colo. Applicant's representative: Eugene St. M. Hamilton (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate solution, sodium nitrate solution, and other inorganic nitrate solutions*, in bulk, in tank vehicles, from Curtiss, Ariz., to Eagle Mountain (Riverside County), Calif.

NOTE: Common control may be involved.

HEARING: January 16, 1964, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 110117 (Sub-No. 22), filed August 21, 1963. Applicant: KENDRICK CARTAGE CO., a corporation, Post Office Box 63, Salem, Ill. Applicant's attorney: Thomas F. Kilroy, Suite 1250, Federal Bar Building, 1815 H Street NW., Washington, D.C. Authority sought to operate as a *contract carrier*, by motor

vehicle, over irregular routes, transporting: *Molasses*, in bulk, in tank vehicles, from St. Louis, Mo., and Muscatine, Iowa, to points in Illinois and Indiana.

HEARING: January 10, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 111375 (Sub-No. 14), filed September 27, 1963. Applicant: OTTO PIRKLE, doing business as PIRKLE REFRIGERATED FREIGHT LINES, 3567 East Barnard Avenue, Cudahy, Wis. Applicant's attorney: Joseph M. Scanlan, 111 West Washington Street, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, powdered milk* containing animal or vegetable fats and ingredients, *milk products, dessert preparations, beverage preparations, milk and cream substitutes, flour mixes, cake mixes and pancake mixes* from points in Minnesota and Wisconsin to points in Arizona, California, Nevada, New Mexico, Colorado, Kansas, Utah, Wyoming, Montana, Idaho, Washington, and Oregon.

HEARING: January 20, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 111450 (Sub-No. 17), filed September 9, 1963. Applicant: GRANT TRUCKING, INC., Oak Hill, Ohio. Applicant's attorney: Paul F. Beery, 44 East Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Silica sand, silica gravel, and quartzite*, from points in Jackson Township, Pike County, Ohio, to points in Indiana, Illinois, Michigan, New York, Pennsylvania, West Virginia, and Kentucky.

NOTE: Common control may be involved.

HEARING: January 14, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner John L. York.

No. MC 111545 (Sub-No. 59), filed September 4, 1963. Applicant: HOME TRANSPORTATION COMPANY, INC., 334 South Four Lane Highway, Marietta, Ga. Applicant's attorney: Robert E. Born, Suite 214-217 Grant Building, Atlanta 3, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Radiators*, air heating or cooling, iron or steel combined with other metal; *radiators*, air heating or cooling, aluminum, brass, bronze, or copper; *cooling or freezing machines; condensers, equalizers, or exchangers*, gas or liquid; *coolers, heat exchangers, or equalizers*, for air, gas, or liquids; *air coolers, heaters, humidifiers, dehumidifiers or washers and blowers or fans combined; blowers, rotary, or exhaust fans, iron; compressors or pumps*, gas or liquid, *electric motors, or parts; machinery parts*, iron or steel; *machinery parts*, aluminum, brass, bronze, or copper; and (2) *parts, attachments, and accessories* of and for the commodities described in (1) above, from the plant site of the Trane Company at La Crosse, Wis., to points in Alabama, Florida, Georgia, North Carolina, South Carolina, Virginia, and Mississippi.

HEARING: January 15, 1964, at the U.S. Courtrooms, Milwaukee, Wis., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 111812 (Sub-No. 218), filed August 12, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., Box 747, Wilson Terminal Building, Sioux Falls, S. Dak. Applicant's attorney: Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Meats, meat products and meat by-products, dairy products, and frozen foods*, from points in Minnesota and Wisconsin to points in California, Oregon, and Washington.

HEARING: January 6, 1964, at the Midland Hotel, Chicago, Ill., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 111848 (Sub-No. 1), filed September 26, 1963. Applicant: CHARLES M. BOWERS, 61 Main Street, Eldred, Pa. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: (1) *Engines, pumps, compressors, and parts thereof*, between points in Erie and Cattaraugus Counties, N.Y., and points in Erie and McKean Counties, Pa., on the one hand, and, on the other, points in Arizona, Colorado, Illinois, Indiana, Kansas, Louisiana, Michigan, Mississippi, New Mexico, Ohio, Oklahoma, Pennsylvania, and Texas; and (2) *engines, pumps, compressors, and parts thereof, rough castings, rough forgings, steel bars, patterns, weldments, fire brick, ferro alloy briquettes, and tooling*; (a) between points in McKean, Crawford, Clearfield, Warren, Franklin, and Erie Counties, Pa., on the one hand, and, on the other, Olean, N.Y.; (b) between points in McKean County, Pa., and Olean, N.Y., on the one hand, and, on the other, points in Ohio.

NOTE: Applicant states that service proposed will be under continuing contract with the Clark Brothers Company of Olean, N.Y. The above-described authority embraces some authority new held by the applicant in permit MC 111848. If the above-described authority is granted, applicant requests concurrent cancellation of its presently held authority to the extent that there would be duplication.

HEARING: January 23, 1964, at the Hotel Roosevelt, Pittsburgh, Pa., before Examiner John L. York.

No. MC 112617 (Sub-No. 153), filed September 16, 1963. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville, Ky. Applicant's attorney: Leonard A. Jackiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminal site of Tuloma Gas Products Company at or near Wood River, Ill., to points in Indiana, Iowa, Michigan, Missouri, Ohio, Wisconsin, and Kentucky.

HEARING: January 6, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 112617 (Sub-No. 160), filed October 7, 1963. Applicant: LIQUID TRANSPORTERS, INC., Post Office Box 5135, Cherokee Station, Louisville 5, Ky. Applicant's attorney: Leonard A. Jackiewicz, Munsey Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Alcoholic beverages*, in bulk, in tank vehicles, between points in Illinois, Indiana, and Ohio, on the one hand, and, on the other, points in Connecticut, Massachusetts, and Rhode Island.

HEARING: January 21, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. MC 113025 (Sub-No. 2), filed October 21, 1963. Applicant: RALPH C. ISLAND, doing business as ISLAND FREIGHT, Box 147, Deadwood, S. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Commercial livestock feeds, flour, and seeds*, from the Tri State Milling Co., in Rapid City, S. Dak., to points in Crook, Weston, Niobrara, Goshen, Laramie, Platte, Albany, Converse, Campbell, Natrona, Johnson, Sheridan, and Carbon Counties, Wyo., and points in Fallon, Custer, Carter, Powder River, Rosebud, Treasure, Yellowstone, and Bighorn Counties, Mont., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, and *grain*, on return.

HEARING: January 8, 1964, at the South Dakota Public Utilities Commission, Pierre, S. Dak., before Joint Board No. 270.

No. MC 113624 (Sub-No. 15) (AMENDMENT), filed August 19, 1963, published in FEDERAL REGISTER issue November 20, 1963, republished as amended, this issue.

Applicant: WARD TRANSPORT, INC., Post Office Box 133, Pueblo, Colo. Applicant's attorney: Marion F. Jones, Suite 526, Denham Building, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles; (1) from Sheridan, Wyo., and points within 10 miles thereof, to points in Montana, North Dakota, and South Dakota; (2) from Loveland, Colo., and points within 10 miles thereof, to points in Wyoming; (3) from points in Texas on and north of a line beginning at the Texas-New Mexico State line, and extending along U.S. Highway 84 to Lubbock, thence over U.S. Highway 282 to Wichita Falls, and thence along U.S. Highway 277 to the Texas-Oklahoma State line to points in Nebraska; and, (4) from Rock Springs, Wyo., and points within 10 miles thereof, to points in Colorado, Idaho, and Utah.

NOTE: Applicant states that it is presently authorized to perform this service by tacking through Colorado. To some locations in Nebraska, due to highway locations, the distance would be slightly shorter by direct route through Kansas rather than through Colorado. The purpose of this republication is to add (4) above.

HEARING: Remains as assigned, January 17, 1964, at the New Customs House,

Denver, Colo., before Examiner Hugh M. Nicholson.

No. MC 113651 (Sub-No. 61), filed October 11, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorneys: Charles W. Singer, 33 North La Salle Street, Suite 3600, Chicago 2, Ill., and Mario Pieroni, 523 Johnson Building, Muncie, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Imported meat*, from New York, N.Y., points in New York and New Jersey in the New York, N.Y., commercial zone as defined by the Commission, and Philadelphia, Pa., to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania (on and west of U.S. Highway 220), West Virginia, and Wisconsin.

HEARING: January 20, 1964, at the Hotel Roosevelt, Pittsburgh, Pa., before Examiner John L. York.

No. MC 113678 (Sub-No. 47), filed June 3, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver 16, Colo. Applicant's attorney: Duane W. Acklie, Box 2028, Lincoln, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Meat, meat products and articles distributed by meat packing-houses*, as defined by the Commission, *foodstuffs and dairy products*, from points in Crawford, Dallas, Hardin, and Shelby Counties, Iowa, to points in California, Nevada, Oregon, and Washington.

HEARING: January 23, 1964, at the Federal Building, Los Angeles, Calif., before Examiner J. Thomas Schneider.

No. MC 114045 (Sub-No. 122), filed November 14, 1963. Applicant: TRANSCOLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex. Applicant's attorney: Carl L. Phinney, 617 First National Bank Building, Dallas, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over *irregular routes*, transporting: *Prepared foodstuffs*, in vehicles equipped with mechanical refrigeration, from New Albany, Ind., and Cincinnati, Ohio, to points in Alabama, Arkansas, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Mississippi, Missouri, Minnesota, Montana, Nebraska, New York, North Dakota, North Carolina, Ohio, Pennsylvania, South Carolina, South Dakota, Tennessee, Virginia, West Virginia, and Wisconsin.

HEARING: December 11, 1963, in Room B-29, Federal Building and U.S. Court House, 110 South Fourth Street, Minneapolis, Minn., before Examiner Richard H. Roberts.

No. MC 114789 (Sub-No. 11), filed October 7, 1963. Applicant: NATIONWIDE CARRIERS, INC., 721 Second Street SE., Minneapolis, Minn. Applicant's attorney: William S. Rosen, 400 Minnesota Building, St. Paul 1, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over *irregular routes*, transporting: *Dairy products including cheese and cheese foods, dried milk products, animal and poultry feed and fertilizer*, from Minneapolis, St. Paul, Albert

Lea, New Richland, Faribault, Pine Island, and Lakefield, Minn., and Plymouth, Kiel, Manitowoc, Monroe, Marshfield, Spencer, Wycocena, Mondovi, Whitehall, and Greenwood, Wis., to Los Angeles, San Francisco and San Diego, Calif., Phoenix, and Tucson, Ariz., Reno, and Las Vegas, Nev., Denver, Colo., and Albuquerque, N. Mex., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Applicant is also authorized to conduct operations as a common carrier in Certificate MC 117940 and subs thereunder; therefore dual operations may be involved.

HEARING: January 22, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 114969 (Sub-No. 14), filed October 4, 1963. Applicant: PROPANE TRANSPORT, INC., 27 Water Street, Milford, Ohio. 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: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminal site of Tuloma Gas Producing Company at or near Wood River, Ill., to points in Indiana, Iowa, Kentucky, Michigan, Missouri, Ohio, and Wisconsin.

HEARING: January 6, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 115841 (Sub-No. 155), filed October 11, 1963. Applicant: COLONIAL REFRIGERATED TRANSPORTATION, INC., 1215 Bankhead Highway West, Post Office Box 2169, Birmingham, Ala. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Prattville, N.Y., to points in Kentucky, Virginia, Georgia, Tennessee, Alabama, Mississippi, and Louisiana.

HEARING: January 22, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. MC 116137 (Sub-No. 4), filed September 6, 1963. Applicant: CLAYTON H. ZEIGLER, doing business as ZEIGLER'S STORAGE & TRANSFER, Route No. 11 South, Carlisle, Pa. Applicant's attorney: William D. Boswell, 800-806 Blackstone Building, 112 Market Street, Harrisburg, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Uncrated new school and laboratory furniture, fixtures, equipment and assemblies* which are utilized in educational institutions, and research facilities, from the plant sites of Cutler-Federal, Inc. (Federal Equipment Co.), and Desks of America, Incorporated located in the Borough of Carlisle, Pa., to points in Georgia, Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, District of Columbia, West Virginia, Ohio, Indiana, Illinois, Wisconsin, Michigan, Minnesota, Kentucky, Virginia, Tennessee, North Carolina, South Carolina, Alabama, Florida, Mississippi, Louisiana, Arkansas, Missouri, and Texas, and *empty containers or other*

such incidental facilities (not specified) used in transporting the above described commodities, and *refused, damaged, and rejected items*, on return.

HEARING: January 20, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Harry M. Shومان.

No. MC 117574 (Sub-No. 83), filed August 12, 1963. Applicant: DAILY EXPRESS, INC., Post Office Box 39, M.R. No. 3, Carlisle, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Self propelled vehicles and equipment* (except automobiles and trucks or truck tractors) and (2) *attachments and parts therefor* in (1) *above*, from points in Wisconsin located south of Wisconsin Highway 29 to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, Pennsylvania, Virginia, West Virginia, Michigan, and the District of Columbia.

HEARING: January 13, 1964, at the U.S. Courtrooms, Milwaukee, Wis., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 117883 (Sub-No. 28), filed September 19, 1963. Applicant: SUBLER TRANSFER, INC., East Main Street, Versailles, Ohio. Applicant's attorney: Taylor C. Burneson, Fifty West Broad Street, Columbus, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen imported meats* from New York, N.Y., points in New York and New Jersey in the New York, N.Y., commercial zone as defined by the Commission, and Philadelphia, Pa. to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania on and west of U.S. Highway 220, West Virginia, and Wisconsin.

HEARING: January 20, 1964, at the Hotel Roosevelt, Pittsburgh, Pa., before Examiner John L. York.

No. MC 118062 (Sub-No. 1), filed October 9, 1963. Applicant: DUD COOKE, doing business as COOKE MOTOR EXPRESS, West Main Street, Lake City, S.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: *Wool, and wool and synthetic waste*, from points in Berkeley County, S.C., to points in Albany County, N.Y.

HEARING: January 15, 1964, at the U.S. Courtrooms, Columbia, S.C., before Examiner Frank R. Saltzman.

No. MC 118196 (Sub-No. 12), filed November 20, 1964. Applicant: RAYE AND COMPANY TRANSPORTS, INC., Post Office Box 613, Carthage, Mo. Applicant's attorney: Harry Ross, Warner Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts 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, and *dairy products*, from Miami, Okla., and Carthage, Mo., to points in Kansas, Minnesota, Wisconsin, Nebraska, and Iowa, and

empty containers or other such incidental facilities (not specified) used in transporting the above commodities, on return.

HEARING: December 9, 1963, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner Samuel Horwich.

No. MC 118838 (Sub-No. 7), filed October 4, 1963. Applicant: GABOR TRUCKING, INC., Detroit Lakes, Minn. Applicant's attorney: Gene P. Johnson, First National Bank Building, Fargo, N. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed and feed ingredients*, (1) from Fort Dodge and Cedar Rapids, Iowa, to ports of entry on the international boundary line between the United States and Canada, located at Sweetgrass, Mont., Portal, Neche, and Pembina, N. Dak., and Noyes, and Pinecreek, Minn., and (2) from Savage, and Minneapolis, Minn., to ports of entry on the international boundary line between the United States and Canada, located at Sweetgrass, Mont., and Portal, N. Dak.

HEARING: January 23, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street Minneapolis, Minn., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 119441 (Sub-No. 11), filed September 13, 1963. Applicant: BAKER HI-WAY EXPRESS, INC., Stone Creek, Ohio. Applicant's attorney: Richard H. Brandon, Hartman Building, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick and facing tile*, from points in Tuscarawas County, Ohio, to points in Delaware and New Jersey, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

HEARING: January 15, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner John L. York.

No. MC 119477 (Sub-No. 4), filed August 22, 1963. Applicant: ROSSI TRANSPORTATION, INC., Post Office Box 587, Fort Bragg, Calif. Applicant's representative: E. H. Griffiths, 451 Turk Street, San Francisco, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from Fort Bragg, Calif., to Eureka and Arcata, Calif., destined to have a further movement by water to points outside the United States.

HEARING: January 29, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Joint Board No. 75, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 119702 (Sub-No. 9), filed September 3, 1963. Applicant: STAHLY CARTAGE CO., a corporation, 130-A Hillsboro Avenue, Edwardsville, Ill. Applicant's attorney: Mack Stephenson, 922 First National Bank Building, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from the terminal site of Tuloma Gas Products Company located

at or near Wood River, Ill., to points in Iowa, Michigan, Missouri, Ohio, Wisconsin, and Kentucky.

HEARING: January 6, 1964, at the Conrad Hilton Hotel, Chicago, Ill., before Examiner John L. York.

No. MC 120010 (Sub-No. 1), filed September 16, 1963. Applicant: HERBERT D. NEEDEL, doing business as TUCSON PACKAGE DELIVERY, 344 North Hoff Avenue, Tucson, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Parcels, packages, and messages*, between points in Tucson, Ariz., and points within a twenty-five (25) mile radius thereof.

NOTE: Applicant states the above described commodities will be limited per consignment for trip from one consignor to one consignee to fifty (50) pounds, and interchange of interstate traffic will be effected at Tucson, Ariz., only.

HEARING: January 16, 1964, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 240, or, if the Joint Board waives its rights to participate, before Examiner J. Thomas Schneider.

No. MC 123828 (Sub-No. 1), filed July 29, 1963. Applicant: C. R. BROWN TRANSPORT, INC., 604 South Sixth Street, Grand Junction, Colo. Applicant's attorney: John P. Thompson, 450 Capitol Life Building, Denver 3, Colo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum products*, in bulk, in tank vehicles, from points in Carbon County, Wyo., to points in Colorado west of the Continental Divide.

NOTE: Applicant states the proposed operations will be under continuing contract with Monument Oil Company, Grand Junction, Colo. Applicant corporation now holds authority to perform the same service for C. R. Brown Oil Company; by this application it seeks simply to add to its customer list a second shipper corporation, the controlling stock of which is owned by the same persons.

HEARING: January 8, 1964, at the New Customs House, Denver, Colo., before Joint Board No. 50, or, if the Joint Board waives its right to participate, before Examiner J. Thomas Schneider.

No. MC 123998 (Sub-No. 2), filed October 14, 1963. Applicant: JIMED TRUCKING CORP., 245 Norfeld Boulevard, Elmont, Long Island, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Metal containers*, from points in New Jersey, to points in New York, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: January 23, 1964, at the Sheraton Atlantic Hotel, New York, N.Y., before Examiner Charles J. Murphy.

No. MC 125079 (Sub-No. 1), filed September 3, 1963. Applicant: ARTHUR A. FREDA, 1107 Goodman Street, Pittsburgh 18, Pa. Applicant's attorney: Arthur J. Diskin, 302 Frick Building, Pittsburgh 19, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Brick*, from Wadsworth, Cleveland,

Pavonia, and Somerset, Ohio, Charleston, W. Va., and Somerset, Va., to points in Allegheny, Westmoreland, Butler, Beaver, and Washington Counties, Pa.

HEARING: January 22, 1964, at the Hotel Roosevelt, Pittsburgh, Pa., before Examiner John L. York.

No. MC 125099 (AMENDMENT), filed February 17, 1963, published in FEDERAL REGISTER issue of July 10, 1963, amended July 15, 1963, republished August 29, 1963, amended October 10, 1963, and republished as amended this issue. Applicant: HAMILTON MOTOR LINES, INC., Cummings Road, Chattanooga 9, Tenn. Applicant's attorney: Donald L. Morris, 1001 Bank for Savings Building, Birmingham, Ala. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Cast iron pipe, cast iron pipe fittings, accessories for installation and use of cast iron pipe and cast iron pipe fittings, pipe molds, shell core compound*, in hopper containers, *machinery, machinery parts and patterns, and office supplies and equipment*, between business places and plant sites of United States Pipe and Foundry Company which are located at Birmingham and Anniston, Ala., and at Chattanooga, Tenn., and (2) *cast iron pipe, cast iron pipe fittings, accessories for installation and use of cast iron pipe and cast iron pipe fittings*, from the plant sites of the United States Pipe and Foundry Company located at Chattanooga, Tenn., to points in Alabama, Arkansas, Colorado, Connecticut, Delaware, District of Columbia, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Texas, Vermont, Virginia, West Virginia, Wisconsin, and Wyoming. **RESTRICTION:** The authority sought in (1) above may not be joined with the authority sought in (2) above so as to provide for through transportation service from Birmingham or Anniston, Ala., to any of the destination states enumerated in (2) above.

NOTE: Applicant states the proposed operations are to be performed under bilateral contract between applicant and United States Pipe and Foundry Company, Chattanooga, Tenn. The purpose of this republication is to restore the destination states of Florida, Georgia, Illinois, and the District of Columbia in part (2) inadvertently omitted from previous amendment.

CONTINUED HEARING: December 10, 1963, at the Hotel Thomas Jefferson, Birmingham, Ala., before Examiner Alvin H. Schutrumpf.

No. MC 125226 EX, filed August 8, 1963. Applicant: GEORGE NELSON YECKL AND THEODORE DANIEL JONES, a partnership, doing business as KERNVILLE STAGE AND FREIGHT LINES, 425 19th Street, Bakersfield (Kern County), Calif. A Certificate of Exemption sought under Section 204 (a)(4a), Part II, in the conduct of operations as a *common carrier* by motor vehicle, over regular routes, transport-

ing: *General commodities* (except commodities in bulk, Classes A and B explosives, commodities requiring special equipment, and household goods, as defined in Ex Parte MC-19), wholly within the State of California, between Bakersfield, Calif., and Onyx, Calif.: from Bakersfield over California Highway 178 to Onyx, and return over the same route, serving all intermediate points, and the off-route point of Kernville, Calif.

HEARING: January 28, 1964, at the New Mint Building, 133 Hermann Street, San Francisco, Calif., before Examiner F. Roy Linn.

No. MC 125282, filed April 19, 1963. Applicant: GRIFFIN CONTAINER TRUCK LINES, a corporation, 6123B North 55th Avenue, Post Office Box 335, Glendale, Ariz. Applicant's representative: Pete H. Dawson, 4453 East Piccadilly Road, Phoenix 18, Ariz. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Containers, including corrugated cartons, metal cans, glass containers, paper sacks and film*, from container manufacturing mills, located in that part of California lying on and south of U.S. Highway 40, and those points in Maricopa County, Ariz., to points in Arizona, California, Colorado, Kansas, New Mexico, Nevada, and Texas, and exempt agricultural commodities, on return.

HEARING: January 13, 1964, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner J. Thomas Schneider.

No. MC 125471 (Sub-No. 2), filed September 13, 1963. Applicant: FLAG-STAFF TRAILERS SALES, INC., Post Office Box 2546, Flagstaff, Ariz. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Buildings and structures*, in an assembled condition, by lowboy trailers, between Flagstaff, Ariz., on the one hand, and, on the other, points in Arizona, Utah, New Mexico, Nevada, and California.

HEARING: January 17, 1964, at the Arizona Corporation Commission, Phoenix, Ariz., before Examiner J. Thomas Schneider.

No. MC 125503, filed July 1, 1963. Applicant: ELMER SUSKI AND GEORGE SAKEMI, a partnership, doing business as SUSKI AND SAKEMI GARAGE, 81-385 Highway 111, Indio, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked and disabled automobiles, trucks, truck tractors, trailers, semitrailers, buses and other types of motor vehicles*, by towaway methods using tow truck equipment, from points in Arizona, to points in Riverside, Imperial, San Bernardino, Orange, Los Angeles, and San Diego Counties, Calif.

HEARING: January 14, 1964, at the Arizona Corporation Commission, Phoenix, Ariz., before Joint Board No. 47, or, if the Joint Board waives its right to participate before Examiner J. Thomas Schneider.

No. MC 125513, filed July 8, 1963. Applicant: HOWARD G. SLAUGHTER, doing business as SLAUGHTER BEVERAGE TRANSPORT, Rural Delivery No.

1, Townsend, Del. Applicant's representative: L. Merrill Simpson, 4631 Harcourt Road, Baltimore 14, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, from points in New York, New Jersey, Pennsylvania, and Maryland to Wilmington, Del., and *empty beverage containers and other incidental facilities* (not specified) used in transporting the above described commodity on return.

NOTE: Applicant states duplicate authority is held in present contract carrier permit MC 86003. Requests revocation of said permit concurrently with issuance of the common carrier authority sought; thus no duplication of authority is sought. Common control may be involved.

HEARING: January 16, 1964, at The Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Harry M. Shooman.

No. MC 125513 (Sub-No. 1), filed July 8, 1963. Applicant: HOWARD G. SLAUGHTER, doing business as SLAUGHTER BEVERAGE TRANSPORT, Rural Delivery No. 1, Townsend, Del. Applicant's representative: L. Merrill Simpson, 4631 Harcourt Road, Baltimore 14, Md. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Alcoholic beverages*, from points in New York, New Jersey, Pennsylvania, Maryland, and Delaware to points in Kent and Sussex Counties, Del., and *empty beverage containers*, on return.

NOTE: Applicant holds contract carrier authority in MC 86003; therefore dual operations may be involved. While applicant seeks authority as a common carrier to the territory involved, he requests that this application and subsequent proceedings thereon also consider the issuance of contract carrier authority in the event that a concurrently filed application seeking a change of status, be denied. Common control may be involved.

HEARING: January 16, 1964, at The Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Harry M. Shooman.

No. MC 125647, filed September 5, 1963. Applicant: ABSCO, INC., Post Office Box 103, Greenfield, Ohio. Applicant's attorney: John P. McMahon, 44 East Broad Street, Columbus, Ohio. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Hog carcasses, offal, and offal products* from Greenfield, Ohio, to points in the states of New York, Pennsylvania, Maryland, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, Virginia, District of Columbia, Florida, Mississippi, Illinois, and Indiana; and (2) *equipment, materials and supplies* used in the slaughtering preparation, packaging and sale of hog carcasses, offal, and offal products, from the states of New York, Pennsylvania, Maryland, New Jersey, Massachusetts, Connecticut, Rhode Island, Delaware, Virginia, District of Columbia, Florida, Mississippi, Illinois, and Indiana, to Greenfield, Ohio.

HEARING: January 13, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner John L. York.

No. MC 125687, filed September 18, 1963. Applicant: EASTERN STATES TRANSPORTATION, INC., 1100 Lafayette Street, Post Office Box 1761, York, Pa. Applicant's attorney: S. Harrison Kahn, Suite 733, Investment Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages, advertising material, tavern supplies, paper and paperboard*, printed or otherwise, *empty containers*, new and used, *exhibits and articles for display and exhibition*, and *all such commodities as are necessary or used in a brewery and beverage bottling plant including those used in the shipping room and office*, (1) between Newark, N.J., and points within thirty (30) miles thereof, and (2) between Newark, N.J., and points within thirty (30) miles thereof, on the one hand, and, on the other, points in New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Pennsylvania, Delaware, Maryland, Virginia, and the District of Columbia.

NOTE: Applicant holds contract carrier authority in MC 117496, and by the instant application it proposes to convert its contract carrier permit to a common carrier certificate.

HEARING: January 21, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Harry M. Shooman.

No. MC 125722, filed October 2, 1963. Applicant: GREAT WESTERN PACKERS EXPRESS, INC., 1038 South LaGrange Road, LaGrange, Ill. Applicant's attorney: Charles W. Singer, 39 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Honey bees, hives, honey, and materials, equipment and supplies incidental to the maintenance and care of honey bees and hives and the extraction and preservation of honey*, between points in Colorado, on the one hand, and on the other, points in California and Arizona.

HEARING: January 8, 1963, at the New Customs House, Denver, Colo., before Examiner J. Thomas Schneider.

No. MC 125743, filed October 10, 1963. Applicant: PAUL WILLIAMS, doing business as PAUL'S STANDARD STATION, 3551 Lyndale Avenue, South, Minneapolis, Minn. Applicant's attorney: H. D. Buelow, 7407 Wayzata Boulevard, Minneapolis 26, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Wrecked, disabled or repossessed motor vehicles*, between Minneapolis, Minn., on the one hand, and on the other, points in South Dakota, Iowa, Wisconsin, and North Dakota.

HEARING: January 23, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn., before Examiner Lawrence A. Van Dyke, Jr.

No. MC 125779, filed October 28, 1963. Applicant: DAVID E. SNELL, doing business as COASTAL TRANSPORT CO., Box 425, Columbia, N.C. Applicant's attorney: Vaughan S. Winborne, Capital Club Building, Raleigh, N.C.

Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber, hardboards and allied wood products*, from points in North Carolina, on east and north of a line beginning at North Carolina-Virginia State line at junction with U.S. Highway 301, and extending along U.S. Highway 301 to junction U.S. Highway 70 at Smithfield, N.C., thence along U.S. Highway 70 to Beaufort, and thence southward to the Atlantic Ocean, to points in Connecticut, Delaware, the District of Columbia, Florida, Georgia, Indiana, Maine, Maryland, Massachusetts, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, South Carolina, Virginia, and West Virginia, and (2) *building materials, plumbing materials and electrical supplies*, from points in New York, New Jersey, Pennsylvania, Delaware, Indiana, the District of Columbia, West Virginia, and Virginia, to Norfolk, Newport News, Portsmouth, Chesapeake, and Suffolk, Va., and points in North Carolina, on east and north of a line beginning at North Carolina-Virginia State line at junction with U.S. Highway 301, and extending along U.S. Highway 301 to junction U.S. Highway 70 at Smithfield, N.C., thence along U.S. Highway 70 to Beaufort, and thence southward to the Atlantic Ocean.

HEARING: January 6, 1964, at the U.S. Courthouse, Uptown Post Office Building, Raleigh, N.C., before Examiner Frank R. Saltzman.

MOTOR CARRIERS OF PASSENGERS

No. MC 1934 (Sub-No. 11), filed October 3, 1963. Applicant: THE ARROW LINE, INC., 70 Florence Street, East Hartford, Conn. Applicant's attorney: Hugh M. Joseloff, 410 Asylum Street, Hartford 3, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in door-to-door limousine service, restricted to the use of 7 passenger limousines (not including driver), between points in Hartford County, Conn., on the one hand, and, on the other, New York, N.Y.

HEARING: January 17, 1964, at The Hartford Statler Hilton, Hartford, Conn., before Examiner Charles J. Murphy.

No. MC 61599 (Sub-No. 134), filed October 23, 1963. Applicant: QUEEN CITY COACH COMPANY, a corporation, 417 West Fifth Street, Charlotte, N.C. Applicant's attorney: James E. Wilson, 1111 E St. NW., Washington 4, 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 Hartsville, S.C., and Columbia, S.C., from Hartsville over South Carolina Highway 151 to junction South Carolina Highway 12, thence over South Carolina Highway 12 to junction South Carolina Highway 53, thence over South Carolina Highway 53 to junction South Carolina Highway 23, thence over South Carolina Highway 23 to junction South Carolina Highway 15, thence over South Carolina Highway 15 to junction

U.S. Highway 1, thence over U.S. Highway 1 to Columbia, and return over the same route, serving all intermediate points.

NOTE: Common control may be involved.

HEARING: January 16, 1964, at the U.S. Courtrooms, Columbia, S.C., before Joint Board No. 177, or if the Joint Board waives its right to participate, before Examiner Frank R. Saltzman.

No. MC 125160 (Sub-No. 1), filed September 11, 1963. Applicant: EASTERN LIMOUSINE SERVICE INCORPORATED, Sunset Drive, Naugatuck, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, and *small pets*, between Waterbury, Naugatuck, and Seymour, Conn., on the one hand, and, on the other, La Guardia and International (Idlewild) Airports, New York, N.Y.

HEARING: January 14, 1964, at The Hartford Statler Hilton, Hartford, Conn., before Examiner Charles J. Murphy.

No. MC 125222 (Sub-No. 2), filed September 29, 1963. Applicant: RED ARROW LINES, INC., 19 West Fifth Street, Chester, Pa. Applicant's attorney: Edward F. Cantlin (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle, between Chester, Pa., and Ogden, Pa., beginning at the intersection of Seventh Street and Madison Street in the City of Chester, Pa., thence on Seventh Street, Flower Street, and Ninth Street to Ridge Avenue in the Borough of Trainer, thence on Ridge Avenue through the Township of Lower Chichester to the Pennsylvania-Delaware State line, thence on Ridge Road in Brandywine Hundred (New Castle County), Del., to Naaman's Road, thence on Naaman's Road, Ogden Road to the Pennsylvania-Delaware State line, thence on Naaman's Creek Road in the Townships of Lower Chichester and Upper Chichester, Pa., to the westerly terminus adjacent to Meetinghouse Road, Ogden, Pa., returning on Meetinghouse Road, Broomall Street and Boudwin Avenue to Naaman's Creek Road, thence over Naaman's Creek Road and the same route to the intersection of Seventh Street and Edgmont Avenue in the City of Chester, Pa., thence on Edgmont Avenue, Market Street, Third Street and Madison Street to the place of beginning, serving all intermediate points.

HEARING: January 10, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Joint Board No. 40, or, if the Joint Board waives its right to participate, before Examiner Harry M. Shooman.

No. MC 125349 EX (REPUBLICATION), filed May 9, 1963, published FEDERAL REGISTER, issue of June 26, 1963, and republished this issue. Applicant: JOSEPH RAY FOSTER, doing business as FOSTERS TRANSPORTATION SERVICE, 301 Fourth Street, Taft, Kern County, Calif. By application filed May 9, 1963, applicant seeks a Certificate of Exemption under Section 204(a)(4a), Part II, in the conduct of operations as

a common carrier, by motor vehicle over regular routes, transporting: Express when transported in passenger vehicles, from Bakersfield, Calif., to Taft, Calif., over U.S. Highway 99 to Greenfield Corners, Calif., thence over U.S. Highway 399 to Taft, and return over the same route, serving all intermediate points. Application was heard on September 17, 1963, at San Francisco, Calif. While the application did not contain a request for exemption in respect to the transportation of passengers, at the hearing it was disclosed that applicant desires such exemption. A Report and Order, served October 15, 1963, effective November 14, 1963, finds that operation by applicant, in interstate or foreign commerce, solely within California, as a common carrier by motor vehicle of *passengers and their baggage*, and *express* in the same vehicle with passengers, between Taft and Bakersfield, Calif., over U.S. Highway 399 from Taft to Greenfield Corners, Calif., and thence over U.S. Highway 99 to Bakersfield, and return over the same route, serving all intermediate points, is of such nature, character, or quantity as will not if exempted from regulation under Part II of the act substantially affect or impair uniform regulation by the Commission of transportation policy; and that a certificate exempting such operations should be granted, subject to the condition that issuance of such certificate shall be withheld until 30 days after notice that applicant desires enlargement of the exemption to include passengers and their baggage, as well as express in the same vehicle with passengers, is published in the FEDERAL REGISTER, during which time any interested party may file an appropriate pleading.

No. MC 125577, filed August 1, 1963. Applicant: BARNEY'S CLUB, INC., Post Office Box 50, Stateline, Nev. Applicant's representative: E. H. Griffiths, 451 Turk Street, San Francisco 2, Calif. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers*, in special operations (1) between Placerville, Calif., on the one hand, and, on the other, Stateline, Nev., and (2) between points within a five (5) mile radius of U.S. Highway 50, commencing at the Community of Mayhew on the west, and the intersection of Prairie City Road and U.S. Highway 50 on the east, on the one hand, and, on the other, Stateline, Nev.

NOTE: Applicant states that the proposed service will be to transport passengers to and from its own gambling casino.

HEARING: January 27, 1964, at the Nevada Public Service Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 78.

No. MC 125742, filed October 9, 1963. Applicant: STEPHEN P. TOTH, doing business as TOTH BROS. TRANSPORT CO., Box 37, Easton, Conn. Applicant's attorney: Robert Fain, Suite 809 City Trust Building, 955 Main Street, Bridgeport, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers* (school children only), in

special operations, between Easton, Conn., and the site of the New York World's Fair in Flushing, Long Island, in the Borough of Queens, N.Y.

HEARING: January 16, 1964, at The Hartford Statler Hilton, Hartford, Conn., before Examiner Charles J. Murphy.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12880, filed September 17, 1963. Applicant: MARTIN J. WILBURGER, INC., doing business as SKI HOLIDAYS, INC., 1532 Wagner Avenue, Philadelphia 41, Pa. Applicant's attorney: M. Mark Mendel, 1201 PSFS Building, Philadelphia 7, Pa. For a license (BMC 5) to engage in operations as a *broker* at Philadelphia, Pa., and Haddenfield, N.J., in arranging for transportation in interstate or foreign commerce of *Passengers and their baggage*, in the same vehicle with passengers, both as individuals and in groups, in round trip, special and chartered tours, beginning and ending at Philadelphia, Pa., and points within 35 miles of Philadelphia and extending to points in Vermont, New York, New Hampshire, Massachusetts, and Maine, limited to the months of December to April, inclusive, and limited to motor bus and/or trains.

HEARING: January 22, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Joint Board No. 67, or, if the Joint Board waives its right to participate, before Examiner Harry M. Shooman.

No. MC 12882, filed September 19, 1963. Applicant: RUITTENBERG TRAVEL SERVICE, 443 Washington Street, Reading, Pa. For a license (BMC 5) to engage in operations as a *broker* at Reading, Pa., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, between points in the United States.

HEARING: January 23, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Joint Board No. 65, or, if the Joint Board waives its right to participate, before Examiner Harry M. Shooman.

No. MC 12883, filed September 25, 1963. Applicant: HOLIDAY CONVENTION & TOUR SERVICE, INC., 33 North Seventh Street, Stroudsburg, Pa. Applicant's attorney: John J. Pentz, Jr., 111 North Seventh Street, Stroudsburg, Pa. For a license (BMC 5) to engage in operations as a *broker* at Stroudsburg, Pa., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *Passengers and their baggage*, in groups, (1) between points in Massachusetts, Rhode Island, Connecticut, Virginia, New York, New Jersey, Delaware, West Virginia, Maryland, Pennsylvania, Ohio, and Kentucky, and (2) beginning and ending at points in Massachusetts, Rhode Island, Connecticut, Virginia, New York, New Jersey, Delaware, West Virginia, Maryland, Pennsylvania, Ohio, and Kentucky, and extending to points in the United States, including Alaska and Hawaii.

HEARING: January 24, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Joint Board No. 65, or if the Joint Board waives its right

to participate, before Examiner Harry M. Shooman.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTORS CARRIERS OF PROPERTY

No. MC 623 (Sub-No. 58), filed November 12, 1963. Applicant: H. MESSICK, INC., Post Office Box 214, Joplin, Mo. Applicant's attorney: Turner White III, 805 Woodruff Building, Springfield, Mo., 65806. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Blasting agents and explosives shipped with blasting agents*, between Ishpeming, Mich., and points within ten (10) miles thereof, on the one hand, and, on the other, Virginia, Minn., and points within ten (10) miles thereof.

No. MC 11727 (Sub-No. 5), filed November 14, 1963. Applicant: JAMES H. RUSSELL, Burlingame Road, Smithfield, Esmond Post Office, R.I. Applicant's attorney: Arthur M. Marshall, 145 State Street, Springfield, Mass., 01103. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between New York, N.Y., on the one hand, and, on the other, Providence, R.I., points in that part of Massachusetts on and east of U.S. Highway 5, points in that part of Connecticut on and east of U.S. Highway 5 and points on U.S. Highway 1 between the New York-Connecticut State line and New Haven, Conn.

No. MC 47142 (Sub-No. 84), filed November 12, 1963. Applicant: C. I. WHITTEN TRANSFER COMPANY, a corporation, 200 Nineteenth Street, Huntington, W. Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ammonium nitrate (fertilizer grade) and nitro carbo nitrate, in straight or mixed shipments with explosives*, between Kenvil, N.J., and points within ten miles thereof, on the one hand, and, on the other, points in Kentucky, Ohio, Pennsylvania, Virginia, and West Virginia, points in that part of North Carolina on and west of a line beginning at the North Carolina-Virginia State line, and extending along U.S. Highway 220 (formerly shown as U.S. Highway 74), to junction U.S. Highway 1, and thence along U.S. Highway 1 to the North Carolina-South Carolina State line, and points in that part of Maryland on and west of U.S. Highway 15.

No. MC 52629 (Sub-No. 58), filed November 8, 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, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between junction

U.S. Highway 50 and Ohio Highway 7 near Coolville, Ohio, and junction U.S. Highways 30 and 41, from junction U.S. Highway 50 and Ohio Highway 7 near Coolville over U.S. Highway 50 to Athens, thence over U.S. Highway 33 to Marysville, thence over Ohio Highway 31 to Kenton, thence over U.S. Highway 30-S to Delphos, thence over U.S. Highway 30 to junction U.S. Highways 41 and 30 at Schererville, Ind., and return over the same route.

NOTE: Applicant states service at junction U.S. Highways 41 and 30 will be solely for the purpose of joinder with applicant's authorized regular routes, serving no intermediate points.

No. MC 71043 (Sub-No. 2), filed November 6, 1963. Applicant: LA PORTE TRANSIT CO., INC., Post Office Box 205, La Porte, Ind. 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), between La Porte, Ind., and La Crosse, Ind.; (1) from La Porte over Indiana Highway 2 to junction U.S. Highway 421, thence over U.S. Highway 421 to La Crosse, and return over the same route, and (2) from La Porte over U.S. Highway 35 to junction Indiana Highway 8, thence over Indiana Highway 8 to La Crosse, and return over the same route, serving all intermediate points (except Kingsbury), and the off-route points of Hanna, South Wanatah, Thomaston, Union Mills, Wanatah, and Wellsboro.

No. MC 102520 (Sub-No. 1), filed November 12, 1963. Applicant: RIC'S TRANSFER COMPANY, INC., 1765 Sixth Avenue South, Seattle, Washington. Applicant's attorney: George H. Hart, Central Building, Seattle, Wash., 98104. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, between points in the Seattle, Wash., commercial zone, as defined by the Commission in Ex Parte No. MC-37.

NOTE: Applicant states upon approval of the authority requested herein, it will consent to the concurrent cancellation of its present authority in MC 102520 covering the transportation of general commodities in collection and delivery service between points in Seattle, Wash.

No. MC 110420 (Sub-No. 340), filed November 12, 1963. Applicant: QUALITY CARRIERS, INC., Post Office Box 339, Burlington, Wis. Applicant's attorney: James C. Hardman, 33 North La Salle Street, Suite 3600, Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Glues and adhesives*, in bulk, from St. Louis, Mo., to points in Illinois, Missouri, Iowa, Nebraska, Kansas, Oklahoma, Arkansas, Kentucky, Louisiana, Mississippi, Alabama, and Tennessee (except Nashville).

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub-No. 307), filed November 12, 1963. Applicant: THE

GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago, Ill. Applicant's attorney: Raymond H. Warns, 1400 West Third Street, Cleveland, Ohio, 44114. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express, mail and newspapers*, in the same vehicle with passengers, between the junction of the Baltimore-Washington Expressway and the southern approach road to the Baltimore Harbor Tunnel and the junction of U.S. Highway 13 and the southern approach road to the Delaware Memorial Bridge: from the junction of the Baltimore-Washington Expressway and the southern approach road to the Baltimore Harbor Tunnel over the bypass route known as the Tunnel Thruway to its junction with Interstate Highway 95, thence over Interstate Highway 95 to its junction with Interstate Highway 295, thence over Interstate Highway 295 to its junction with U.S. Highway 13 and the southern approach road to the Delaware Memorial Bridge, and return over the same route, serving all intermediate points and the various access roads between Interstate Highway 95 and Aberdeen, Perryville and Elkton, Md., and Glasgow, Del.

NOTE: Applicant states it intends to tack the proposed route to its authorized regular-route operations.

No. MC 1501 (Sub-No. 308), filed November 12, 1963. Applicant: THE GREYHOUND CORPORATION, Western Greyhound Lines, 371 Market Street, San Francisco 5, Calif. Applicant's attorney: Earl A. Bagby (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, and express and newspapers*, in the same vehicle with passengers. Establish new regular routes of operation in Idaho (a) over a relocated segment of U.S. Highway 91 (also designated Interstate Highway 15), between North Inkom Junction and McCammon Junction, thence over an unnumbered highway to McCammon, as a segment of regular Route No. 19, in lieu of the segment of present Route No. 19 between these points, herein proposed to be revoked, to read as follows: "19. Between Pocatello and the Idaho-Utah State line south of Franklin: from Pocatello over U.S. Highway 91 to junction Interstate Highway 15 (North Inkom Junction), thence over Interstate Highway 15 to junction unnumbered highway (McCammon Junction), thence over unnumbered highway to McCammon, thence over U.S. Highway 91 to the point where it intersects the Utah-Idaho State line south of Franklin (connects with Utah route 7)," and (b) over a relocated segment of U.S. Highway 191 (also designated as Interstate Highway 15), between Malad Pass and Malad City Junction as a segment of regular Route No. 20, in lieu of the segment of present Route No. 20 between these points, herein proposed to be revoked, to read as follows: "20. Between Downey and the Idaho-Utah State line south of Malad City: from Downey over U.S. Highway 191 to junction Interstate Highway 15 (Malad Pass), thence over Interstate

Highway 15 to junction U.S. Highway 191 (Malad City junction), thence over U.S. Highway 191 to the point where it intersects the Idaho-Utah State line (connects with Utah route 6)", serving all intermediate points.

NOTE: The changes in operating authority hereinafter shown and explained are proposed to be incorporated in the designated revised sheet to said Certificate No. MC 1501 (Sub-No. 138). Common control may be involved.

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

No. MC-F-8440 (REFRIGERATED TRANSPORT CO., INC., OF FLORIDA—PURCHASE—WARREN P. KURTZ), published in the May 29, 1963, issue of the FEDERAL REGISTER on page 5339. Petition filed November 14, 1963, to substitute REFRIGERATED TRANSPORT CO., INC. (ATLANTA, GA.), 290 University Avenue SW., Atlanta, Ga., as vendee under section 5, and as lessee under section 210a(b), in lieu of REFRIGERATED TRANSPORT CO., INC., OF FLORIDA. This proceeding is assigned for hearing before Examiner Melvin L. Winson, on December 10, 1963, at the Midland Hotel, 172 West Adams Street, Chicago, Ill., at 10:00 a.m.

No. MC-F-8525 (BEN R. SCHILLI—CONTROL—OSBORNE TRUCKING CO., INC.), published in the August 14, 1963, issue of the FEDERAL REGISTER on page 8353. Application filed November 19, 1963, for temporary authority under section 210a(b).

No. MC-F-8599. Authority sought for purchase by RELIANCE TRUCK COMPANY, 2500 North 24th Avenue, Phoenix, Ariz., of the operating rights of CECIL A. PELTS, and B LINE TRANSPORTATION CO., INC., both of 2500 North 24th Avenue, Phoenix, Ariz., and for acquisition by CECIL A. PELTS, also of Phoenix, Ariz., of control of such rights through the purchase. Applicants' attorney: A. Michael Bernstein, 1327 Guaranty Bank Building, Phoenix, Ariz. Operating rights sought to be transferred: (CECIL A. PELTS) operating rights claimed under "grandfather" provisions of Section 206(a) (7) of the Interstate Commerce Act, pursuant to BOR-99, in No. MC-98492 Sub-2, covering the transportation of logs within the State of Arizona; *lumber and sawdust*, within a 75 mile radius of Flagstaff; *lumber*, from Coconino, Navajo and Apache Counties, Ariz., to Yuma, Pinal, and Pima Counties, Ariz.; *cement and pipe* on flat rack truck, from Maricopa County, Ariz., to any point within the State of Ariz.; (B LINE TRANSPORTATION CO., INC.) operating rights claimed under "grandfather" provisions of section 206(a) (7) of the Interstate Commerce Act, pursuant to BOR-99, in No. MC-121310 Sub-1, covering the transportation of *freight*,

ore, mining machinery, houses and supplies in Bouse, Ariz., vicinity, and to include the territory in Yuma County lying south of the Williams-Santa Maria River, from the junction of the latter river with the Colorado River on the west, thence east to the Yavapai County line, thence south along the western line of Yavapai and Maricopa Counties to a point directly east of Deep well thence westerly to the Colorado River and for the movement of ore and mining machinery from Artillery Peak to the railroad at Wenden, all service within the extended area shall be over the public highways therein whether numbered or unnumbered, with the following stipulation: From Artillery Peak and within a radius of 20 miles thereof. Vendee claims "grandfather" rights, in Arizona, under section 206(a) (7) of the Interstate Commerce Act, pursuant to BOR-99, in No. MC-54567 Sub-2. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8601. Authority sought for purchase by TEXAS-OKLAHOMA EXPRESS, INC., 2515 Irving Boulevard, Post Office Box 743, Dallas 21, Tex., of the operating rights of KEYSTONE TRUCK LINES, INC., 321 Heavy Trafficway, Tulsa, Okla., and for acquisition by LEONARD B. BROWN, P. L. CASE, and GEORGE C. JOHNSTON, all of 2515 Irving Boulevard, Dallas, Tex., of control of such rights through the purchase. Applicants' attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Operating rights sought to be transferred: *Class A and B explosives*, as a *common carrier*, over regular routes, between Oklahoma City, Okla., and Sapulpa, Okla., between Atoka, Okla., and Tulsa, Okla., serving all intermediate points, between Tulsa, Okla., and Atoka, Okla., serving the intermediate point of McAlester, Okla., between Allen, Okla., and Oklahoma City, Okla., between Allen, Okla., and Okemah, Okla., between Ada, Okla., and Okemah, Okla., between Atoka, Okla., and Seminole, Okla., between Ada, Okla., and Chandler, Okla., between Konawa, Okla., and Asher, Okla., between Oklahoma City, Okla., and junction U.S. Highway 270 and Oklahoma Highway 3, approximately 5 miles west of McLoud, Okla., between Holdenville, Okla., and junction U.S. Highway 270 and 75, serving all intermediate and certain off-route points, between Asher, Okla., and Ada, Okla., serving no intermediate points, between Calvin, Okla., and McAlester, Okla., between Ada, Okla., and Allen, Okla., serving all intermediate points, between Dallas, Tex., and Oklahoma City, Okla., serving all intermediate points between Dallas, Tex., and Fittstown, Okla., unrestricted, Fittstown, Seminole, and Shawnee, Okla., those on Oklahoma Highway 99 (except Konawa, Okla.), between Fittstown and Seminole, Okla., and those on U.S. Highway 270 between Seminole and Shawnee, Okla., restricted to pickup and delivery of traffic moving to and from points east of Shawnee, Okla., between Durant, Okla., and Atoka, Okla., serving all intermediate points, between Denison, Tex., and Dallas, Tex., serving no intermediate points, between Atoka, Okla., and junction U.S. Highway 271 and 70, approximately 7 miles west

of Hugo, Okla., between Durant, Okla., and De Queen, Ark., serving all intermediate points, between Kansas City, Mo., and Tulsa, Okla., serving certain intermediate and off-route points, two alternate routes for operating convenience only; *class A and B explosives*, over irregular routes, between Denison, Tex., and Colbert, Okla., on the one hand, and, on the other, Denison Dam Site in Texas and Oklahoma, and Cartwright, Okla. Vendee is authorized to operate as a *common carrier* in Oklahoma, Texas, Missouri, and Kansas. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8602. Authority sought for purchase by MILNE TRUCK LINES, INC., 2200 South Third West Street, Salt Lake City, Utah, of the operating rights and property of TETON TRADING AND TRANSPORTATION COMPANY, P.O. Box No. 8, Jackson, Wyo., and for acquisition by ARVEL MILNE, ARLO PRISBREY, KENNETH MILNE, all of 2200 South Third West Street, Salt Lake City, Utah, NORMAN GUBLER, 6360 South Greenwood, Bell Gardens, Calif., and WILLARD MILNE, 205 West First North, St. George, Utah, of control of such rights and property through the purchase. Applicants' attorneys: Wood R. Worsley, 701 Continental Bank Building, Salt Lake City, Utah, and Robert A. Hufsmith, P.O. Box 988, Jackson, Wyo. Operating rights sought to be transferred: *General commodities*, excepting, among others, commodities in bulk, but not excepting household goods, (a) with no seasonal restriction, as a *common carrier* over regular routes, between Idaho Falls, Idaho, and Jackson, Wyo., between Alpine, Wyo., and Jackson, Wyo., serving no intermediate but the off-route points of Teton National Park Headquarters, Wyo., without restriction, and Civilian Conservation Corp Camps within 25 miles of Jackson, Wyo., restricted to such materials, supplies and equipment as are used in the maintenance and operation of C.C.C. Camps, (b) during the season extending from the 15th day of May to the 15th day of December, inclusive, between Idaho Falls, Idaho, and Moran, Wyo., over various highways, and (c) when the route described immediately above is impassable due to weather conditions, during said season, between Idaho Falls, Idaho, and Moran, Wyo., over various other highways, serving certain intermediate and off-route points; *general commodities*, except contaminating commodities, and articles exceeding the capacity of equipment, between Idaho Falls, Idaho, and Moran, Wyo., between Sugar, Idaho, and St. Anthony, Idaho, between Idaho Falls, Idaho and Montpelier, Idaho, serving all intermediate and certain off-route points, between Rigby, Idaho and Ririe, Idaho, between Swan Valley, Idaho, and Victor, Idaho, between Alpine, Wyo., and Jackson, Wyo., serving all intermediate points; *general commodities*, except contaminating commodities, and articles exceeding the capacity of equipment, during the season extending from the 15th day of June to the 1st day of December, inclusive, between Turpin Meadows, Wyo., and Flag Ranch, Wyo., serving all intermediate points; *general commod-*

ities, except gasoline and class A and B explosives, between Victor, Idaho, and Jackson, Wyo., serving the intermediate point of Wilson, Wyo.; *such materials and supplies* as are necessary to the maintenance and operation of Civilian Conservation Corps Camps, over regular and irregular routes, between Victor, Idaho, on the one hand, and, on the other, Jackson, Wyo., and Civilian Conservation Corps Camps within 50 miles of Jackson, serving the intermediate point of Jackson; *grain, seed, livestock feed, and livestock*, over an irregular route, between points in Wyoming and Idaho within 75 miles of Jackson, Wyo., including Jackson. Vendee is authorized to operate as a *common carrier* in Utah, Nevada, Arizona, California, and Wyoming. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8603. Authority sought for purchase by KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa, of a portion of the operating rights of CEDAR RAPIDS STEEL TRANSPORTATION, INC., Post Office Box 1904, Cedar Rapids, Iowa, and for acquisition by ALLEN E. KROBLIN, MILDRED KROBLIN, both of 715 West Sixth Street, Sumner, Iowa, and LOYAL FRISCH, 206 South Maple Street, Sumner, Iowa, of control of such rights through the purchase. Applicants' attorney: Truman A. Stockton, Jr., The 1650 Grant Street Building, Denver 3, Colo. Operating rights sought to be transferred: *Canned goods and canning factory machinery and supplies*, as a *common carrier* over irregular routes, between points in that part of Illinois on and north of U.S. Highway 36, on the one hand, and, on the other, Vinton, Iowa, and points within 15 miles of Vinton, and Sac City, Storm Lake, LaPorte City, Garrison, and Shellsburg, Iowa. Vendee is authorized to operate as a *common carrier* in Illinois, Iowa, Missouri, Michigan, Indiana, Oklahoma, Kansas, Colorado, Nebraska, Arkansas, Texas, Ohio, Pennsylvania, New York, Minnesota, South Dakota, Wisconsin, Florida, New Jersey, California, Virginia, Maryland, Massachusetts, South Carolina, Delaware, Maine, New Hampshire, Vermont, Connecticut, Rhode Island, North Dakota, Alabama, Tennessee, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8604. Authority sought for purchase by R. L. JEFFRIES TRUCKING CO., INC., 1020 Pennsylvania Street, Evansville 1, Ind., of the operating rights and property of HALL TRUCKING & SERVICE COMPANY, 812 Virginia Street West, Charleston, W. Va., and for acquisition by R. L. JEFFRIES, 3015 Hartig Avenue, Evansville, Ind., C. R. JEFFRIES, 4209 Jennings Lane, Evansville, Ind., and O. E. JEFFRIES, 2926 Hartig Avenue, Evansville, Ind., of control of such rights and property through the purchase. Applicants' attorney: Ernest A. Brooks II, 1311 Ambassador Building, St. Louis 1, Mo. Operating rights sought to be transferred: *Heavy machinery and contractors' equipment*, as a *common carrier* over irregular routes, between points in West Virginia; *machinery, ma-*

terials, supplies, and equipment, incidental to, or used in, the construction, development, operation, and maintenance of facilities for the discovery, development and production of natural gas and petroleum, between points in West Virginia, Kentucky, Pennsylvania, Ohio, and Virginia; *heavy machinery and equipment*, which because of size or weight requires special handling and use of special equipment, between points in Kanawha, Boone, Lincoln, Putnam, Jackson, Roane, Fayette, Greenbrier, and Clay Counties, W. Va., on the one hand, and, on the other, points in West Virginia, Indiana, Kentucky, Maryland, Ohio, Pennsylvania, Tennessee, Virginia, and the District of Columbia, between points in West Virginia, on the one hand, and, on the other, points in that part of Ohio on or east of U.S. Highway 25, those in that part of Kentucky on or east of U.S. Highways 25 and 25W, and those in those portions of Pennsylvania, Maryland, and Virginia on or west of U.S. Highway 11. Vendee is authorized to operate as a *common carrier* in Indiana, Illinois, Kentucky, Alabama, Arkansas, Florida, Georgia, Iowa, Kansas, Louisiana, Michigan, Mississippi, Missouri, Nebraska, Ohio, Oklahoma, Tennessee, Texas, West Virginia, Wisconsin, Virginia, Maryland, Delaware, Pennsylvania, New Jersey, New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, Maine, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC-F-8600. Authority sought (1) for approval, if necessary, of the common control of SOUTHERN TIER STAGES, INC., 375 State Street, Binghamton, N.Y., CROSS COUNTY COACH CORPORATION, of Yonkers, N.Y., and WESTERN NEW YORK MOTOR LINES, INC., of Batavia, N.Y., upon the issuance to SOUTHERN TIER STAGES, INC., of a certificate applied for in No. MC-123655, SOUTHERN TIER STAGES, INC., common carrier application; (2) the purchase by SOUTHERN TIER STAGES, INC., of a portion of the operating rights of CAPITOL BUS COMPANY, Fourth and Chestnut Streets, Harrisburg, Pa.; (3) the acquisition by TRIPLE CITIES TRACTION CORP., also of Binghamton, which owns the outstanding capital stock of SOUTHERN TIER STAGES, INC., of control of the latter and of the operating rights through the transactions; and (4) the acquisition by SAMUEL S. SCHREIBER, of Yonkers, SANFORD P. PARISH, of Binghamton, and MAX F. COWAN, and ANDREW M. GREENSTEIN, both of Rochester, N.Y., noncarrier individuals who are four of the eight stockholders of TRIPLE CITIES TRACTION CORP., of control of SOUTHERN TIER STAGES, INC., and of the operating rights through the transaction. SOUTHERN TIER STAGES, INC., does not presently hold authority from the Interstate Commerce Commission. TRIPLE CITIES TRACTION CORP. is not a carrier subject to the Interstate Commerce Act. CROSS COUNTY COACH CORPORATION is authorized to transport passengers and their baggage, restricted to

traffic originating in the territory indicated below, in charter operations, from New York, N.Y., and points in Westchester County, N.Y., to points in New York, New Jersey, Connecticut, and Pennsylvania, and return. WESTERN NEW YORK MOTOR LINES, INC., is authorized to transport (1) passengers and their baggage and express, mail, and newspapers in the same vehicles with passengers, over regular routes, between specified points in New York, and (2) passengers and their baggage, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Erie, Genesee, Livingston, and Monroe Counties, N.Y., to New York, N.Y., and points in the District of Columbia, and return. Applicants' attorneys: Norman M. Pinsky and Herbert M. Canter, Pinsky, Canter & Pinsky, 345 South Warren Street, Syracuse, N.Y., 13202. Operating rights sought to be transferred: *Passengers and their baggage*, and express, newspapers, and mail in the same vehicle with passengers, as a *common carrier* over regular routes, between Binghamton, N.Y., and Ithaca, N.Y., serving all intermediate points, from Binghamton, N.Y., over New York Highway 17C to Owego, N.Y., thence over New York Highway 96 to Candor, N.Y., thence over New York Highway 96B via Willseyville and Danby, N.Y., to Ithaca, N.Y. Application has not been filed for temporary authority under section 210a(b).

NOTE: A motion for dismissal has been filed simultaneously with the above application for lack of jurisdiction, insofar as SAMUEL S. SCHREIBER, MAX F. COWAN, SANFORD P. PARISH, and ANDREW M. GREENSTEIN are applicants.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-12382; Filed, Nov. 27, 1963;
8:54 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

NOVEMBER 22, 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. 38671: *Fresh meats and packinghouse products from Galt, Ill.* Filed by Illinois Freight Association, agent (No. 222), for interested rail carriers. Rates on fresh meats and packinghouse products, as described in the application, in carloads, from Galt, Ill., to points in southern territory.

Grounds for relief: Market competition.

Tariff: Supplement 30 to Illinois Freight Association, agent, tariff I.C.C. 950.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 63-12380; Filed, Nov. 27, 1963;
8:52 a.m.]

CUMULATIVE CODIFICATION GUIDE—NOVEMBER

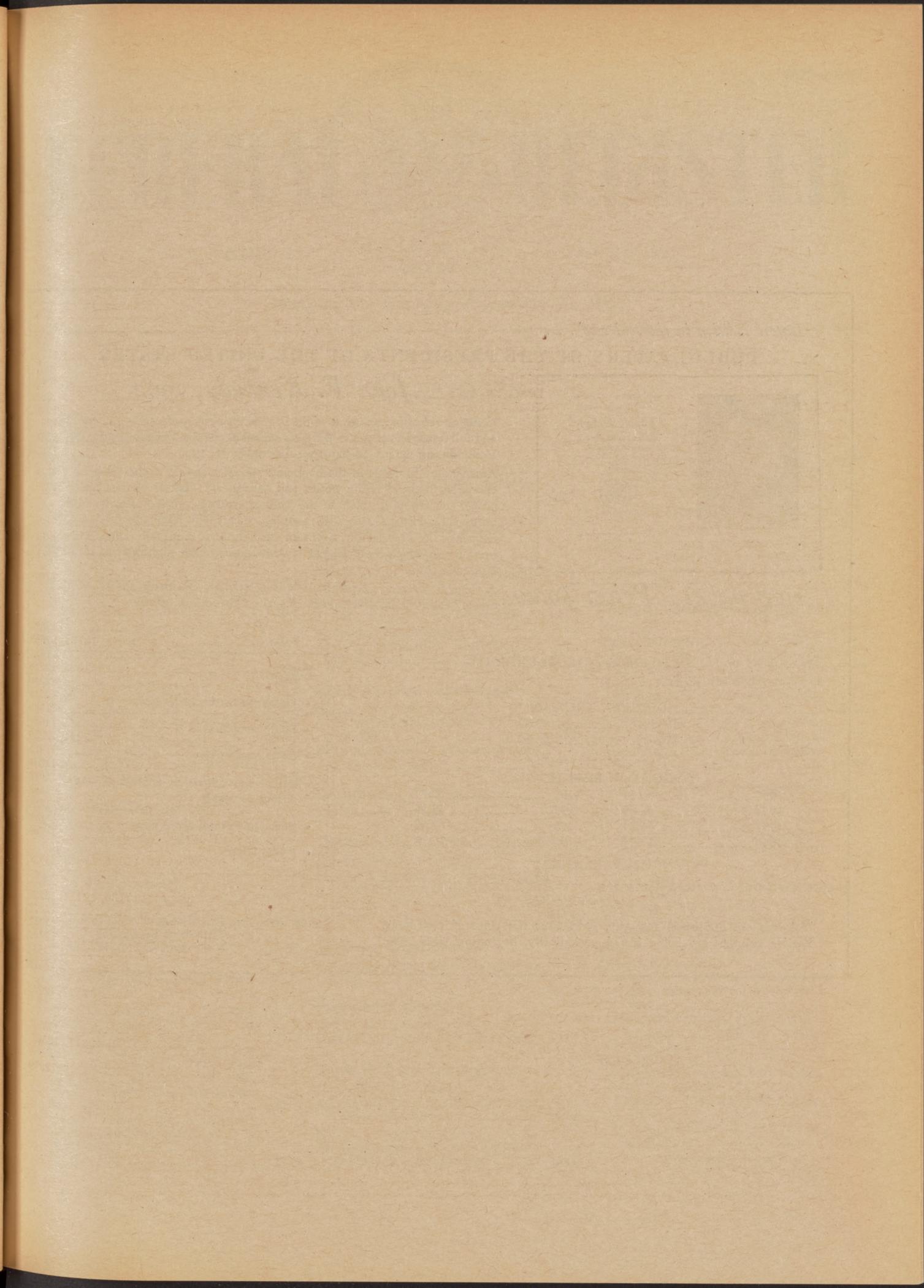
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