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Volume 76

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[87th Cong., 2d Sess.]

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Rules and Regulations

Title 5—ADMINISTRATIVE PERSONNEL

Chapter II—Employment and Compensation in the Canal Zone

PART 1201—GENERAL

Exclusions

Effective upon publication in the FEDERAL REGISTER paragraph (a) of § 1201.100 is amended by adding subparagraphs (11) and (12) as follows:

§ 1201.100 **Exclusions.**

* * * * *

(a) The following positions, and the incumbents thereof, are excluded from all of the provisions of the Act, except section 16 thereof, and the regulations in this chapter.

* * * * *

(11) Chauffeur, Car of President, Panama Canal Company.

(12) Caretaker and service employees assigned to residence of the Governor of the Canal Zone.

* * * * *

(2 C.Z.C. §§ 142(b)(1), 155, 76A Stat. 16, 19; E.O. 10794, 23 F.R. 9627, 3 CFR, 1958 Supp.; § 19, P.L. 87-845, 76A Stat. 700)

CYRUS R. VANCE,
Secretary of the Army.

[F.R. Doc. 63-13278; Filed, Dec. 24, 1963; 8:45 a.m.]

PART 1204—COMPENSATION AND ALLOWANCES

Service Positions, and Derivations of Rates of Pay

§ 1204.6 **[Revoked]**

1. Effective at the beginning of the first pay period following 31 December 1963, § 1204.6 *Service,* is rescinded.

2. Effective upon publication in the FEDERAL REGISTER, § 1204.8 is amended to read as follows:

§ 1204.8 **Derivation of rates of pay.**

Rates of pay for positions in occupational groupings in the Special category below the skill or grade level for which employees must be recruited from the continental United States, rates of pay at or below grade 3 in the Non-manual category and rates of pay at or below Level 10 in the Manual category shall be established in relation to rates outside the continental United States. Rates of pay above these grade levels and rates for all security positions shall be established in relation to rates for the same or similar work performed for the United States Government in the continental United States, but shall embody a deduction for the tax factor as defined in § 1204.11. These rates shall constitute the base salary or wage rates.

CYRUS R. VANCE,
Secretary of the Army.

[F.R. Doc. 63-13279; Filed, Dec. 24, 1963; 8:45 a.m.]

Title 7—AGRICULTURE

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

[958.308 Amdt. 2]

PART 958—ONIONS GROWN IN CERTAIN DESIGNATED COUNTIES IN IDAHO AND MALHEUR COUNTY, OREGON

Limitation of Shipments

Findings. (a) Pursuant to Marketing Agreement No. 130 and Order No. 958 (7 CFR Part 958), regulating the handling of onions grown in the production area defined therein, effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601 et seq.), and upon the basis of recommendations and information submitted by the Idaho-Eastern Oregon Onion Committee, established pursuant to the said marketing agreement and order, and other available information, it is hereby found that the amendment to the limitation of shipments hereinafter set forth, will tend to effectuate the declared policy of the act.

(b) It is hereby found that it is impracticable and contrary to the public interest to give preliminary notice or engage in public rule making procedure, and that good cause exists for not postponing the effective date of this amendment until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1003) in that (1) the time intervening between the date when information upon which this amendment is based became available and the time when this amendment must become effective in order to effectuate the declared policy of the act is insufficient, (2) compliance with this amendment will not require any special preparation on the part of handlers which cannot be completed by the effective date, (3) reasonable time is permitted under the circumstances, for such preparation (4) information regarding the committee's recommendation has been made available to producers and handlers in the production area, and (5) this amendment relieves restrictions on the handling of onions grown in the production area.

Order, as amended. In § 958.308 (28 F.R. 8192, 11401), delete paragraphs (b) and (c) and substitute in lieu thereof new paragraphs (b) and (c) as set forth below.

§ 958.308 **Limitation of shipments.**

* * * * *

(b) *Special purpose shipments*—(1) *Export.* Onions of yellow varieties may be exported if they meet at least U.S. No. 2, or better grade, 3 inches minimum diameter, and they are inspected pursuant to § 958.60(a).

(2) The minimum grade and size requirements set forth in paragraph (a) of this section, and inspection under § 958.60(a) shall not be applicable to shipments of onions for any of the following purposes:

(i) Planting;
(ii) Livestock feed;
(iii) Charity;
(iv) Dehydration;
(v) Canning; and
(vi) Freezing.

(c) *Safeguards.* Each handler making shipments of onions for dehydration, canning, freezing, or export pursuant to paragraph (b) of this section shall:

(1) First, apply to the committee for, and obtain a Certificate of Privilege to make such shipments;

(2) Prepare, on forms furnished by the committee, a report in quadruplicate on each individual shipment to such outlets authorized in paragraph (b) of this section;

(3) Bill each shipment direct to the applicable processor; and

(4) Forward one copy of such report to the committee office, and two copies to the receiver for signing and returning one copy to the committee office. Failure of a handler or receiver to report such shipments by promptly signing and returning the applicable report to the committee office shall be cause for cancellation of such handler's Certificate of Privilege and/or the receiver's eligibility to receive further shipments pursuant to such Certificate of Privilege. Upon cancellation of any such Certificate of Privilege the handler may appeal to the committee for reconsideration.

* * * * *

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

Dated December 23, 1963, to become effective December 23, 1963.

PAUL A. NICHOLSON,
Deputy Director,
Fruit and Vegetable Division.

[F.R. Doc. 63-13391; Filed, Dec. 24, 1963; 9:15 a.m.]

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

Subpart—Classification and Accounting Rules and Regulations

APPROVAL OF TEMPORARY AMENDMENT

Pursuant to provisions of § 1002.36 of the order, as amended, regulating the

handling of milk in the New York-New Jersey milk marketing area (7 CFR Part 1002), it is hereby determined that an emergency exists which requires the immediate adoption of the temporary amendment issued by the Market Administrator of said order on December 13, 1963, amending rules and regulations (7 CFR Part 1002.100 et seq.), heretofore issued by him pursuant to said order. Said temporary amendment is hereby approved to become effective January 1, 1964.

It is necessary that the said temporary amendment to the rules and regulations issued by the market administrator be made effective on January 1, 1964, in order to effectuate the terms and provisions of the said order as amended effective January 1, 1964, and to avoid the existence of rules and regulations inconsistent with provisions of the order, as so amended. The changes effected by this amendment do not require substantial or extensive preparation by handlers prior to the effective date. Accordingly, notice of proposed rule making, public procedure thereon, and publication hereof 30 days prior to the effective date specified herein are found to be impracticable, unnecessary, and contrary to the public interest.

Copies of the temporary amendment to the rules and regulations may be procured from the Market Administrator, 205 East 42d Street, New York 17, New York.

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

Signed at Washington, D.C., on December 20, 1963.

GEORGE L. MEHREN,
Assistant Secretary.

TEMPORARY AMENDMENT

The amendment issued November 29, 1963 (28 F.R. 12902) to the order regulating the handling of milk in the New York-New Jersey milk marketing area (7 CFR Part 1002), in effect, constitutes an amendment to the accounting rules and regulations (7 CFR 1002.100 et seq.) heretofore issued by the Market Administrator, primarily with respect to assignments of butterfat in milk to classes when received from several sources. In order to incorporate this amendment of the order into the rules and regulations issued by the Market Administrator, the rules and regulations must be redrafted to the extent set forth herein.

Pursuant to the provisions of § 1002.36 of said Order No. 2, as amended, there is set forth below the temporary amendment to the accounting rules and regulations subject to the approval of the Secretary, which is a recodification of the specified sections of the rules and regulations. The amendment includes no substantive change from the previous rules and regulations issued by the Market Administrator except to the extent that such rules and regulations were required to be changed by the said amendment to the order.

The temporary amendment is as follows:

1. Section 1002.105 is revised to read as follows:

§ 1002.105 Milk.

"Milk" means (a) the product delivered to a plant or a tank truck by dairy farmers as cow's milk, or (b) the product composed of skim milk and of not less than 3.0 percent but less than 10 percent butterfat. This definition shall not be deemed to include products that are included in other definitions.

2. Section 1002.124 is revised to read as follows:

§ 1002.124 Packaged; packaged in consumer packages.

The term "packaged" or "packaged in consumer packages" when used in conjunction with milk, concentrated fluid milk, plain condensed milk, cultured or flavored milk drinks, skim milk, whipped topping mixture, cream or sour cream, means that such product is in a container of four quarts or less. These products in any other container will be referred to as bulk.

3. A new § 1002.130 is added and reads as follows:

§ 1002.130 Dispenser insert.

A "dispenser insert" when used in conjunction with milk or skim milk means that the product is in a container from which the product may be dispensed through a self contained valve or other mechanical means for human consumption on the premises of the purchaser.

4. Section 1002.140 is revised to read as follows:

§ 1002.140 Method.

Milk shall be classified and accounted for on a monthly basis in accordance with the form in which the butterfat from such milk is held at or moved from the plant or bulk tank truck at which classification is to be determined pursuant to § 1002.33. Before classifying milk the butterfat in milk shall be accounted for in accordance with provisions of §§ 1002.141 through 1002.181 and shall be classified in the same classes as the milk equivalent of such butterfat is required, pursuant to §§ 1002.30 through 1002.37, to be classified. Any deductions or additions required in any section shall be made to the result obtained after all additions or deductions required in the preceding sections have been made.

5. Section 1002.182 is revised to read as follows:

§ 1002.182 Interchange between products.

Nonpooled butterfat in the form of milk, half and half, concentrated fluid milk, fluid milk products, cultured or flavored milk drinks, cream and fluid cream products deducted pursuant to §§ 1002.140 through 1002.181, and butterfat receipts from dairy farmers may be interchanged with pooled butterfat received in any one of the enumerated forms: *Provided,* That the butterfat to be interchanged has been deducted from the same products: *Provided further,* That the quantity of butterfat to be interchanged shall not exceed any quantity necessary to avoid the assignment of nonpool butterfat to Class II.

6. In § 1002.200, paragraphs (a), (b) and (c) are revised to read as follows:

§ 1002.200 Concentrated fluid milk or plain condensed milk assignment.

(a) Tabulate the classes of all butterfat received in the form of concentrated fluid milk or plain condensed milk (total of the butterfat deducted from the several classes pursuant to §§ 1002.153 and 1002.157, as such deductions are modified by any interchanges made pursuant to § 1002.182).

(b) Butterfat received in the form of nonpooled concentrated fluid milk or plain condensed milk shall be assigned pro rata, as far as possible, to Class I–B and Class III which have been tabulated pursuant to paragraph (a) of this section. Any remaining nonpooled butterfat shall be assigned to Class II, as far as possible, and then to Class I–A.

(c) Classes of butterfat remaining after the assignments pursuant to paragraph (b) of this section may be interchanged with classes of butterfat remaining after the assignments pursuant to §§ 1002.201(b), 1002.202(1), and 1002.204(b), which are based on the products covered by § 1002.170.

7. In § 1002.201, paragraphs (a), (b) and (c) are revised to read as follows:

§ 1002.201 Cream assignment.

(a) Tabulate the classes of all butterfat received in the form of cream (total of the butterfat deducted from the several classes pursuant to §§ 1002.148, 1002.170, and 1002.171, as such deductions are modified by any interchanges made pursuant to § 1002.182).

(b) Butterfat received in the form of nonpooled cream shall be assigned pro rata, as far as possible, to Class I–B and Class III which have been tabulated pursuant to paragraph (a) of this section. Any remaining nonpooled butterfat shall be assigned to Class II, as far as possible, and then to Class I–A.

(c) Classes of butterfat remaining after the assignments pursuant to paragraph (b) of this section may be interchanged with classes of butterfat remaining after the assignments pursuant to §§ 1002.200(b), 1002.202(1) and 1002.204(b), which are based on the products covered by § 1002.170.

8. Section 1002.202 is revised to read as follows:

§ 1002.202 Milk assignment.

(a) Tabulate the classes of all butterfat received in the form of milk (total of the butterfat deducted from the several classes pursuant to §§ 1002.175 and 1002.180, the butterfat resulting after the additions pursuant to § 1002.181, and butterfat classified as Class I–A pursuant to § 1002.181, as such deductions or additions are modified by any interchanges made pursuant to § 1002.182).

(b) Assign the butterfat in milk received in consumer packages, if such milk is classified and priced under another order which does not contain a provision for market-wide equalization, to Class I–B to the extent possible in the following sequence: Class I–B which is based upon delivery to a plant or purchaser in the marketing area defined

under such other order; Class I–B based upon delivery to a nonregulated plant or area; and remaining Class I–B.

(c) After the assignment pursuant to paragraph (b) of this section, assign the butterfat in milk received in consumer packages at a pool plant or a plant distributing milk through outlets other than to plants, if such milk is classified and priced under another order with a provision for market-wide equalization, to the remaining Class I–B to the extent possible in the following sequence: Class I–B which is based upon delivery to a plant or purchaser in the marketing area defined under such other order; Class I–B based upon delivery to a nonregulated plant or area; and remaining Class I–B. Any remainder of such milk shall be assigned to Class I–A.

(d) After the assignment pursuant to paragraph (c) of this section, assign the butterfat in milk received at a pool plant, if such milk is classified and priced under another order with a provision for market-wide equalization, to Class I–B which is based upon delivery to a plant or purchaser in the marketing area defined pursuant to such other order.

(e) After the assignment pursuant to paragraph (d) of this section, if the plant at which the assignment is being made is a plant at which 50 percent or more of the gross receipts of milk leaves in the form of Class I–A milk in consumer packages or dispenser inserts, assign butterfat in milk from another order with a provision for market-wide equalization (except milk priced under Part 1015) and butterfat in milk from a plant in the 401 miles and over freight zone pro rata to all classes of milk.

(f) After the assignment pursuant to paragraph (e) of this section, if the plant is not a pool plant pursuant to § 1002.24, butterfat in milk received directly from dairy farmers or units in an amount sufficient to qualify such plant as a pool plant pursuant to paragraphs (a) or (b) of § 1002.28 shall be assigned to Class I–A leaving the plant which is distributed to outlets which are not other plants, except in the case where pursuant to § 1002.35(a)(1), the handler has elected not to make such assignment: *Provided,* That if the plant is listed by the Market Administrator pursuant to § 1002.14 or § 1002.15, the milk received from the plant operator's own farms shall not be assigned to the Class I–A milk at the plant until after there is first assigned to such Class I–A milk the butterfat in milk received from other plants designated pursuant to § 1002.24, other plants which are pool plants pursuant to § 1002.28 on the basis of the assignment (at such other plants) pursuant to this paragraph, or from pool units.

(g) After the assignment pursuant to paragraph (f) of this section, butterfat in milk from plants and pool bulk tank units listed in § 1002.35(a)(2) (including this plant if so listed) shall be assigned as far as possible to Class I–A butterfat.

(h) After the assignment pursuant to paragraph (g) of this section, at the option of the handler, butterfat in milk from other sources shall be assigned to Class I–A if such assignment makes the plant source of such milk a pool plant.

(i) After the assignment pursuant to paragraph (h) of this section, the total remaining butterfat from all pool plants (including this plant) shall be assigned as far as possible first to Class I–A and then to Class II.

(j) If the plant at which assignment is being made is not a pool plant but a plant regulated by another order, or is a plant at which the milk received from dairy farmers is classified and priced under another order, after the assignment pursuant to paragraph (i) of this section, butterfat in milk received from pool plants and pool units shall be assigned to Class I–B if such milk is assigned to Class I by the other order, or it shall be assigned to Class III if such milk is assigned to other than Class I by such other order.

(k) After the assignment pursuant to paragraph (j) of this section, butterfat in milk pooled and priced under Part 1015 of this chapter shall be assigned as far as possible pro rata to all remaining classes except Class I–B.

(l) After the assignment pursuant to paragraph (k) of this section, butterfat in other nonpool milk shall be assigned pro rata to the remaining classes of butterfat.

(m) After the assignment pursuant to paragraph (l) of this section, classes of butterfat remaining may be interchanged with classes of butterfat remaining after the assignments pursuant to §§ 1002.200(b), 1002.201(b) and 1002.204(b), which are based on the products covered by § 1002.170.

(n) Butterfat in milk received from producers and from handler's own farm which is excluded from the computation of the handler's net pool obligation pursuant to § 1002.65(g)(1) or § 1002.65(g)(2), respectively, shall be assigned pro rata to the classification of pool milk in the plant after first assigning all milk from other pool plants and pool bulk tank units to Class I–A.

(o) Butterfat in the form of milk received from the plant of another handler at which milk is received from farms which is excluded from the computation of the handler's net pool obligation pursuant to § 1002.65(g)(1) or § 1002.65(g)(2) shall be assigned to Class III to which pool milk (including such excluded milk) has been assigned. Any remaining butterfat in such milk shall be assigned, to the extent possible, to butterfat in other classes of pool milk in the following sequence: (1) Class II; (2) Class I–B; and (3) Class I–A.

(p) For purposes of this section, milk received from a handler listed as a producer-handler pursuant to § 1002.15 shall be considered to be nonpool milk except to the extent that § 1002.35(a)(5) provides a different method of accounting.

(q) Butterfat in pool milk which has been classified at the shipping plant in accordance with § 1002.33 shall to the extent possible be assigned to butterfat classes of pool milk in the following sequence: (1) To the same class of butterfat; (2) pro rata to remaining classes of butterfat except Class I–A and Class II; (3) to Class I–A; and (4) to Class II.

(1) If a bulk tank truck containing milk of both pool and nonpool bulk tank units delivers such milk to two or more plants, the pool bulk tank milk may be assigned at the option of the handlers involved to any of the plants involved which have Class I–A classification in amounts available to assign to such delivery. After such assignment, the remainder of the pool and nonpool unit milk receipts shall be considered to have been delivered to such plants in the proportion that each bears to the total remaining milk.

(r) Where more than one source of butterfat may be assigned pursuant to this section or where no assignment has been specifically prescribed, a particular assignment shall be at the option of the handler: *Provided,* That butterfat in milk caused to be delivered to the plant from producers by a cooperative association not operating the plant for the account of such cooperative association and for which such cooperative makes reports to the Market Administrator shall be considered a separate source of butterfat from that in milk received from another producer group at the plant.

(s) Compute the classification of milk received from producers by converting the pounds of butterfat in each class to pounds of milk equivalent of the average test of milk received from producers: *Provided,* That in the case of plants handling breed milk or other special milk (such as hi-test), the butterfat in such special milk shall be converted to milk equivalent of the average test established for such special milk, and the remaining butterfat shall be converted to milk equivalent of the average test of the remaining milk.

9. In § 1002.204, paragraph (c) is revised to read as follows:

§ 1002.204 Half and half assignment.

* * * * *

(c) Classes of butterfat remaining after the assignment pursuant to paragraph (b) of this section may be interchanged with classes of butterfat remaining after the assignments pursuant to §§ 1002.200(b), 1002.201(b), and 1002.202(l) to half and half.

§ 1002.275 [Deleted]

10. Section 1002.275 is deleted.

Issued at New York, New York, this 13th day of December 1963.

C. J. BLANFORD,
Market Administrator.

[F.R. Doc. 63–13332; Filed, Dec. 24, 1963; 8:49 a.m.]

Title 9—ANIMALS AND ANIMAL PRODUCTS

Chapter II—Agricultural Marketing Service (Packers and Stockyards Division), Department of Agriculture

PART 201—REGULATIONS UNDER THE PACKERS AND STOCKYARDS ACT

Records; Disposition

On September 6, 1963, a notice of proposed rule making was published in the

FEDERAL REGISTER (28 F.R. 9783) regarding the amendment by the Agricultural Marketing Service of § 201.50 (9 CFR 201.50) of the regulations under the Packers and Stockyards Act, 1921, as amended, relating to the destruction or disposition of certain records which contain, explain, or modify transactions in the business of stockyard owners, market agencies, dealers, and licensees under the Packers and Stockyards Act, 1921, as amended (7 U.S.C. 181 et seq.).

The purpose of the amendment is to relieve stockyard owners, market agencies, dealers and licensees from the requirement of obtaining prior written consent of the Director of the Packers and Stockyards Division to destroy or dispose of such records.

Interested persons were afforded the opportunity to submit written suggestions, data, or views with respect to the proposed amendment. Suggestions were received from several parties objecting to the application of the rule to the operations of live poultry dealers and handlers subject to Title II of the Packers and Stockyards Act. However, the rule applies only to the operations of live poultry dealers and commission merchants as licensees under Title V of the Act in designated cities. After consideration of all relevant matter submitted by interested persons, § 201.50, Part 201, Chapter II, Title 9 of the Code of Federal Regulations, is hereby amended to read as follows:

§ 201.50 Records; disposition.

(a) Except as otherwise provided in paragraphs (b) and (c) of this section, no stockyard owner, market agency, dealer, or licensee shall, without the consent in writing of the Director, destroy or dispose of any books, records, documents, or papers which contain, explain, or modify transactions in his business under the Act.

(b) Every stockyard owner, market agency, dealer, or licensee may destroy or dispose of the following categories of records after they have been retained for a period of two full calendar years:

STOCKYARD OWNERS

All feed records.
Dipping and spraying orders.
Vaccinating and testing orders.
Orders for special services.
Routine correspondence.
Railroad advance charges.
Bills to commission firms and others.
Records of shipments by States and markets.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Railroad in-bound records.
Truck-in receipt records.
Delivery records.
Yarding receipts.
Pass-out and delivery orders.
Truck shipping orders.
Railroad shipping orders.
Scale yarding records.
Scale tickets.

MARKET AGENCIES

Scale tickets.
Bills from stockyard company.
Bills for livestock purchased.
Gate tickets.
Routine correspondence.
Way-bills and truckers tickets.
Accounts of sales.
Accounts of purchases.
Bills and invoices to buyers.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.

DEALERS

Bills from stockyard company.
Bills for livestock purchased.
Accounts of sales.
Routine correspondence.
Bills to purchasers.
Scale tickets.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.

LICENSEES

(COMMISSION MERCHANTS)

Invoice or receiving tickets.
Scale tickets—Charge tickets.
Accounts of sales.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Bills to purchasers.
Lists of accounts receivable.
Routine correspondence.
Sales tickets.

(DEALERS)

Purchase statements to shippers.
Contracts with shippers.
Bills from receivers.
Deposit slips.
Bank statements.
Cancelled checks and drafts.
Check stubs.
Sales tickets—Charge tickets.
Routine correspondence.
Scale tickets.

(c) The two-year period specified in paragraph (b) of this section shall be extended if necessary to comply with any Federal, State, or local law, or if the stockyard owner, market agency, dealer, or licensee is notified in writing by the Director that specified records should be retained pending the completion of any investigation or proceeding under the Act.

The periods specified hereinafter which records may be disposed of have been approved by the Bureau of the Budget in accordance with the Federal Reports Act of 1942 (56 Stat. 1078; 5 U.S.C., 139 et seq.).

This amendment relieves restrictions and is within the exception of section 4(c) of the Administrative Procedure Act as to effective date requirements. The amendment shall become effective January 1, 1964.

(Secs. 401, 407, 42 Stat. 169; 7 U.S.C. 221, 228)

Done at Washington, D.C., this 19th day of December 1963.

CLARENCE H. GIRARD,
Deputy Administrator,
Regulatory Programs.

[F.R. Doc. 63-13313; Filed, Dec. 24, 1963; 8:47 a.m.]

Title 14—AERONAUTICS AND SPACE

Chapter III—Federal Aviation Agency

SUBCHAPTER C—AIRCRAFT REGULATIONS

[Reg. Docket No. 1991; Amdt. 664]

PART 507—AIRWORTHINESS DIRECTIVES

Sud Aviation SE-210 Caravelle I, III and VIR Aircraft

A proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive requiring installation of flanged nose wheel tires on Sud Aviation SE-210 Caravelle I, III and VIR aircraft was published in 23 F.R. 10719.

Interested persons have been afforded an opportunity to participate in the making of the amendment. One comment advised that the new tires are being installed; however, occasionally supply interruptions will cause the operator to revert to the tire without water deflectors for a short period of time. In view of this, they assumed that this reversion will be permissible under the terms of the AD, provided the aircraft is not operated on flooded or slush covered runways. This assumption is correct. Furthermore, it is believed that the installation of flanged nose wheel tires is not necessary on any airplane which is not operated from flooded or slush covered runways. For this reason, the AD has been revised to permit the use of other than the prescribed tires if a placard is installed prohibiting operations on flooded or slush covered runways.

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

SUD AVIATION. Applies to all Model SE-210 Caravelle I, III and VIR aircraft.

Compliance required within 30 days after the effective date of this AD.

To prevent engine flameout or engine damage from the bow wave caused by the nose wheel on flooded or slush covered runways, install Kleber-Colombes N082E22 or Dunlop 082E22 nose wheel tires, with water deflectors, or FAA approved equivalents, unless a placard is installed in the airplane prohibiting operations on flooded or slush covered runways.

This amendment shall become effective January 27, 1964.

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

Issued in Washington, D.C., on December 18, 1963.

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

[F.R. Doc. 63-13281; Filed, Dec. 24, 1963; 8:45 a.m.]

Title 18—CONSERVATION OF POWER

Chapter I—Federal Power Commission

[Order No. 276]

PART 101—UNIFORM SYSTEM OF ACCOUNTS PRESCRIBED FOR CLASS A and CLASS B PUBLIC UTILITIES AND LICENSEES

PART 104—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C PUBLIC UTILITIES AND LICENSEES

PART 105—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS D PUBLIC UTILITIES AND LICENSEES

PART 141—STATEMENTS AND REPORTS (SCHEDULES)

PART 201—UNIFORM SYSTEM OF ACCOUNTS FOR NATURAL GAS COMPANIES

PART 204—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS C NATURAL GAS COMPANIES

PART 205—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS D NATURAL GAS COMPANIES

PART 260—STATEMENTS AND REPORTS (SCHEDULES)

Miscellaneous Amendments

DECEMBER 18, 1963.

Expenditures for Political Purposes, Amendment of Account 426, Other Income Deductions, Uniform System of Accounts, and Report Forms Prescribed for Electric Utilities and Licensees and Natural Gas Companies, FPC Forms Nos. 1 and 2; Docket No. R-226.

The Commission has under consideration in this proceeding the amendment of Account 426 of its Uniform System of Accounts, Other Income Deductions, by the promulgation of five new subaccounts within the present Account 426. It also has under consideration the revision of Instruction No. 3 to the Schedule of Particulars Concerning Certain Income Deduction and Interest Charges Accounts included in FPC Forms Nos. 1 and 2, Annual Reports of Electric Utilities and Licensees (Classes A and B) and of Natural Gas Companies (Classes A and B), respectively, to provide for the reporting within that schedule of amounts entered in newly designated Subaccounts 426.1, 426.2, 426.3 and 426.5; and the further revision of its FPC Forms Nos. 1 and 2 to require that all expenditures for political purposes to be included in newly designated Subaccount 426.4 be reported in a separate schedule.[1]

This proceeding was commenced by a notice of proposed rulemaking served upon interested parties, including State and Federal regulatory agencies, and by publication in the FEDERAL REGISTER on December 28, 1962 (27 F.R. 12839). The proposed amendment of Account 426 by the promulgation of five subaccounts (Subaccounts 426.1, 426.2, 426.3, 426.4, and 426.5) and the proposed revisions of FPC Forms Nos. 1 and 2 by changing the present wording of Instruction No. 3 to the Schedule of Particulars Concerning Certain Income Deduction and Interest Charges Accounts and by adding a separate schedule entitled "Expenditures for Political Purposes" were set forth in the notice.

Currently, Account 426 is utilized for recording numerous expenditures, which are primarily non-operating in nature, of public utilities and licensees subject to the provisions of the Federal Power Act and of natural gas companies subject to the provisions of the Natural Gas Act. Representative non-operating expenditures include items such as donations; life insurance of officers and employees wherein the public utility or gas company is beneficiary; penalties for violation of regulatory statutes; expenditures for the purpose of influencing public opinion as to the election of public officers, referenda, proposed legislation, proposed ordinances, repeal of existing laws or ordinances, and approval or revocation of franchises; and expenditures for the purpose of influencing decisions of public officers. The utilization of five subaccounts within the present Account 426 will make possible for the first time the separate classification and identification of five categories of income deductions that cannot now be individually identified from the account balance in Account 426. The amendments to Forms Nos. 1 and 2 will provide for more detailed annual reporting of the various categories of expenditures.

The notice of proposed rulemaking afforded a period of 55 days for the submission to the Commission of written data, views, comments and suggestions concerning the proposed amendments. Ninety-six responses were received from numerous segments of the electric and gas industry, mass communication and advertising media, state public service commissions, professional, press, radio and television associations, law firms and individual citizens. All have been given due consideration by the Commission. We are adopting certain of the suggested modifications of the original proposals and are rejecting the others for the reasons hereinafter set forth.

A principal source of criticism of the rules as originally proposed by the Commission was that the proposed Subaccount 426.4, relating to expenditures for political purposes, had been drafted in a manner which not only was ambiguous and indefinite as to exactly what expenditures were intended to be included, but also appeared to include expenditures—of which regulatory expenses are typical—which properly should be included in above-the-line operating expense or capital accounts of the Uniform System of Accounts. We have concluded that there is considerable merit to such criticism. No matter where the line be drawn with respect to either the general category of expenditures to be labeled as "political" for purposes of accounting and reporting or assignment of particular costs, there will be many people who will believe that some expenditures so listed should not have been classified as political and others who will be equally convinced that certain operating expenses were in fact expenditures for political purposes. This does not mean, as some have suggested, that we should abandon our effort at separate classification and reporting of political expenditures, or even that we should limit our effort to those types of expenditures with respect to which all persons would agree in advance concerning the classification. But it does indicate that if we wish to define a class of expenditures for political purposes in a way which can be applied with an appreciable degree of uniformity and comparability by the numerous public utilities, licensees and natural gas companies, we may have to forego inclusion of certain types of expense which may in fact be made for political purposes, but either usually are not, or are not subject to sufficiently clear definition to be capable of consistent application. Conversely the classification may encompass particular expenditures which usually are but which in a particular case may not have been made for political purposes.

Accordingly we are excluding from the text of Subaccount 426.4 the phrase "or having any direct or indirect relationship to political matters, including the influencing of public opinion with respect to public policy," and are adding thereto a clause excluding "expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the reporting utility's existing or proposed operations." In addition we are changing the title of the subaccount. As modified, the subaccount will read as follows:

426 Expenditures for certain civic, political and related activities.

4. This account shall include expenditures for the purpose of influencing public opinion with respect to the election or appointment of public officials, referenda, legislation, or ordinances (either with respect to the possible adoption of new referenda, legislation or ordinances or repeal or modification of existing referenda, legislation or ordinances); or approval, modification, or revocation of franchises; or for the purpose of influencing the decisions of public officials, but shall not include such expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the reporting utility's existing or proposed operations.

Several of the comments received stated that the amendment of Instruction No. 3 to the Schedule of Particulars Concerning Certain Income Deduction and Interest Charges Accounts in the Commission's Annual Reports, FPC Forms Nos. 1 and 2, to require individual reporting of all amounts of $100 or more charged to proposed Subaccounts 426.1, 426.2, 426.3 and 426.5, would impose a considerable burden upon the reporting utilities and encumber the Commission with details of insignificant expenditures. We believe that modification of Instruc-

[1] Form filed as part of the original document.

tion No. 3 to allow grouping of any amounts of less than $1,000 in the aforesaid subaccounts for reporting purposes would eliminate these objections without conflicting with the overall purposes of the accounting and reporting amendments contemplated herein. Inasmuch as the books of reporting utilities have been closed for the reporting year 1962, we also conclude that the proposed amendments to our Uniform System of Accounts and annual report forms should be made applicable commencing with the reporting year 1963. In addition, although the new schedule for Subaccount 426.4 hereafter prescribed does not permit any grouping of expenditures, we will permit such grouping for reporting years which begin in 1963 in accordance with our outstanding requirements for earlier years.

A number of the comments upon the proposed amendments suggest that any effort to classify and require the special reporting of expenditures for political purposes would infringe upon freedom of speech and other constitutional guarantees, that the term "political" will have a misleading connotation because of its utilization in certain state penal statutes concerning political activities, that the extension of the definition of political expenditures to those not specifically covered by the "ECAP" case [2] would be improper, and that the contemplated amendments are "socialistic" in nature.

By requiring that expenditures for political purposes be placed in Subaccount 426.4 for accounting purposes, we do not impose any censorship or prohibition upon expenditures of that nature by electric and gas utilities. Moreover, this Commission in the afore-mentioned "ECAP" case rejected assertions that placing such expenditures in a "below the line" account for accounting purposes constituted an infringement upon freedom of speech or other constitutional guarantees, and its opinion and order in that case was upheld by the courts. Nor do we find any sound basis for concluding that the mere designation of an expenditure as "political" by this Commission will in itself signify improper or illegal conduct by the person or party making that expenditure. As mentioned above, however, we are changing the title of Subaccount 426.4. We note also that such classification does not constitute a determination that the expenditures should be excluded from a utility's cost of service in rate proceedings.

Whether a given utility's specific expenditures should be charged to Subaccount 426.4 or placed in an appropriate operating expense account must be determined, of course, in the first instance by a proper application of the standard set forth in the text of the subaccount, as here modified, by the officers of electric and gas utilities who are conversant with the day-to-day operations of their respective business entities. It should be recognized that certain expenditures, such as those covering a trip to Washington, D.C., may involve a joint cost requiring allocation of the charge to Subaccount 426.4 and to another account or accounts. Although the preparation of an exhaustive list of items that normally should be placed in Subaccount 426.4 or in appropriate operating expense accounts would be impractical, particularly in the absence of specific fact situations, the following table illustrates the type of expenditures that it would appear should be placed in each category:

SUBACCOUNT 426.4

Advertising in various mass communication media to influence the election or appointment of public officers or proposed legislation at Federal, State, or local levels.

Advertising in mass communication media to promote legislation exempting independent producers of natural gas from Federal regulation.

Advertising in mass communication media to influence the general public or public officials on the private v. public power question. (Such advertising even where it has no specific or express objective is calculated to affect public or official attitudes toward future legislative or administrative action.

Letters or inserts in customers' bills or in reports to stockholders to influence the opinion of recipients as to the election or appointment of public officers or pending legislation.

Payments for lobbying or other fees to persons or organizations including law firms, service companies or other affiliated interests, for influencing the passage or defeat of pending legislative proposals or influencing official decisions of public officers.

Payments for the preparation or distribution of editorial or cartoon material intended to influence the public on political matters.

Cost to utility of time utilized by employees in a house-to-house campaign or other devices for influencing public opinion as to public power or natural gas legislation together with associated company expenses.

Membership fees in organizations engaged in lobbying on legislative matters.

Cost to utility for meals, lodging and other personal and social items of persons involved in any of the above activities.

OPERATING EXPENSE ACCOUNT

Reasonable expenditures for promotional and "good will" advertising.

Costs of appearances before the Federal Power Commission or other Federal and state regulatory agencies in various regulatory proceedings.

Costs of submitting comments on this proceeding or other regulatory proceedings.

Necessary appearances before or communications to Congress or legislative bodies regarding matters of direct operating concern to the utility company.

Appearances before zoning and tax appeal boards.

Appearances before municipal councils or other local authorities on charter or franchise regulations of direct operating concern to the utility company.

Appearances before or communication with local bodies or officials regarding ordinances such as those concerning tree-trimming and safety of equipment.

Appearances before or communication with local bodies or officials concerning permits such as those for erecting poles on public property or obtaining rights of way.

With respect to reporting expenditures in Subaccount 426.4 in the new schedule for that purpose to be added to FPC Forms Nos. 1 and 2, the schedule itself is largely self-explanatory. If a particular expenditure has been charged to Subaccount 426.4, the amount and nature thereof should be duly reported in the new schedule.

The Commission further finds:

(1) The notice and opportunity to participate in this rulemaking proceeding with respect to the matters presently before this Commission through the submission, in writing, of data, views, comments, suggestions and arguments in the manner as described above, are consistent and in accordance with all procedural requirements therefor as prescribed in section 4 of the Administrative Procedure Act. In view of the foregoing and the modification of the proposed amendments to our accounting and reporting requirements to reflect valid objections raised thereto, opportunity for oral argument or a formal hearing in this matter would serve no useful purpose and is therefore unnecessary.

(2) In view of the foregoing and upon consideration of all relevant matters presented, adoption and promulgation of the proposed amendments of Account 426 of the Commission's Uniform Systems of Accounts for Public Utilities and Licensees and Natural Gas Companies and of FPC Forms Nos. 1 and 2 by the addition of the attached schedule for reporting expenditures for certain civic, political and related activities and the revision of Instruction No. 3 to the Schedule of Particulars Concerning Certain Income Deduction and Interest Charges Accounts contained therein for use in reporting for the calendar year beginning January 1, 1963, or subsequently during the calendar year 1963 if an established fiscal year is other than the calendar year, and years thereafter, are necessary and appropriate for the purposes of the Federal Power and Natural Gas Acts.

(3) Good cause exists for adoption and promulgation of the matters referred to above immediately upon issuance of this order; all as hereinafter provided.

The Commission, acting pursuant to the authority granted by the Federal Power Act, as amended, particularly sections 3(13), 4 (a), (b), (c), 301(a), 302, 304, 309 and 311 thereof (16 U.S.C. 796 (13, 797 (a), (b), (c), 825(a), 825a, 825c, 825h, and 825j) and by the Natural Gas Act, as amended, particularly sections 8(a), 9, 10, and 16 thereof (15 U.S.C. 717g(a), 717h, 717i and 717o), orders:

(A) Account 426 of the Commission's Uniform Systems of Accounts for Public Utilities and Licensees and for Natural

[2] Commission Opinion and Order No. 337, Alabama Power Company, et al., 24 FPC 278, affirmed sub nom Southwestern Electric Power Company v. F.P.C., 304 F. 2d, cert. denied, 371 U.S. 924.

Gas Companies, Other Income Deductions, hereby is amended to include Subaccounts 426.1, 426.2, 426.3, 426.4, and 426.5, all as set forth in the attachment hereto.

(B) Instruction No. 3 to the Schedule of Particulars Concerning Certain Income Deduction and Interest Charges Accounts in the Commission's Annual Reports, FPC Forms Nos. 1 and 2, 18 CFR 141.1 and 260.1, is hereby amended to read as follows:

3. Other Income Deductions (Account 426)—Report the nature, payee, and amount of other income deductions for the year as required by Subaccounts 426.1, Donations; 426.2, Life Insurance; 426.3, Penalties; and 426.5, Other Deductions, of the Uniform System of Accounts. Amounts of less than $1,000 may be grouped by classes within the above subaccounts if the number of items so grouped is shown. Additionally, report the total amount of income deductions included in Subaccount 426.4, particulars of which are contained in the separate schedule "Expenditures for Certain Civic, Political and Related Activities."

(C) FPC Forms Nos. 1 and 2 are hereby further amended by the addition of the new report schedule "Expenditures for Certain Civic, Political and Related Activities" attached hereto for the reporting of such expenditures.

(D) The amendments and revisions of Account 426 of the Commission's Uniform System of Accounts and FPC Forms Nos. 1 and 2, all as set forth in paragraphs (A) through (C) above, shall become effective upon the date of issuance of this order, and shall be utilized in accounting and reporting for the calendar year beginning January 1, 1963, or subsequently during the calendar year 1963 if an established fiscal year is other than the calendar year, and years thereafter.

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

By the Commission. Commissioner Black, concurring, filed a separate statement.[3] Commissioner Woodward dissenting.

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

Account 426, Other Income Deductions, appearing in each of the above-numbered parts, is amended to read:

426 Other income deductions.

This account shall include miscellaneous expense items which are nonoperating in nature but which are properly deductible before determining total income before interest charges. The account shall be maintained according to subaccounts shown below.

426.1 Donations.

This account shall include all payments or donations for charitable, social or community welfare purposes.

426.2 Life insurance.

This account shall include all payments for life insurance of officers and employees where company is beneficiary (net premiums less increase in cash surrender value of policies).

426.3 Penalties.

This account shall include payments by the company for penalties or fines for violation of any regulatory statutes by the company or its officials.

426.4 Expenditures for certain civic, political and related activities.

This account shall include expenditures for the purpose of influencing public opinion with respect to the election or appointment of public officials, referenda, legislation, or ordinances (either with respect to the possible adoption of new referenda, legislation or ordinances or repeal or modification of existing referenda, legislation or ordinances) or approval, modification, or revocation of franchises; or for the purpose of influencing the decisions of public officials, but shall not include such expenditures which are directly related to appearances before regulatory or other governmental bodies in connection with the reporting utility's existing or proposed operations.

426.5 Other deductions.

This account shall include other miscellaneous expenses which are nonoperating in nature, but which are properly deductible before determining total income before interest charges.

NOTE: The classification of expenses as nonoperating and their inclusion in this account is for accounting purposes. It does not preclude Commission consideration of proof to the contrary for ratemaking or other purposes.

[F.R. Doc. 63-13301; Filed, Dec. 24, 1963; 8:47 a.m.]

Title 38—PENSIONS, BONUSES, AND VETERANS' RELIEF

Chapter I—Veterans Administration

PART 21—VOCATIONAL REHABILITATION AND EDUCATION

Subpart A—Education and Training of World War II Veterans and Vocational Rehabilitation Under 38 U.S.C. Ch. 31

DETERMINATION OF NEED FOR VOCATIONAL REHABILITATION

1. In § 21.701, paragraph (a) is amended to read as follows:

§ 21.701 Determination of need for vocational rehabilitation.

(a) A veteran having basic eligibility for whom training is found medically feasible may be afforded training if he is found in need of vocational rehabilitation to overcome the handicap of a service-connected disability. A veteran's need for vocational rehabilitation will be determined in accordance with the following criteria:

(1) A veteran who has a service-connected compensable disability which resulted from service in the Armed Forces on and after September 16, 1940, will be presumed to be in need of vocational rehabilitation if his disability resulted from wartime service, or resulted from peacetime service and is rated 30 percent or more, unless there is convincing evidence that one of the following conditions exists:

(i) The veteran is employed in a suitable occupation;

(ii) The veteran is employable in a suitable occupation;

(iii) Although the veteran is not employed or trained for employment in a suitable occupation, the service-connected disability causes no limitations on his potential employability;

(iv) Although a veteran, who was stably employed in a suitable occupation subsequent to separation from the Armed Forces, has lost his employability because of nonservice-connected disease or injury, such loss of employability is not related to his service-connected disability.

(2) A veteran whose service-connected disability resulted from peacetime service after September 16, 1940, and is rated 10 percent or 20 percent, will be presumed not to be in need of vocational rehabilitation unless convincing evidence showing that the disability causes a pronounced employment handicap is developed:

(i) The veteran's employment potential will be explored and evaluated through vocational counseling. This will require the application of professional and technical judgment of a counseling psychologist after consultation with a physician who will evaluate pertinent medical data. Through a process of professional cooperation the counselor will evaluate job demands of employment considered appropriate and the medical consultant will evaluate the capacities of the veteran. The veteran will be considered to have a pronounced employment handicap if it is determined that:

(*a*) He is not employable in occupations appropriate to his qualifications because such employment is incompatible with his service-connected disability, or

(*b*) His service-connected disability places him at a substantial disadvantage in employment potential or in competing for appropriate employment compatible with his disability in comparison with the non-disabled worker similarly qualified, e.g., in education, training and experience.

(ii) After development and evaluation of available information relative to the effects of the disability, if the counseling psychologist finds convincing evidence that training will be required to overcome the limiting effects of the disability so as to enable the veteran to obtain and hold employment which will not aggravate the disability, he will find the veteran in need of vocational rehabilitation because the disability causes a pronounced employment handicap.

* * * * *

2. In § 21.802, paragraph (c) is revoked:

[3] Filed as part of the original document.

§ 21.302 Vocational rehabilitation for certain veterans who incurred a disability in active service after World War II and before the Korean conflict or after the Korean conflict.

* * * * *

(c) [Revoked]

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

This VA regulation is effective the date of approval.

Approved: December 20, 1963.

By direction of the Administrator.

[SEAL] W. J. DRIVER,
Deputy Administrator.

[F.R. Doc. 63-13314; Filed, Dec. 24, 1963; 8:47 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3296]

[Arizona 012770]

ARIZONA

Vacating Public Land Order No. 1434

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

1. Public Land Order No. 1434 issued June 17, 1957, which purported to exclude the following-described lands from the Coconino National Forest and to reserve them under the jurisdiction of the Bureau of Indian Affairs is hereby vacated:

GILA AND SALT RIVER MERIDIAN

T. 21 N., R. 7 E.,
Sec. 23, SW¼NW¼, E½SE¼NW¼, E½NW¼SE¼NW¼, and SW¼SE¼NW¼.

Containing 75 acres.

2. Upon publication of this order in the FEDERAL REGISTER, the subject lands are restored to the same national forest status which existed prior to the purported exclusion, and the lands shall at that time be subject to such forms of disposition as may by law be made of national forest lands.

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

DECEMBER 19, 1963.

[F.R. Doc. 63-13306; Filed, Dec. 24, 1963; 8:47 a.m.]

[Public Land Order 3297]

[Wyoming 0183941]

WYOMING

Partly Revoking Air Navigation Site Withdrawal No. 21

By virtue of the authority contained in section 4 of the Act of May 24, 1928 (45 Stat. 729; 49 U.S.C. 214), as amended, it is ordered as follows:

1. The Departmental order of February 14, 1929, creating Air Navigation Site Withdrawal No. 21, is hereby revoked so far as it affects the following-described land:

SIXTH PRINCIPAL MERIDIAN

T. 21 N., R. 82 W.,
Sec. 6, W½SW¼NE¼SE¼ and SE¼SW¼NE¼SE¼.

Containing 7½ acres.

2. Until 10:00 a.m. on June 29, 1964, the State of Wyoming shall have a preferred right of application to select the land as provided by subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). On and after that date and hour the land shall become subject to application, petition, and selection generally, subject to valid existing rights, the requirements of applicable law, and the provisions of existing withdrawals. All valid applications except applications from the State, received at or prior to 10:00 a.m. on June 29, 1964, shall be considered as simultaneously filed at that time.

3. The land has been open to applications and offers under the mineral leasing laws. It will be open to location under the United States mining laws beginning at 10:00 a.m. on June 29, 1964.

Inquiries concerning the land should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

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

DECEMBER 19, 1963.

[F.R. Doc. 63-13307; Filed, Dec. 24, 1963; 8:47 a.m.]

[Public Land Order 3298]

[Sacramento 076329]

CALIFORNIA

Partly Revoking Certain Reclamation Withdrawals

By virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. The Departmental orders of February 7, 1905, August 13, 1908 and December 15, 1909, which withdrew lands for reclamation purposes under the Act of June 17, 1902, supra, in connection with the Walker River Project, California-Nevada, are hereby revoked so far as they affect the following-described lands in California:

MOUNT DIABLO MERIDIAN

T. 3 N., R. 23 E.,
Sec. 1, lots 1, 2, S½NE¼ and SE¼.
T. 4 N., R. 23 E.,
Sec. 36, E½.
T. 3 N., R. 24 E.,
Sec. 4, lots 1 to 23 incl.;
Sec. 5, lots 1, 4, 5, 7 to 20 incl., and S½;
Sec. 6, lots 1 to 14, incl., 14½, 15, 15½, 17 to 20, incl., 24 to 54, incl., and SE¼.
T. 4 N., R. 24 E.,
Sec. 28, lots 1, 2, SW¼ and N½SE¼;
Sec. 32, lots 1, 2, NE¼, N½SW¼ and SW¼SW¼;
Sec. 33, lots 1 to 8, incl., NE¼SE¼ and S½SE¼;
Sec. 34, NE¼NE¼, N½NW¼, SW¼NW¼ and SW¼.

The areas described aggregate 5,661.68 acres in the Toiyabe National Forest. Some are withdrawn for other purposes.

2. At 10:00 a.m. on January 24, 1964, the lands shall be open to such forms of disposition as may by law be made of national forest lands.

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

DECEMBER 19, 1963.

[F.R. Doc. 63-13308; Filed, Dec. 24, 1963; 8:47 a.m.]

[Public Land Order 3299]

[Montana 062496]

MONTANA

Partly Revoking Public Land Order No. 1692 of July 25, 1958

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

1. Public Land Order No. 1692 of July 25, 1958, which withdrew national forest lands for use of the Forest Service, is hereby revoked so far as it affects the following described land in the Beaverhead National Forest:

MONTANA PRINCIPAL MERIDIAN

WISE RIVER RANGER STATION

T. 1 N., R. 11 W.,
Sec. 34, W½SE¼SE¼.

Containing 20 acres.

At 10:00 a.m. on January 24, 1964, the land shall be open to such forms of disposition as may by law be made of national forest lands.

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

DECEMBER 19, 1963.

[F.R. Doc. 63-13309; Filed, Dec. 24, 1963; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER B—CARRIERS BY MOTOR VEHICLE

[Ex Parte No. MC-6]

PART 170—COMMERCIAL ZONES

Philadelphia, Pa., Commercial Zone

At a Session of the Interstate Commerce Commission, Division 1, held at its office in Washington, D.C., on the 19th day of November A.D. 1963.

It appearing that on July 21, 1939, the Commission, division 1, made and filed its report, 17 M.C.C. 533, and order in the above-entitled proceeding, describing the zone adjacent to and commercially a part of Philadelphia, Pa., contemplated by section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8));

It further appearing that by order of said division entered in this proceeding March 19, 1962, such description was modified in certain respects;

And if further appearing that by petition filed May 3, 1962, as amended, Delaware Valley Industrial Properties, Inc.,

and eight other industrial enterprises, seek modification so as to include an additional area within the limits of the commercial zone of Philadelphia, Pa.;

and good cause appearing therefor:

It is ordered, That the said proceeding be, and it is hereby, reopened for further consideration.

It is further ordered, That § 170.6 as prescribed in the order entered in this proceeding on March 19, 1962, (49 CFR 170.6), be, and it is hereby, vacated and set aside, and the following revision is hereby substituted in lieu thereof:

§ 170.6 Philadelphia, Pa.

The zone adjacent to and commercially a part of Philadelphia, Pa., within which transportation by motor vehicle, in interstate or foreign commerce, not under a common control, management, or arrangement for a continuous carriage or shipment to or from a point beyond such zone, is partially exempt from regulation under section 203(b)(8) of the Interstate Commerce Act (49 U.S.C. 303(b)(8)) includes and is comprised of all points as follows:

(a) The area within Pennsylvania included within the corporate limits of Philadelphia and Bensalem and Lower Southhampton Townships in Bucks County; Conshohocken and West Conshohocken, Pa., and Lower Moreland, Whitemarsh, and Lower Merion Townships in Montgomery County; an area in Upper Dublin Township, Montgomery County, bounded by a line beginning at the intersection of Pennsylvania Avenue and Fort Washington Avenue and extending northeast along Fort Washington Avenue to its junction with Susquehanna Road, thence southeast along Susquehanna Road to its junction with the right of way of the Pennsylvania Railroad Company, thence southwest along the right of way of the Pennsylvania Railroad Company to Pennsylvania Avenue, thence northwest along Pennsylvania Avenue to its junction with Fort Washington Avenue, the point of beginning; Haverford Township in Delaware County; and an area in Delaware County south and east of a line extending southward from the intersection of the western and northern boundaries of Upper Darby Township along Darby Creek to Bishop Avenue, thence south along Bishop Avenue to Baltimore Pike, thence west along Baltimore Pike to Pennsylvania Highway 320, thence south along Pennsylvania Highway 320 to the corporate limits of Chester, thence along the northern corporate limit of Chester in a westerly direction to the eastern boundary of Upper Chichester Township, thence south to the southern boundary of said township along the eastern boundary thereof, and thence west along the southern boundary of said township to the Delaware State line, and thence south along the Delaware State line to the Delaware River, and

(b) The area in New Jersey included in the corporate limits of Camden, Gloucester City, Woodlynne, Merchantville, and Palmyra Boroughs, and the area included in Pennsauken Township in Camden County.

(49 Stat. 546, as amended; 49 U.S.C. 304. Interprets or applies 49 Stat. 543, as amended, 544, as amended; 49 U.S.C. 302, 303)

It is further ordered, That this order shall become effective January 26, 1964, and shall continue in effect until the further order of the Commission.

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

By the Commission, division 1.

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

[F.R. Doc. 63-13322; Filed, Dec. 24, 1963; 8:48 a.m.]

Title 50—WILDLIFE AND FISHERIES

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

PART 33—SPORT FISHING

Chautauqua National Wildlife Refuge and Crab Orchard National Wildlife Refuge, Illinois

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

ILLINOIS

CHAUTAUQUA NATIONAL WILDLIFE REFUGE

Sport fishing on the Chautauqua National Wildlife Refuge, Illinois, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 3,700 acres or 100 percent of the total water area of the refuge, are delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Largemouth and smallmouth bass, and other minor species as permitted by State regulations.

(b) Open season: From 4:00 a.m. to 9:00 p.m., Central Standard Time, each day during the periods from January 1 through March 14, 1964, in the open area of Lake Chautauqua; from January 1 through September 30, 1964, in the open area of Liverpool Lake; from March 15 through September 30, 1964, in all waters of Lake Chautauqua; and from October 1 through December 31, 1964, in designated waters of Lake Chautauqua.

(c) Daily creel limits: Largemouth and smallmouth bass—10 of each species; creel limits for other species as prescribed by State regulations.

(d) Methods of fishing:

(1) The use of boats, including boats powered by motors not to exceed six (6) horsepower, is permitted in the waters of Lake Chautauqua. The use of boats and motors, without limitation on horsepower rating of motors, is permitted in the waters of Liverpool Lake and the refuge borrow ditch adjacent to the main dike outside of Lake Chautauqua. Illinois Boat Registration and Safety Act regulations must be adhered to.

(2) The use of seines or other devices for taking minnows or other bait is prohibited.

(3) Sport fishing with pole and line, bank pole and line, throwline, trot line, or buoyed ganging devices not exceeding fifty (50) hooks in the aggregate is permitted. Trot lines shall be tagged with a weatherproof tag indicating owner's name and permanent address. Trot lines may be attended by the owner or members of his immediate family only.

(4) The use of live boxes is prohibited, except that owners of cottages on the lake may utilize them.

(5) Boats, equipment and other fishing gear may be hauled or taken across dikes only at pull-overs designated by suitable posting by the refuge officer in charge.

(6) No person shall enter upon, cross over, or fish from any dike, water control structure, or shoreline within the refuge except as follows: Sport fishing shall be permitted from that part of the main dike that extends for approximately 700 feet easterly from the inlet gate to the main shore at Boatyard No. 3, and from the shoreline within a distance of 660 feet at each of the established boatyards; these areas are delineated by suitable posting by the refuge officer in charge.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1965.

CRAB ORCHARD NATIONAL WILDLIFE REFUGE

Sport fishing on the Crab Orchard National Wildlife Refuge, Illinois, is permitted only on the areas designated by signs as open to fishing. These open areas, comprising 8800 acres or 100 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Species permitted to be taken: Northern pike, walleyed pike, largemouth and smallmouth bass, and other minor species as prescribed by State regulations.

(b) Open season: January 1 through December 31, 1964, in areas designated on map as I and III; March 15 through

September 30, 1964, daylight hours only, in area designated on map as II.

(c) Daily creel limits: Northern pike—5, size limit 20 inches; walleyed pike, sauger—10 (singly or aggregate); largemouth bass—10; smallmouth bass—10; creel limits for other minor species are as prescribed by State regulations.

(d) Methods of fishing:

(1) It is unlawful to take fish through the ice by use of more than two poles and lines at any one time or with more than two hooks attached to each line; or from any hole cut in the ice that is larger than 12 inches in diameter.

(2) It is unlawful to use any pole and line, or rod and line device to which more than two (2) hooks have been attached; to use more than 50 hooks in the aggregate; (trotline may be used under separate license in excess of 50 hooks).

(3) It is unlawful to use any trotline, throw line or similar device, having hooks spaced at intervals less than 24 inches.

(4) It is unlawful to leave unattended any trotline without a tag indicating name and address of owner.

(5) See State regulations for additional details.

(6) The use of boats is permitted, except no boat with motor larger than six (6) horsepower is permitted on Little Grassy Lake and on Devils Kitchen Lake.

(e) Other provisions:

(1) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(2) A Federal permit is not required to enter the public fishing area.

(3) The provisions of this special regulation are effective to January 1, 1965.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries and Wildlife.

DECEMBER 16, 1963.

[F.R. Doc. 63-13303; Filed, Dec. 24, 1963; 8:47 a.m.]

PART 33—SPORT FISHING

DeSoto National Wildlife Refuge, Iowa and Nebraska

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

§ 33.5 Special regulations; sport fishing; for individual wildlife refuge areas.

IOWA AND NEBRASKA

DESOTO NATIONAL WILDLIFE REFUGE

Sport fishing on the DeSoto National Wildlife Refuge, Iowa and Nebraska, is permitted only on the areas designated by signs as open to fishing. This open area, comprising 850 acres or 100 percent of the total water area of the refuge, is delineated on a map available at the refuge headquarters and from the Office of the Regional Director, Bureau of Sport Fisheries and Wildlife, 1006 West Lake Street, Minneapolis, Minnesota, 55408. Sport fishing is subject to the following conditions:

(a) Open season: Daylight hours January 1, 1964, through February 29, 1964, and 4:30 a.m. to 10:00 p.m., May 1, 1964, through September 15, 1964.

(b) Species permitted, daily creel limits, and methods permitted: All fishermen shall conform with the regulations of the State in which he is properly licensed—either Iowa or Nebraska.

Exceptions: (1) Trot lines are not permitted. (2) Archery fishing is not permitted.

(c) The use of motor boats is permitted.

(d) The provisions of this special regulation supplement the regulations which govern fishing on wildlife refuge areas generally which are set forth in Title 50, Code of Federal Regulations, Part 33.

(e) A Federal permit is not required to enter the public fishing area.

(f) The provisions of this special regulation are effective through September 15, 1964.

R. W. BURWELL,
Regional Director, Bureau of Sport Fisheries & Wildlife.

DECEMBER 16, 1963.

[F.R. Doc. 63-13304; Filed, Dec. 24, 1963; 8:47 a.m.]

Proposed Rule Making

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[43 CFR Part 250]

PUBLIC SALES

Disposition of Lands at Public Sales; Notice of Proposed Rule Making

Basis and purpose. Notice is hereby given that pursuant to the authority vested in the Secretary of the Interior by section 2455 of the Revised Statutes (43 U.S.C. 1171) as amended and supplemented, and section 2478 of the Revised Statutes (43 U.S.C. 1201) it is proposed to revise 43 CFR Part 250 as set forth below. The purpose of the revision is to modernize the requirements, to incorporate recently adopted procedures and criteria and to eliminate internal procedural details contained in the existing regulations.

The proposed regulations incorporate principles of contract and real property law and practices and provide (1) that bids are offers to purchase and that no rights accrue or obligations arise until there has been an acceptance by the Secretary, (2) that a non-refundable fee of $25 must accompany each application, together with an additional minimum payment of $50, returnable in certain circumstances, to defray the cost of publication, (3) that publication of notice will be handled by the Bureau of Land Management, thus providing for uniformity and ease of handling, (4) that the authorized officer will determine and announce the specific time requirement for submittal of preference right proof, and (5) that lawyer's title certificates are acceptable as preference right proof.

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

Part 250 is revised in its entirety to read as follows:

250.1 Statutory authority.
250.2 Definitions.
250.3 Program.
250.4 Petition—applications.
250.5 Publication.
250.6 Bidding.
250.7 Preference.
250.8 Sale of lands.

§ 250.1 Statutory authority.

(a) Section 2455 of the Revised Statutes (43 U.S.C. 1171 et seq.) as amended, hereinafter referred to as the Act, authorizes the Secretary of the Interior to order into market and sell at public auction for not less than the appraised value any isolated or disconnected tract or parcel of the public domain not exceeding 1520 acres which, in his judgment, it would be proper to expose for sale.

(b) The Act also authorizes the Secretary in his discretion, upon application of any person who owns lands or holds a valid entry adjoining such tract, to order into market and sell at public auction for not less than their appraised value any legal subdivisions of the public land not exceeding 760 acres, the greater part of which is mountainous or too rough for cultivation.

(c) The Act grants to owners of contiguous lands a preference right, for a period of not less than 30 days after receipt of the highest bid, to buy the offered lands at the highest bid price, but for not more than three times the appraised price. The Act authorizes the Secretary to make equitable division of the land among the applicants if two or more persons apply to exercise such preference right.

§ 250.2 Definitions.

(a) As used in the regulations of this part:

(1) The terms "public domain" and "public land" mean vacant, unappropriated, and unreserved public lands, or public lands withdrawn by E.O. 6910 of November 26, 1934, as amended, or E.O. 6964 of February 5, 1935, as amended, and not otherwise withdrawn or reserved, or public lands within grazing districts established under section 1 of the Act of June 28, 1934 (48 Stat. 1269), as amended, and not otherwise withdrawn or reserved. Such lands must be officially surveyed and non-mineral in character. Lands which are mineral in character, as defined in subparagraph (6) of this paragraph may not be sold pursuant to this regulation.

(2) The terms "appraised value" and "appraised price" mean the amount of money specified as the minimum acceptable bid in the public notice ordering lands into market under the regulations of this part.

(3) The terms "contiguous lands" and "contiguous legal subdivisions" mean lands or legal subdivisions having a common boundary.

(4) The term "isolated or disconnected tract" means a tract of one or more contiguous legal subdivisions completely surrounded by lands held in non-Federal ownership or so effectively separated from other federally-owned lands by some permanent withdrawal or reservation as to make its use with such lands impracticable. A tract is considered isolated if the contiguous lands are all patented, even though there are other public lands cornering upon the tract. The term "cornering" refers to lands having a common survey corner but not a common boundary.

(5) The term "legal subdivision, the greater part of which is mountainous or too rough for cultivation" means a tract of one or more contiguous legal subdivisions, the greater part of each of which is mountainous or too rough for cultivation.

(6) The term "mineral in character" refers to lands where the mineral is in sufficient quantity to add to their richness and to justify expenditures for its extraction. A "mineral" is a substance that (i) is recognized as mineral, according to its chemical composition, by the standard authorities on the subject or (ii) is classified as mineral product in trade or commerce; or (iii) possesses economic value for use in trade, manufacture, the sciences, or in the mechanical or ornamental arts. However, the word "mineral", for the purposes of the regulations of this part, does not include those that must be reserved to the United States pursuant to the regulations in Parts 66 and 102 of this chapter.

(7) The term "proper land office" means the land office of the Bureau of Land Management for the State or Land district in which the lands are situated. For lands in States for which there are no land offices, it means the Bureau of Land Management, Washington 25, D.C., except that for lands in North Dakota or South Dakota, it means the land office in Billings, Montana, for lands in Nebraska or Kansas, the land office in Cheyenne, Wyoming, and for lands in Oklahoma, the land office at Sante Fe, New Mexico.

(8) The word "person" includes but is not necessarily limited to individual, partnership, association or corporation.

(9) The word "bid" means a written or oral "offer to purchase."

§ 250.3 Program.

(a) The Secretary of the Interior has full discretion to determine whether lands should be ordered into market under the regulations of this part. Factors that will be taken into consideration in making these determinations are described in Part 296 of this chapter.

(b) The program of the Secretary of the Interior in the administration of the Act is to take into consideration the criteria set cut in Part 296 and to order into market on an orderly basis lands subject to the Act which are more valuable or proper for non-Federal than Federal ownership.

(c) Where two or more applicants apply to exercise the preference right provided for by the Act, to the same tract of land, they will be afforded an opportunity to agree among themselves upon a division of the lands. In the absence of an agreement, an equitable division of the land will be made, taking into consideration such factors as (1) the equalizing of the number of acres between the applicants, (2) desirable land use, based on topography, land pattern, location of water, proper development of the lands, and similar factors, (3) legitimate historical use, including construction and maintenance of authorized improvements, and (4) extent of contiguity

and duration of ownership of adjacent lands. If considerations dictate, all of the lands may be awarded to one of the applicants.

(d) Until the issuance of a final certificate, the authorized officer may at any time determine that the lands should not be sold. All public notices of proposed sale of lands under the regulations of this part will reserve the right of the authorized officer to reject any and all bids prior to the time of issuance of final certificate for the lands. However, if the high bid is not less than the fair market value of the land on the date of sale, as such date is specified in the public notice, appreciation or depreciation thereafter in value of the lands will not alone be a basis for such determination. Sales will not be consummated when, for example:

(1) Circumstances reveal that the highest bid otherwise acceptable is less than the fair market value of the land on the date of the sale set in the public notice thereof, or

(2) An appropriate public requirement for the lands is identified subsequent to the public notice, or

(3) Collusive or other activities have hindered or restrained free and open bidding.

§ 250.4 Petition; applications.[1]

(a) Applications, together with petitions as required under Part 296 (hereinafter called petition-applications), to have tracts ordered into market under the regulations of this part must be made on Form 4–008e and Form 4–1677, properly executed and filed in the proper land office.

(b) Each petition-application must be accompanied by a nonrefundable application service charge of $25 and by an additional sum of $50 to defray the costs of publication. This $50 deposit will be returned to the applicant if the authorized officer declines to order lands into market, decides to reject all bids, or sells all the lands to persons other than the applicant. Where the authorized officer sells only part of the lands to the applicant and part to one or more other persons, he will return to the applicant such portion of the deposit as the officer deems equitable.

(c) The filing of a petition-application in conformity with the regulations in this part will not segregate the lands applied for from other petition-applications under the public land laws or defeat a prior valid right initiated under any such law. However, the publication of a notice pursuant to § 250.5 placing lands into market will segregate such lands from all appropriations, including locations under the mining laws, and from other petitions and applications.

(d) The petitioner-applicant or any bidder has no contractual or other rights as against the United States, and no action taken will create any contractual or other obligations of the United States until the final certificate is issued.

§ 250.5 Publication.

(a) When the authorized officer determines that lands shall be ordered into market under the regulations in this part, he will have a notice thereof on the prescribed form published weekly for five consecutive weeks in an appropriate newspaper in accordance with § 106.14 of this chapter.

(b) Where lands are sold pursuant to notice prescribed in paragraph (a) of this section, the purchaser or purchasers of the lands will be required to pay the cost of publication of the notice. Where more than one purchase is involved in a transaction, the costs will be shared in such proportions as the authorized officer deems equitable.

§ 250.6 Bidding.[2]

(a) The time and place for submitting the bids will be specified in the public notice required by § 250.5.

(b) Bids may be made by the principal or his agent, either personally or by mail.

(c) Bids sent by mail will be considered only if received at the place and prior to the hour fixed in the notice. These bids must be accompanied by certified checks, post office money orders, bank drafts, or cashier's checks made payable to the Bureau of Land Management for the amounts of the bids plus the cost of publication (see § 250.5), less any amount previously deposited pursuant to paragraph (b) of § 250.4, and must be enclosed in sealed envelopes which must be marked as prescribed in the notice. In the event that valid bids of the same amount are received through the mail from two or more persons, the first in time as shown by the hour and date noted by the post office on the envelope will be considered the highest of those bids.

(d) The person who is declared by the authorized officer to be the high bidder shall be bound by his bid and the regulations in this part to complete the purchase in accordance therewith unless his bid is rejected or he is released therefrom by the authorized officer.

§ 250.7 Preference rights.

(a) The owners of contiguous lands will have a period of 30 days, commencing on the day after the close of bidding and the announcement of the amount of the highest bid received, in which to offer to purchase the lands at the highest bid price, or at three times the appraised value, if three times such appraised value is less than the highest bid price. Failure of a preference-right applicant to submit to the authorized officer prior to the termination of the 30-day period an amount equal to his offer plus the cost of publication (see §250.5) will cause the preference right to be lost as to that particular public sale.

(b) Each preference-right applicant must, within the time specified by the authorized officer, submit proof of ownership of the whole title to the contiguous lands (that is, he must show that he had the whole title in fee on the last day of the 30-day period. The authorized officer will specify that date.) Such proof must consist of (1) a certificate of the local recorder of deeds, or (2) an abstract of title or a certificate of title prepared and certified by a title company or by an abstracting company, or a duly qualified attorney authorized to practice in the State, showing that the applicant owned adjoining land in fee simple on the last day of the 30-day period. If the preference-right applicant does not own adjoining land at the close of the preference-right period, his preference-right claim will be lost. After a case has been closed, the data filed pursuant to this section may be returned by the authorized officer.

§ 250.8 Sale of lands.

(a) After the close of the preference period described in § 250.7, the authorized officer will determine whether the lands will be sold. If he determines that they will be sold and if there are no qualified preference applicants or if there is only one qualified preference applicant, he will accept the bid of the highest bidder, in the first instance, or the offer of the preference applicant, in the second. If there are two or more preference applicants, he will give them the opportunity to agree as to the division of the lands (paragraph (c) of § 250.3) and to amend their offers accordingly. If no agreement is reached, he will determine the division of the lands and give the applicants an opportunity to amend their offers accordingly.

(b) Under the regulations in this chapter relating to grazing, no lands embraced in a grazing lease, license or permit may be sold unless and until the prospective purchaser has made provision for compensation for any grazing improvements placed on the lands.

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

DECEMBER 18, 1963.

[F.R. Doc, 63–13324; Filed, Dec. 24, 1963; 8:48 a.m.]

[1] 18 U.S.C. 1001 makes it a crime for any person knowingly and willfully to make any department or agency of the United States any false, fictitious or fraudulent statements or representations as to any matter within its jurisdiction.

[2] 18 U.S.C. 1860 prohibits unlawful combination or intimidation of bidders.

FEDERAL AVIATION AGENCY

[14 CFR Part 507]

[Reg. Docket No. 3020]

FLOTTORP MODELS F12A–3 AND F12A–5 SERIES PROPELLERS

Proposed Airworthiness Directive

The Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive for Flottorp Models F12A–3 and F12A–5 Series propellers. There have been several instances of failure of the spinner bulkhead attach bolts due to overtorquing of the attach bolts. A loose spinner can jam or restrict propeller blade movement. To correct this unsafe condition, this AD requires removal and replacement of the bolts with new bolts.

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, 800 Independence Ave. SW., Washington, D.C., 20553. All communications received on or before January 23, 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 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), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354(a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

FLOTTORP. Applies to all F12A–3 and F12A–5 Series propellers with FS200–1 spinner. Compliance required as indicated.

Within 15 hours' time in service after the effective date of this AD accomplish the following rework, unless already accomplished:

Remove the six AN 4H7A bolts attaching the 248–1 spinner bulkhead to the propeller flange and install new AN 4H7A bolts. The old washers, AN 960–416L, may be reused. In any bolt bottoms out before the required torque of 70 to 90 inch-pounds is reached, six shorter AN 4H6A bolts shall be used in lieu of the AN 4H7A bolts. Safety wire all bolt heads with MS20995–C32 safety wire.

Issued in Washington, D.C., on December 17, 1963.

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

[F.R. Doc. 63–13280; Filed, Dec. 24, 1963; 8:45 a.m.]

FEDERAL MARITIME COMMISSION

[46 CFR Part 512]

[Docket No. 1152]

SEMIANNUAL REPORTING BY CARRIERS IN DOMESTIC OFFSHORE TRADES

Enlargement of Time Within Which To File Comments

At the request of several parties, and good cause appearing, the time within which to file comments in this proceeding is hereby enlarged to and including January 22, 1964.

This enlargement of time will in no way affect the time limitations on reporting requirements contained in section 3(a) of the proposed rules.

By the Commission, December 17, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 13293; Filed, Dec. 24, 1963; 8:46 a.m.]

Notices

DEPARTMENT OF STATE

[Public Notice 225]

FIELD ORGANIZATION

Pursuant to the requirements of section 3(a)(1) of the Administrative Procedure Act (5 U.S.C. 1002; 60 Stat. 238), there follows a description of the field organization of the Department of State (Foreign) as of October 22, 1963:

EMBASSIES

Abidjan, Ivory Coast
Accra, Ghana
Addis Ababa, Ethiopia
Algiers, Algeria
Amman, Jordan
Ankara, Turkey
Asunción, Paraguay
Athens, Greece
Baghdad, Iraq
Bamako, Mali
Bangkok, Thailand
Bangui, Central African Republic
Beirut, Lebanon
Belgrade, Yugoslavia
Bern, Switzerland
Bogotá, Colombia
Bonn, Germany
Brazzaville, Republic of Congo
Brussels, Belgium
Buenos Aires, Argentina
Cairo, United Arab Republic
Canberra, Australian Capital Territory, Australia
Caracas, Venezuela
Colombo, Ceylon
Conakry, Guinea
Copenhagen, Denmark
Cotonou, Dahomey
Dakar, Senegal
Damascus, Syrian Arab Republic
Dar-es-Salaam, Tanganyika
Djakarta, Indonesia
Dublin, Ireland
Fort Lamy, Chad
Freetown, Sierra Leone
Guatemala, Guatemala
The Hague, Netherlands
Helsinki, Finland
Jidda, Saudi Arabia
Kabul, Afghanistan
Kampala, Uganda
Karachi, Pakistan
Katmandu, Nepal
Khartoum, Sudan
Kigali, Rwanda
Kingston, Jamaica
Kuala Lumpur, Malaysia
Kuwait, Kuwait
Lagos, Nigeria
La Paz, Bolivia
Léopoldville, Republic of the Congo
Libreville, Gabon
Lima, Peru
Lisbon, Portugal
Lomé, Togo
London, England
Luxembourg, Luxembourg
Madrid, Spain
Managua, Nicaragua
Manila, Philippines
México, D.F., Mexico
Mogadiscio, Somali Republic
Monrovia, Liberia
Montevideo, Uruguay
Moscow, Union of Soviet Socialist Republics
New Delhi, India
Niamey, Niger
Nicosia, Cyprus
Nouakchott, Mauritania
Oslo, Norway
Ottawa, Ontario, Canada
Ouagadougou, Upper Volta
Panamá, Panama
Paris, France
Phnom Penb, Cambodia
Port-au-Prince, Haiti
Port-of-Spain, Trinidad and Tobago
Prague, Czechoslovakia
Pretoria, Transvaal, Republic of South Africa
Quito, Ecuador
Rabat, Morocco
Rangoon, Burma
Reykjavik, Iceland
Rio de Janeiro, Brazil
Rome, Italy
Saigon, Viet-Nam
San José, Costa Rica
San Salvador, El Salvador
Santiago, Chile
Santo Domingo, Dominican Republic
Seoul, Korea
Stockholm, Sweden
Taipei, Taiwan, China
Taiz, Yemen
Tananarive, Malagasy Republic
Tegucigalpa, Honduras
Tehran, Iran
Tel Aviv, Israel
Tokyo, Japan
Tripoli/Baida, Libya
Tunis, Tunisia
Usumbura, Burundi
Vienna, Austria
Vientiane, Laos
Warsaw, Poland
Wellington, New Zealand
Yaoundé, Cameroon

LEGATIONS

Bucharest, Rumania
Budapest, Hungary
Sofia, Bulgaria

MISSIONS

Berlin, Germany
Brussels, Belgium (USEC)
Geneva, Switzerland
Luxembourg, Luxembourg (USEC)
Montreal, Canada (ICAO)
Paris, France (USRO)
Vienna, Austria (IAEA)

SPECIAL OFFICES

Brasilia, Brazil
Naha, Okinawa
Rawalpindi-Murree, Pakistan
Sana'a, Yemen
Tangier, Morocco

CONSULATES GENERAL

Aleppo, Syrian Arab Republic
Alexandria, United Arab Republic
Amsterdam, Netherlands
Antwerp, Belgium
Barbados, The West Indies
Barcelona, Spain
Belfast, Northern Ireland
Bombay, India
Bremen, Germany
Calcutta, India
Calgary, Alberta, Canada
Cape Town, Cape Province, Republic of South Africa
Casablanca, Morocco
Curaçao, Netherlands, Antilles
Dacca, Pakistan
Dhahran, Saudi Arabia
Durban, Natal, Republic of South Africa
Düsseldorf, Germany
Frankfurt am Main, Germany
Genoa, Italy
Georgetown, British Guiana
Göteborg, Sweden
Guadalajara, Jalisco, Mexico
Guáyaquil, Ecuador
Halifax, Nova Scotia, Canada
Hamburg, Germany
Hamilton, Bermuda
Hong Kong
Istanbul, Turkey
Izmir, Turkey
Jerusalem, Palestine
Johannesburg, Transvaal Republic of South Africa
Kobe-Osaka, Japan
Lahore, Pakistan
Lourenço Marques, Mozambique
Luanda, Angola
Madras, India
Marseille, France
Melbourne, Victoria, Australia
Milan, Italy
Monterrey, Nuevo León, Mexico
Montreal, Quebec, Canada
Munich, Germany
Nairobi, Kenya
Naples, Italy
Nassau, New Providence, Bahamas
Palermo, Italy
Paramaribo, Surinam
Recife, Pernambuco, Brazil
Rotterdam, Netherlands
St. John's Newfoundland, Canada
Salisbury, Federation of Rhodesia and Nyasaland
São Paulo, Brazil
Seville, Spain
Singapore, Malaysia
Stuttgart, Germany
Sydney, New South Wales, Australia
Thessaloníki, Greece
Tijuana, Baja California, Mexico
Toronto, Ontario, Canada
Vancouver, British Columbia, Canada
Winnipeg, Manitoba, Canada
Zagreb, Yugoslavia
Zürich, Switzerland

CONSULATES

Adana, Turkey
Adelaide, South Australia, Australia
Aden
Antofagasta, Chile
Arequipa, Peru
Asmara, Ethiopia
Auckland, New Zealand
Barranquilla, Colombia
Basra, Iraq
Belém, Pará, Brazil
Belize, British Honduras
Belo Horizonte, Brazil
Benghazi, Libya
Bilbao, Spain
Birmingham, England
Bordeaux, France
Brisbane, Queensland, Australia
Bukavu, Republic of the Congo
Cali, Colombia
Cebu, Philippines
Chiengmai, Thailand
Ciudad Juárez, Chihuahua, Mexico
Cochabamba, Bolivia
Colón, Panama
Constantine, Algeria
Cordoba, Argentina
Curitiba, Paraná, Brazil
Douala, Cameroon
Edinburgh, Scotland
Elisabethville, Republic of the Congo
Enugu, Nigeria
Florence, Italy
Fukuoka, Japan
Glasgow, Scotland
Hué, Viet-Nam

Ibadan, Nigeria
Isfahan, Iran
Kaduna, Nigeria
Khorramshahr, Iran
Liverpool, England
Lyon, France
Mandalay, Burma
Maracaibo, Venezuela
Martinique, French West Indies
Matamoros, Tamaulipas, Mexico
Mazatlán, Sinaloa, Mexico
Medan, Indonesia
Medellín, Colombia
Mérida, Yucatán, Mexico
Meshed, Iran
Mexicali, Baja California, Mexico
Nagoya, Japan
Nice, France
Nogales, Sonora, Mexico
Nuevo Laredo, Tamaulipas, Mexico
Oporto, Portugal
Oran, Algeria
Perth, Western Australia, Australia
Peshawar, Pakistan
Piedras Negras, Coahuila, Mexico
Ponta Delgada, São Miguel, Azores
Port Elizabeth, Cape Province, Republic of South Africa
Port Said, United Arab Republic
Pôrto Alegre, Rio Grande do Sul, Brazil
Poznan, Poland
Puerto la Cruz, Anzoátegui, Venezuela
Quebec, Quebec, Canada
Saint John, N.B., Canada
Salvador, Bahia, Brazil
San Pedro Sula, Honduras
Santiago de los Caballeros, Dominican Republic
Sapporo, Japan
Southampton, England
Stanleyville, Republic of the Congo
Strasbourg, France
Surabaya, Indonesia
Suva, Fiji Islands
Tabriz, Iran
Tampico, Tamaulipas, Mexico
Trieste, Italy
Turin, Italy
Valencia, Spain
Valletta, Malta
Veracruz, Veracruz, Mexico
Vigo, Spain
Windsor, Ontario, Canada
Zanzibar, Zanzibar

CONSULAR AGENCIES

Beira, Mozambique
Buenaventura, Colombia
Cap Haitien, Haiti
Christchurch, New Zealand
Concepción, Chile
Funchal, Madeira, Portugal
La Ceiba, Honduras
La Romana, Dominican Republic
Las Palmas-Santa Cruz de Tenerife, Canary Islands
Málaga, Spain
Manaus, Amazonas, Brazil
Manzanillo, Dominican Republic
Puerto Armuelles, Panama
Puntarenas, Costa Rica
São Luiz, Maranhão, Brazil
Valparaiso, Chile

This supersedes the basic Field Organization of the Department of State published in Public Notice No. 160 dated March 26, 1959 (24 F.R. 66, issue of April 4, 1959).

Effective: October 22, 1963.

Dated: December 3, 1963.

For the Secretary of State.

DWIGHT J. PORTER,
Assistant Secretary of State for Administration.

[F.R. Doc. 63-13317; Filed, Dec. 24, 1963; 8:47 a.m.]

No. 249——3

DEPARTMENT OF THE TREASURY

Bureau of Customs

[T.D. 56076]

RIMROCK TIDELANDS, INC.

Notice of Qualification as Citizen of United States

DECEMBER 19, 1963.

This is to give notice that pursuant to § 3.21, Customs Regulations, issued under the provisions of section 27A of the Merchant Marine Act, 1920, as amended by the Act of September 2, 1958 (46 U.S.C. 883-1), Rimrock Tidelands, Inc., of Suite 1117, Warwick Hotel, New Orleans, Louisiana, incorporated under the laws of the State of Delaware, did on November 27, 1963, file with the Commissioner of Customs, in duplicate, an oath for qualification of a corporation as a citizen of the United States following the form of oath prescribed in customs Form 1260.

The oath shows that:

(a) A majority of the officers and directors of the corporation are citizens of the United States (list of names, home addresses, and citizenship attached to the oath);

(b) Not less than 90 percent of the employees of the corporation are residents of the United States;

(c) The corporation is engaged primarily in a manufacturing or mineral industry in the United States, or in a Territory, District, or possession thereof;

(d) The aggregate book value of the vessels owned by the corporation does not exceed 10 percent of the aggregate book value of the assets of the corporation; and

(e) The corporation purchases or produces in the United States, its Territories or possessions not less than 75 percent of the raw materials used or sold in its operations.

The Commissioner of Customs, having found this oath to be in compliance with the law and regulations, on December 19, 1963, issued to Rimrock Tidelands, Inc., a certificate of compliance on customs Form 1262 as provided in § 3.21(i) of the regulations. The certificate and any authorization granted thereunder will expire three years from the date thereof unless there first occurs a change in the corporate status requiring a report under § 3.21(h) of the regulations.

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

[F.R. Doc. 63-13328; Filed, Dec. 24, 1963; 8:48 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

ABERDEEN AREA OFFICE

Redelegation of Authority With Respect to Law and Order

Part 2 of Aberdeen Area Office Redelegation Order 2, as amended, is further amended by the addition of a new section under the heading "Functions Relating to Law and Order" to read as follows:

PART 2—AUTHORITY OF SUPERINTENDENTS, SCHOOL SUPERINTENDENT, AND OFFICER IN CHARGE OF AREA FIELD OFFICES

FUNCTIONS RELATING TO LAW AND ORDER

Sec. 2.150. *Appointment, approval, and removal, Judges Indian Courts and Tribal Courts.* The appointment, suspension and removal for cause of judges of Courts of Indian Offenses, pursuant to the provisions of 25 CFR Part 11, and of judges of Tribal Courts as provided by any law and order code. The approval of the appointment of judges of Tribal Courts as provided by any law and order code.

GRAHAM HOLMES,
Acting Deputy Commissioner.

DECEMBER 19, 1963.

[F.R. Doc. 63-13305; Filed, Dec. 24, 1963; 8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 13777; Order No. E-20286]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Joint Conference; Agreement Relating to Fares

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 20th day of December, 1963; Docket 13777, Agreement C.A.B. 17419, R-1 and R-2.

There has been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, an agreement between various air carriers, foreign air carriers, and other carriers embodied in the resolutions of Joint Conference 3-1 of the International Air Transport Association (IATA). The agreement was adopted by mail vote and has been assigned the above designated C.A.B. Agreement number.

The agreement relates solely to fares on the South Pacific where an open-rate situation prevails and (1) establishes a normal round-trip fare discount of five percent as opposed to the ten percent round-trip discount now offered and (2) establishes within IATA fares for groups of fifteen or more passengers at a discount not to exceed thirty percent from normal round- or circle-trip economy class fares.

The agreement will bring into the IATA framework the availability of essentially the same group fares as are now offered by the several carriers operating on the South Pacific. We are herein approving the group fare resolution subject to conditions substantially similar to those attached by the Board to its approval of other IATA group fare resolutions.

The proposed revision in the normal round-trip discount is the same as was proposed for all conference areas at the Chandler Conference and disapproved by the Board except for application within the Western Hemisphere. In act-

ing on the Chandler round-trip discount agreement insofar as it related to transpacific services generally, the Board concluded that the resulting increase in fares could not be justified in face of the level of earnings experienced by the U.S. carriers which indicated that the then-existent fares were adequate.[1] No economic justification has been submitted in support of the proposed agreement relating only to South Pacific operations. Since there is no binding IATA normal fare agreement, the amount of the normal fare round-trip discount need not necessarily increase fares. However, the carriers have filed tariffs to become effective January 1, 1964, reflecting increases resulting from the agreed change. The Board's staff has contacted Pan American World Airways, the United States flag carrier operating on the South Pacific, with respect to the lack of documentation. We are herein deferring action on this resolution for an appropriate period so as to permit time for the submission of documentation by any air carrier party to the agreement or comments by any interested person.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, makes the following findings:

1. The Board does not find IATA Resolution JT31(Mail 85)150a (Round-Trip Discount, South Pacific) incorporated in Agreement C.A.B. 17419, R–1, insofar as it is applicable in areas other than air transportation as defined by the Act to be adverse to the public interest or in violation of the Act.

2. The Board finds that it would be in the public interest to defer action for a period of 15 days to receive documentation and/or comments on IATA Resolution JT31(Mail 85)150a (Round-Trip Discount, South Pacific) incorporated in Agreement C.A.B. 17419, R–1, insofar as it is applicable in air transportation as defined by the Act.

3. The Board does not find IATA Resolution JT31(Mail 85)088s (Group Travel Discounts, South Pacific) incorporated in Agreement C.A.B. 17419, R–2, to be adverse to the public interest or in violation of the Act, provided that insofar as it is applicable in air transportation as defined by the Act, approval shall be subject to the conditions hereinafter ordered.

Accordingly, it is ordered, That

1. Agreement C.A.B. 17419, R–1, insofar as it is applicable in areas other than air transportation as defined by the Act, is approved;

2. Action on Agreement C.A.B. 17419, R–1, insofar as it is applicable in air transportation is deferred;

3. Agreement C.A.B. 17419, R–2, is approved, provided that, insofar as it is applicable in air transportation as defined by the Act, approval shall be subject to the following conditions:

a. The restrictive clause, in the provision permitting a lesser number of passengers to travel when the appropriate number of tickets are paid for and deemed used, which provides "that the reduction in the number of passengers traveling with the Travel Group is caused by circumstances beyond the control of the passenger (i.e., force majeure)" shall not be applicable;

b. In the event a passenger discontinues his journey en route for any reason (as opposed to a death in his immediate family or illness of the passenger), the amount of the fare paid may be applied as a credit toward the purchase of normal fare transportation;

c. Full refund of group fares paid shall be made in the event of cancellation of travel arrangements by a carrier on the grounds that the group or any member of the group is ineligible for the group fares; and

d. The amount of the forefeiture to be imposed in the event of cancellation at any time prior to departure for any reason by the group or member of the group shall not exceed 25 percent of the fare paid.

Any air carrier party to the agreement, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63–13329; Filed, Dec. 24, 1963; 8:48 a.m.]

[1] Financial data of only United States carriers were available to the Board.

[Docket 14938; Order No. 20283]

TRANS-TEXAS AIRWAYS, INC.

Order Instituting "Use It or Lose It" Investigation

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 19th day of December 1963.

The Board in recent years has made extensive awards to local service carriers subject to its "use it or lose it" policy. This policy contemplates an early reassessment of the traffic response to the newly authorized services to determine whether sufficient use is being made of them to warrant their continuation. The Board specifically set a minimum standard of use which required that each city, whether certificated on a temporary or an indefinite basis, originate an average of five passengers daily for the twelve months following the initial six months of service, and indicated that it would, in the absence of unusual or compelling circumstances, institute a formal investigation to determine whether a city should lose its air service for lack of use in the event it does not meet the standard.[1]

Further, the Board stated that it would similarly reassess the traffic results on each route segment for the same twelve-month period. The minimum standard in this regard required an average passenger load of seven passengers per flight during the trial period, and provided that an inadequate traffic response on any segment would result in the institution of appropriate proceedings to determine whether the subject segment should be suspended or deleted. In addition, with respect to those segments experiencing average passenger loads ranging between five and seven passengers per flight, it was provided that formal proceedings looking toward the termination of service would be instituted, except in those situations in which unusual circumstances such as extreme isolation or national defense may dictate the contrary.

In view of the foregoing policy, we have examined the passenger originations at points on Trans-Texas Airways, Inc.'s (Trans-Texas) system, and this information is set forth in the attached Appendix A.[2] We find that an investigation should be instituted with respect to Jonesboro, Arkansas; Morgan City, Louisiana; and Brownwood and Galveston, Texas, to determine whether they should be deleted from Trans-Texas' certificate in view of the use made of the various services.

Trans-Texas' authority to serve Brownwood and Galveston was renewed in the Trans-Texas Temporary Points Renewal Case, subject to the Board's "use it or lose it" policy.[3] Brownwood is certificated on Trans-Texas' segment 1(a), which extends from El Paso to Dallas via San Angelo, Brownwood, and Fort Worth. Since April 29, 1962, Brownwood has been served with two DC–3 round trips between San Angelo and Dallas/Fort Worth. Prior to that time one round trip went beyond Dallas to Shreveport, via intermediate points and the other went beyond Dallas to Memphis, via intermediate points. Present service at Brownwood consists of both an early morning and an evening flight, thereby providing commuter service to Dallas, Brownwood's principal community of interest. Despite this pattern and level of service, Brownwood's passenger originations for the 12 months ended June 30, 1963, averaged 4.19 per day. For the past three years the city has originated less than 4.50 passengers per day.[4]

Galveston is served between Houston and Beaumont/Port Arthur on Trans-Texas' segment 4.[5] Since the Trans-Texas Permanent Certificate Case, 21 CAB 921 (1955), Trans-Texas has been permitted to overfly Galveston on all flights between Houston and Beaumont/Port Arthur after one daily round trip. From February 1, 1962, to the present, Galveston has been served with one daily round trip between Houston and Beaumont/Port Arthur. As shown in Ap-

[1] Seven States Area Investigation, 28 CAB 680, 755–757 (1958). See also Orders E–18246, E–18820, and E–19104.

[2] Filed as part of original document.

[3] 30 CAB 484 (1960).

[4] Trans-Texas' 12-month "use it or lose it" trial period at Brownwood ended July 11, 1961. See Appendix A, filed as part of original document.

[5] Extending between Fort Worth and Houston via Dallas, Tyler, Longview/Kilgore/Gladewater, Lufkin, Beaumont/Port Arthur and Galveston.

dendix A, Galveston originated only 1.01 passengers per day for the 12 months ended June 30, 1963. Galveston traffic has been declining steadily for the past few years, and only 45 originating passengers were reported for the first quarter of 1963.

Morgan City was certificated in the South Central Area Local Service Case,[6] subject to the Board's "use it or lose it" policy. Although Trans-Texas' authority to serve Morgan City became effective on May 19, 1959, service was not inaugurated until August 1, 1961, because of inadequate airport facilities. Since that time Trans-Texas has provided the city with two daily round trips. Prior to April 1, 1962, both round trips served Morgan City and other intermediate points between New Orleans and Fort Worth/Dallas. Since that time, one of the round trips was converted to a turnaround flight between Morgan City and New Orleans, with flights extended to Lake Charles and/or Lafayette during July, August, and part of September 1962. As shown in Appendix A, passenger originations at Morgan City averaged 2.28 per day for the 12 months ended June 30, 1963. During its 23 months of service between August 1, 1961, and June 30, 1963, the city originated a total of only 1,766 passengers, and has failed to average five daily originations during each quarter since service began.

Jonesboro was certificated for first air service as a "use it or lose it" point in the Kansas-Oklahoma Case.[7] Originally, Jonesboro was an intermediate point on segment 11 between the terminal point Houston and Memphis. In the Trans-Texas "Use It or Lose It" Investigation, the Board consolidated segments 11, 12, and 13 to form a new segment 11,[8] placing Jonesboro as an intermediate point between Memphis and New Orleans, as well as between Memphis and Houston.[9] Jonesboro has been receiving two daily round trips. All flights originate or terminate at Memphis, serving Little Rock, Jonesboro's main community of interest. During the 12 months ended June 30, 1963, there were numerous changes in the southern terminal points on these flights; however, during this period Jonesboro originated only 4.08 passengers per day.[10]

With respect to each of the foregoing points, we are unable to find such unusual or compelling circumstances as to justify further delay, or deferment, of an investigation to determine whether the four named cities should continue to receive air service, or should be deleted from Trans-Texas' certificate for route 82. Accordingly, we are going to direct that such an investigation be made at this time.

We will not consider new or previously filed route applications of any carrier or possible certificate modifications, except as contemplated herein, and we intend that this investigation shall be conducted so that it may proceed promptly and be disposed of in the shortest possible time allowing for a decision upon an adequate record. For the guidance of the parties in presenting their respective cases, we note that data reflecting traffic, service, and costs will be of particular significance in reaching our decision in this investigation, and we expect Trans-Texas to submit as direct exhibits in this case data which reflect the quality, quantity, and other characteristics of service it has provided at the points herein placed in issue, or subsequently placed in issue by the Board.

Accordingly, it is ordered,

1. That an investigation be and hereby is instituted pursuant to section 401(g) of the Federal Aviation Act of 1958, as amended, to determine whether the public convenience and necessity require:

(a) The suspension of Trans-Texas' certificate insofar as it authorizes the carrier to serve Brownwood and Galveston, Texas; Morgan City, La.; and Jonesboro, Ark.; or

(b) The alteration, amendment or modification of Trans-Texas' certificate in such a manner as to delete Brownwood and Galveston, Texas; Morgan City, La.; and Jonesboro, Ark.;

2. That a copy of this order shall be served on Trans-Texas Airways, Inc. the cities of Brownwood, Galveston, Texas; Morgan City, Louisiana, and Jonesboro, Arkansas, and the State Aviation Commissions of Texas, Louisiana, and Arkansas who are hereby made parties to this proceeding; and

3. That a copy of this order shall be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[F.R. Doc. 63-13330; Filed, Dec. 24, 1963; 8:48 a.m.]

[Docket No. SA-375]

ACCIDENT AT NEW YORK INTERNATIONAL AIRPORT

Notice of Hearing

In the matter of investigation of accident involving aircraft of United States Registry N 6673D, which occurred at New York International Airport, Jamaica, New York, on October 14, 1963.

Notice is hereby given that an Accident Investigation Hearing on the above matter will be held commencing at 1:30 p.m. (local time) on January 14, 1964, in the auditorium of the United States Mission to the United Nations, United Nations Plaza, New York City.

Dated this 9th day of December 1963.

RICHARD G. RODRIGUEZ,
Hearing Officer.

[F.R. Doc. 63-13331; Filed, Dec. 24, 1963; 8:48 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[List No. 2]

DOMINICAN REPUBLIC BROADCASTING STATIONS

Additions, Changes, and Deletions; Correction

Notification of new and changed standard broadcast assignments in the Dominican Republic in accordance with Part III Section F of the North American Regional Broadcasting Agreement, Washington, D.C., 1950.

Call letters	Location	Power kw	Antenna	Schedule	Class	Expected date of commencement of operation
HIBT	Santo Domingo (new)	[1D] 0.25N	ND	U	II	Jan. 11, 1963.

NOTE: By letter dated November 19, 1963, the Inter-American Radio Office of the Pan American Union has advised that the Government of the Dominican Republic desires to correct an error in Change List No. 2/63. The daytime power of Station HIBT should have been notified as 1 kilowatt rather than 0.1 kilowatt.

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

[F.R. Doc. 63-13282; Filed, Dec. 24, 1963; 8:45 a.m.]

[Docket No. 15209; FCC 63M-1356]

VINCENT R. BANVILLE, SR.

Order Scheduling Prehearing Conference

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 18th day of December 1963, upon consideration of a request by the Chief of the Commission's Safety and Special Radio Services Bureau, that the request is granted; and that a prehearing conference in the above-entitled

[6] 29 CAB 425 (1959). Morgan City is certificated on Trans-Texas' segment 6, between the terminal points Fort Worth and New Orleans.

[7] Docket 5482, et al., Order E-15975, Oct. 31, 1960.

[8] Now segment 7, see Orders E-19254, Jan. 30, 1963, and E-20086, Oct. 11, 1963, in the Southwestern Area Local Service Case, Docket 10758, et al.

[9] Docket 12538, et al., Order E-18791, September 17, 1962.

[10] Since its certification in 1960, Jonesboro has never met the "use it or lose it" standard.

proceeding will be held in the Offices of the Commission, Washington, D.C., commencing at 9:00 a.m., January 7, 1964; and, as heretofore scheduled, the hearing herein will be convened in the Offices of the Commission, Washington, D.C., on January 8, 1964.

Released: December 19, 1963.

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

[F.R. Doc. 63-13283; Filed, Dec. 24, 1963; 8:45 a.m.]

[Docket Nos. 15234, 15235; FCC 63M-1347]

CITADEL BROADCASTERS OF DU PAGE AND CITADEL BROADCASTERS

Order Scheduling Hearing

In the matter of revocation of license of Mrs. Elizabeth G. Coughlan, tr/as Citadel Broadcasters of Du Page for FM Broadcasting Station WELF-FM, Glen Ellyn, Illinois, Docket No. 15234; revocation of license of Mrs. Elizabeth G. Coughlan tr/as Citadel Broadcasters for FM Broadcasting Station WELG-FM, Elgin, Illinois, Docket No. 15235.

It is ordered, This 16th day of December 1963, that James D. Cunningham will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 30, 1964, in Washington, D.C.

Released: December 17, 1963.

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

[F.R. Doc. 63-13284; Filed, Dec. 24, 1963; 8:45 a.m.]

[Docket Nos. 14341-14344; FCC 63M-1352]

COLLIER ELECTRIC CO.

Order Scheduling Conference

In re applications of Collier Electric Company, for renewal of the license of station KAQ79, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Fort Morgan, Colorado, Docket No. 14341, File No. 848-C1-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. 14342, File No. 849-C1-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. 14343, File No. 2670-C1-R-61; for renewal of the license of station KAS41, a facility in the Domestic Public Point-to-Point Microwave Radio Service at Bridgeport, Nebraska, Docket No. 14344, File No. 2710-C1-R-61.

It is ordered, This 17th day of December 1963, that a conference is scheduled for Tuesday, January 14, 1964, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: December 18, 1963.

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

[F.R. Doc. 63-13285; Filed, Dec. 24, 1963; 8:45 a.m.]

[Docket No. 14817; FCC 63M-1355]

DENVER AREA BROADCASTERS (KDAB)

Order Regarding Procedural Dates

In re application of Frances C. Gaguine and Bernice Schwartz d/b as Denver Area Broadcasters (KDAB), Arvada, Colorado, Docket No. 14817, File No. BMP-9769; for construction permit.

An informal conference between the Hearing Examiner and counsel for all parties having been held on December 18, 1963, at 10:00 a.m., whereat agreement was reached as to procedural dates to govern the remainder of the hearing;

It is ordered, This 18th day of December 1963, that the hearing conference scheduled for December 18, 1963, is cancelled;

It is further ordered, That:

(a) Copies of those exhibits or supplements to exhibits or oral testimony referenced in the Hearing Examiner's order of May 27, 1963, as those which the applicant or respondent have agreed to produce shall be served on all other parties hereto and the Hearing Examiner on or before January 17, 1964;

(b) In the event any portion of the applicant's case in surrebuttal of evidence heretofore received, or the applicant's direct case on the issue added by the Review Board's order released August 14, 1963, shall consist of exhibits, copies thereof shall be served on all other parties and the Hearing Examiner on or before January 17, 1964; and,

(c) In the event any party desires the production for cross-examination of any witness sponsoring any of the aforesaid exhibits, notice thereof shall be given on or before January 24, 1964;

It is further ordered, That hearing shall reconvene on January 28, 1964, commencing at 10:00 a.m. in the offices of the Commission at Washington, D.C., and the order of proceeding shall be as follows:

(a) The offering into evidence of those exhibits supplementary to applicant's direct case on the issues heretofore heard, and any cross-examination of witnesses related thereto;

(b) The offering into evidence of those exhibits supplementary to respondent's rebuttal case on the issues heretofore heard, and any cross-examination of witnesses related thereto;

(c) The adduction of evidence on applicant's surrebuttal case on the issues heretofore heard; and,

(d) The adduction of evidence on applicant's direct case on the issue added by the Review Board's order released August 14, 1963.

Released: December 19, 1963.

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

[F.R. Doc. 63-13286; Filed, Dec. 24, 1963; 8:45 a.m.]

[Docket Nos. 15218-15220; FCC 63M-1345]

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

Order Continuing 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 D. Scotch, Cincinnati, Ohio, Docket No. 15220, File No. BPH-3880; for construction permits.

Pursuant to the agreements reached at the prehearing conference held on December 13, 1963, the evidentiary hearing in the above-entitled proceeding now scheduled to be held on January 15, 1964 is continued to February 24, 1964.

It is so ordered, This the 13th day of December 1963.

Released: December 17, 1963.

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

[F.R. Doc. 63-13287; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket Nos. 14411, 14412; FCC 63R-550]

LA FIESTA BROADCASTING CO. AND MID-CITIES BROADCASTING CORP.

Memorandum Opinion and Order Amending Issues

In re applications of J. R. Earnest and John A. Flache, d/b as La Fiesta Broadcasting Company, Lubbock, Texas, Docket No. 14411, File No. BP-14116; Mid-Cities Broadcasting Corporation, Lubbock, Texas, Docket No. 14412, File No. BP-15073; for construction permits.

1. This proceeding involves the applications of La Fiesta Broadcasting Company (La Fiesta) and Mid-Cities Broadcasting Corporation (Mid-Cities) for a construction permit for a new standard broadcast station in Lubbock, Texas. Each application specifies operations on 1420 kc (Class III) with power of 500 watts, non-directional antenna, daytime only. The applications were designated for hearing by Commission Order, FCC 61-1420, released December 4, 1961, on issues concerning areas and populations to gain service; interference to Station KTJS, Hobart, Oklahoma; and a standard comparative issue. Alfred Ray Fuchs, licensee of KTJS, was made a party to the proceeding. On April 19, 1963, Hearing Examiner Herbert Sharfman released an Initial Decision, FCC

63D–46, proposing grant of the Mid-Cities application. Exceptions were filed by La Fiesta, Mid-Cities, KTJS [1] and the Broadcast Bureau. Replies were filed by La Fiesta and Mid-Cities. Oral argument before a panel of the Review Board was heard on November 26, 1963.

2. The Board has carefully considered the Initial Decision and the exceptions and arguments of the parties, with a view toward effecting an early resolution, if possible, of this proceeding. It is with the greatest reluctance, therefore, that the Board concludes that existing Commission policy offers only two alternative courses: denial of both applications for failure of proof, or remand of the proceeding for the adduction of further evidence and issuance of a Suplemental Initial Decision. In our view, the public interest would be better served by the latter course.

3. Briefly, the facts [2] which persuade the Board to this conclusion are these. La Fiesta's proposed programming will be conducted entirely in Spanish. La Fiesta contends that the record establishes need for such a service in that there is a "substantial" number of persons in the Lubbock area who speak and understand English poorly or not at all and who can be reached, for public service purposes, only by an all-Spanish language station. The number of persons in the area who have this language difficulty is not clearly established in the record. The Examiner found that 17,003 persons in Lubbock County have Spanish surnames. Mid-Cities contends that such a finding does not reflect how many such persons speak Spanish or English. La Fiesta argues that the U.S. Census, on which the Examiner's finding is based, is taken in the Spring and the Spanish-American population increases in the Fall, and that the cited statistic overlooks the tendency to anglicize surnames. The Broadcast Bureau even submits a new figure labelled "mother tongue of the foreign born," but the Census definitions themselves point out that such data "do not necessarily reflect a person's current language skills or an inability to speak English." [3] The critical population with which we are concerned would appear to be those of "foreign stock" (i.e., other than "native of native parentage"), of which there were 9,040 persons in Lubbock County in 1960, of whom 5,816 were from Mexico. It should be clear from all of the above that a determination of the need, if any, and the extent thereof, for Spanish language programming cannot be made on the basis of this record. An essential element in determining the suitability of foreign language programming is the percentage of population to be served which can be expected to comprehend the foreign tongue. Great Lakes Television, Inc., 25 FCC 470, 13 RR 669 (1958). Because Mid-Cities' program proposal (which will be more fully discussed below) also contains some Spanish language programming, further evidence must be adduced before either La Fiesta's or Mid-Cities' proposals can be evaluated.

4. The Examiner consistently rejected evidence of the programming of existing stations as inadmissible under the present standard comparative issue.[4] Such rulings were eminently correct. See Rollins Broadcasting, Inc., 25 Fed. Reg. 7658, August 11, 1960; South Texas Telecasting Co., Inc., FCC 61–940, 22 RR 59 (1961). However, it is also clear that evidence of the programming of existing stations is "essential" [5] to a determination whether foreign language programming would serve the public interest. See Pilgrim Broadcasting Co., FCC 50–839, 5 RR 861, 897 (1950). As noted in the preceding paragraph, Mid-Cities also proposes some Spanish-language programming. Accordingly, evidence of the extent to which existing stations are meeting any need which is deemed to exist for such programming must be adduced before a decision can be reached as to either application.

5. Turning to Mid-Cities' proposal specifically, we note that it would concentrate its programming on religious, Negro, Latin-American and agricultural interests. We can not characterize such a proposal as other than specialized, and the considerations outlined above must be held to be equally applicable to these facets of Mid-Cities' program plans. In addition, the Board must point out that Mid-Cities' citation of the Commission's May 15, 1963 letter to Essaness Television Associates [6] has greater applicability to its proposal than to La Fiesta's. Essaness' programming was to be directed particularly to the Negro community, and the Commission granted the application on the basis of the applicant's representations that its programming "will not emphasize racial differences"; will not "exploit or demean the Negro audience"; and will look toward "a non-segregated society in which there will be cultural, intellectual and economic conditions of complete equality. . . ." Similar assurances would appear to be required to be demonstrated on the record by both applicants herein.

6. Implicit in the above discussion is our disagreement with the learned Examiner's basic conclusion that an all-Spanish language station would somehow contravene state and national policy. The Examiner's view is bottomed on a Texas statute which requires that all free public schools be conducted in English.[7] The Board fails to see the relevance of this statute to the questions raised by the subject proposals. Suffice it to say that we doubt, for example, that the practice of Lubbock of conducting a traffic school in Spanish somehow "would counter the wise policy of the state." Further, reference need only be made to Spanish International Broadcasting Co., Los Angeles, California, Public Notice 12322, 22 RR 306 (1961), to illustrate the fact that no national policy prohibits the use of broadcast stations for foreign language programming. Such programming may be found to be in the public interest, and reference to Great Lakes Television, Inc., supra, is again pertinent:

> In determining the suitability of foreign language programming, a number of factors must be considered. These include: the percentage of population to be served which can be expected to comprehend the foreign tongue; the percentage of the station's total programming to be devoted to foreign languages; the control the licensee could exert over the content of the foreign language programs; and the number of other radio or television services available in the area.[8]

7. Each applicant must, pursuant to the issues added herein, demonstrate a need for his proposed service. Failure to do so would bar an applicant (either or both) from further consideration. However, each might demonstrate a need for its respective proposal; in such a case, the determined needs must be compared. It is likely that the foregoing examination will be dispositive. However, a comparison of the applicants' proposed programming might be only one element in an over-all comparison of these applicants. In view of this, the Examiner should take evidence and make findings and conclusions on all aspects of all issues herein. Sayger Broadcasting Co., 32 FCC 496, 22 RR 1059 (1962); WFPG, Inc., 33 FCC 673, 24 RR 419 (1962). For example, the Examiner's conclusions on all aspects of the standard comparative issue might be helpful to the final disposition of this proceeding.

8. The Board must also note that it has preliminarily concluded that on the basis of the existing record, interference to Station KTJS does not appear to bar a grant of either application. Our detailed conclusions on this score will be forthcoming in a final Decision herein

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[1] KTJS's exceptions were filed late. They were due on Friday, June 14, 1963, but were not mailed (presumably from Hobart, Oklahoma) until June 14, 1963 and arrived only one business day late, Monday, June 17, 1963. No objection was noted to the Board's proposal to consider KTJS's exceptions despite their untimely filing (Tr. 1509).

[2] These are not to be considered the Board's ultimate findings of fact for decisional purposes. They are merely the basic facts, hopefully undisputed, which have led the Board to this interlocutory determination.

[3] The Census report continues: "The vast majority of persons reporting a mother tongue other than English have learned to speak English since entering this country."

[4] As is apparent from some of the statements described in the Examiner's recitation of certain testimony at paragraphs 16–30 of his "findings of fact," some evidence of existing stations' programming did slip into the record.

[5] Cf. Rollins Broadcasting, Inc., FCC 61–165, 20 RR 978 (1961) wherein the Commission stated, "In determining whether existing facilities already are meeting the needs which [the specialized applicant] proposes to demonstrate, evidence as to the programming of all such stations would be not only relevant but essential . . ."

[6] Essaness was an applicant for a construction permit for television Channel 44 in Chicago (BPCT–3109) (Report No. 4648, May 21, 1963, Mimeo No. 35665).

[7] Vernon's Texas Penal Code, Title 7, Art. 288; see also Art. 298. The Examiner himself noted that state attempts to prohibit the teaching of modern foreign languages in public schools have been held to be unconstitutional. Meyer v. Nebraska, 262 U.S. 390 (1922); Bartels v. Iowa, 262 U.S. 404 (1922).

[8] On the last enumerated factor, the Pilgrim Broadcasting Co. case, supra, indicates that "the extent to which existing stations in [the area] are broadcasting foreign language programs or otherwise serving the program needs of the populations of foreign birth or extraction" must be shown.

upon review of the Supplemental Initial Decision to be prepared by the Examiner after further hearing on the issue added below. The Board again would emphasize that remand of this proceeding is ordered with the utmost reluctance but with firm conviction that no plausible alternative is available.

Accordingly, it is ordered, This 13th day of December, 1963, That this proceeding is remanded to the Examiner for further hearing and for preparation of a Supplemental Initial Decision consistent with this opinion and on the issue added below; and

It is further ordered, That the following issue is added to this proceeding:

To determine the type and character of the program services to be offered by La Fiesta Broadcasting Company and by Mid-Cities Broadcasting Corporation; whether such program services would meet the requirements of the populations and areas which would gain service upon grant of these proposals; and the extent to which the programming of other existing stations meets the requirements of the populations and areas to be served.

Released: December 17, 1963.

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

[F.R. Doc. 63-13288; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket No. 15332; FCC 63M-1342]

NORTH CADDO BROADCASTING CO.

Order Continuing Hearing

In re application of David A. Wommack and Herman H. Wommack, Jr., d/b as North Caddo Broadcasting Company, Vivian, Louisiana, Docket No. 15223, File No. BP-15424, for construction permit.

It is ordered, This 16th day of December 1963, pursuant to informal conference and agreements reached with counsel for the applicant and for the Commission's Broadcast Bureau, (1) that the prehearing conference heretofore scheduled to be held in this proceeding on December 23, 1963, is cancelled; (2) that on January 6, 1964, counsel for the parties will exchange exhibits; and (3) that the hearing herein is continued from January 6 to February 3, 1964, and will be held in the Offices of the Commission, Washington, D.C., commencing at 10:00 a.m.

Released: December 16, 1963.

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

[F.R. Doc. 63-13289; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket No. 15097; FCC 63M-1357]

WALTER W. OLDRING

Order Scheduling Hearing

In the matter of Walter W. Oldring, Jacksonville, Florida, order to show cause why there should not be revoked the license for Radio Station 7Q1471 in the Citizens Radio Service.

It is ordered, This 19th day of December 1963, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on January 30, 1964, in Washington, D.C.

Released: December 19, 1963.

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

[F.R. Doc. 63-13290; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket Nos. 15108-15110; FCC 63M-1350]

PIEDMONT BROADCASTING CO. ET AL.

Order Continuing Hearing

In re applications of William H. Kirby and John B. Burns, d/b as Piedmont Broadcasting Co., Travelers Rest, South Carolina, Docket No. 15108, File No. BP-14527; James C. Liles, tr/as Hentron Broadcasting Company, Hendersonville, North Carolina, Docket No. 15109, File No. BP-15026; The Mountainaire Corporation, Hendersonville, North Carolina, Docket No. 15110, File No. BP-15274; for construction permits.

The Hearing Examiner having under consideration a motion filed on December 17, 1963, by counsel for Hentron Broadcasting Company on behalf of the three applicants in the above-entitled proceeding, requesting that the hearing in such proceeding presently scheduled to commence on December 18, 1963, be continued for a period of 30 days in order to allow time for action by the Review Board upon a Joint Petition for Approval of Agreement and Dismissal of Application filed on October 8, 1963, by James B. Childress, respondent herein, casting Company, and The Mountainaire Corporation; and

It appearing that upon favorable action on the petition for approval of agreement and dismissal of application, all of the issues upon which the applications in the above-entitled proceeding were designated for hearing may become moot and a hearing may, therefore, not be necessary to determine whether the applications of Piedmont Broadcasting Co. and The Mountainaire Corporation can be granted; and

It further appearing that counsel for the Broadcast Bureau and counsel for James B. Childress, respondent herein, have informally consented to a grant of the relief requested; and

It further appearing that public interest requires early consideration of the motion; and good cause has been shown for the grant thereof;

It is therefore ordered, This 17th day of December 1963, that the request for continuance of the hearing be and it is hereby granted and the hearing in the above-entitled proceeding presently scheduled for December 18, 1963, be and it is hereby continued to January 17, 1964.

Released: December 18, 1963.

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

[F.R. Doc. 63-13291; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket Nos. 15176, 15177; FCC 63M-1351]

RADIO STATION WTIF, INC., AND WDMG, INC.

Order Continuing Hearing

In the matter of revocation of license of Radio Station WTIF, Inc., for Standard Broadcast Station WTIF, Tifton, Georgia, Docket No. 15176; in re application of WDMG, Inc., for Renewal of License of Standard Broadcast Station WDMG, Douglas, Georgia, Docket No. 15177, File No. BR-1709.

Because of certain procedural complications involved in the above-entitled matter, and as a result of informal conferences with all counsel concerned; *It is ordered,* This 17th day of December 1963, by the Hearing Examiner on his own motion, that the hearing therein now scheduled for January 15, 1964, is hereby rescheduled to commence at 10:00 a.m., January 29, 1964, in Tifton, Georgia, at a place in that city to be announced hereafter.

Released: December 18, 1963.

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

[F.R. Doc. 63-13292; Filed, Dec. 24, 1963; 8:46 a.m.]

FEDERAL MARITIME COMMISSION

[No. 1165]

CARLOS H. CABEZAS

Application for Freight Forwarding License

On January 16, 1962, pursuant to section 44 of the Shipping Act, 1916 (P.L. 87-254, 46 U.S.C. 841b), Carlos H. Cabezas, 97 73d Street, Brooklyn, New York, filed application for a license as an independent ocean freight forwarder. After consideration of the application, the Commission notified Carlos H. Cabezas by letter of October 25, 1963, that the Commission intended to deny the application for a license because the applicant was neither qualified, nor fit, willing and able properly to carry on the business of an independent ocean freight forwarder. The basis for the denial of the license is:

1. You are not financially qualified; and

2. you have failed to respond properly to lawful inquiries of the Commission.

Whereas Carlos H. Cabezas has requested the opportunity to show at a hearing that denial of the application is unwarranted;

Therefore it is ordered, That pursuant to sections 22 and 44 of the Shipping Act, 1916 (46 U.S.C. 821, 841b), a proceeding is hereby instituted to determine whether the applicant qualifies for a license within the meaning of section 44(a) of the Shipping Act, 1916.

It is further ordered, That Carlos H. Cabezas be made respondent in this proceeding and the matter assigned for hearing before an Examiner of the Commission's Office of Hearing Examiners at a date and place to be announced by the Chief Examiner.

It is further ordered, That notice of this order be published in the FEDERAL REGISTER and that a copy thereof and notice of hearing be served upon respondent, Carlos H. Cabezas.

It is further ordered, That any persons, other than respondent, who desire to become a party to this proceeding and to participate therein, shall file a petition to intervene with the Secretary, Federal Maritime Commission, Washington 25, D.C., on or before January 31, 1964, and

It is further ordered, That all future notices issued by or on behalf of the Commission in this proceeding, including notice of time and place of hearing or prehearing conference, shall be mailed directly to all parties of record.

By the Commission, December 17, 1963.

[SEAL] THOMAS LISI,
Secretary.

[F.R. Doc. 63-13294; Filed, Dec. 24, 1963; 8:46 a.m.]

MATSON NAVIGATION CO. AND UNITED STATES LINES CO.

Notice of Filing of Agreement

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

Agreement 9290, between Matson Navigation Company and United States Lines Company, provides for the appointment by Matson Navigation Company of United States Lines Company as its general passenger agent in United Kingdom, Eire, France (except in Mediterranean ports), Switzerland, Belgium, Holland, Luxembourg, Germany, and Austria, and United States Lines Company accepts such appointment subject to the covenants, conditions and terms set forth in the agreement. Provision is also made for the compensation to be paid United States Lines Company for the services performed principally through its offices in London, Liverpool, Cobh, Dublin, Paris, Havre, Antwerp, Rotterdam, Hamburg, Bremen, and Vienna by United States Lines Company and travel agents in the territories named.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 5 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-13295; Filed, Dec. 24, 1963; 8:46 a.m.]

OCEANIC STEAMSHIP CO. AND UNITED STATES LINES CO.

Notice of Filing of Agreement

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

Agreement 9289, between The Oceanic Steamship Company and United States Lines Company, provides for the appointment by The Oceanic Steamship Company of United States Lines Company as its general passenger agent in United Kingdom, Eire, France (except in Mediterranean ports), Switzerland, Belgium, Holland, Luxembourg, Germany, and Austria, and United States Lines Company accepts such appointment subject to the covenants, conditions and terms set forth in the agreement. Provision is also made for the compensation to be paid United States Lines Company for the services performed principally through its offices in London, Liverpool, Cobh, Dublin, Paris, Havre, Antwerp, Rotterdam, Hamburg, Bremen and Vienna, and to its travel agents in the territories named.

Interested parties may inspect this agreement and obtain copies thereof at the Bureau of Foreign Regulation, Federal Maritime Commission, Washington, D.C., or may inspect a copy at the offices of the District Managers of the Commission in New York, N.Y., New Orleans, La., and San Francisco, Calif., and may submit to the Secretary, Federal Maritime Commission, Washington, D.C., 20573, within 5 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with request for hearing should such hearing be desired.

Dated: December 20, 1963.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-13296; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket No. 1143]

SEA-LAND SERVICE, INC., PUERTO RICAN DIVISION; MINIMUM RATES AND CHARGES BETWEEN JACKSONVILLE AND PUERTO RICO

Notice of Expansion of Investigation To Include Seatrain Lines, Inc.; First Supplemental Order

Whereas, by order dated September 5, 1963, the Commission entered into an investigation concerning the lawfulness of certain Sea-Land Services, Inc., Puerto Rican Division, minimum rates and charges applying between Jacksonville, Florida, on the one hand and ports in Puerto Rico, on the other, published in tariff schedules designated therein;

Whereas, Seatrain Lines, Inc., in its Outward Freight Tariff No. 1, publishes minimum rates and charges similar to those currently under investigation in this proceeding, said minimum rates and charges appearing on pages 71 and 73 under Item Nos. 320 and 350, respectively. Item No. 360 explains the application of the minimum charges named in Item No. 350.

Whereas, The Commission is of the opinion that the Seatrain Lines, Inc. Tariff FMC-F No. 1, as published, places that carrier in a position to offer a common carrier service the type and lawfulness of which is under consideration in this proceeding; and that the said tariff, insofar as it publishes such provisions should be made the subject of a public investigation to the same extent as the tariffs of Sea-Land Service, Inc. currently under investigation herein, to determine whether it is unjust, unreasonable, or otherwise unlawful, under the Shipping Act, 1916, as amended, or the Intercoastal Shipping Act, 1933, as amended;

Now therefore it is ordered, That this proceeding be, and it is hereby expanded to include, in addition to matters now under investigation herein, an investigation into and a hearing concerning the lawfulness of Item Nos. 320, 350 and 360 as published in Seatrain Lines, Inc. Freight Tariff FMC-F No. 1 with a view to making such findings and orders in the premises as the facts and circumstances shall warrant;

It is further ordered, That copies of this order shall be filed with the said tariff schedule in the Bureau of Domestic Regulation of the Federal Maritime Commission;

It is further ordered, That (I) the investigation herein ordered be assigned for public hearing by the Chief Examiner, before an examiner of the Commission's Office of Hearing Examiners, at a date and place to be announced; (II) Seatrain Lines, Inc. be and it is hereby added as a respondent in this proceeding; (III) a copy of this order shall forthwith be served upon all respondents and protestants herein; (IV) the said respondents and protestants be duly notified of the time and place of the hearing herein ordered; and (V)

this order and notice of the said hearing be published in the FEDERAL REGISTER.

All persons (including individuals, corporations, associations, firms, partnerships, and public bodies) having an interest in this proceeding and desiring to intervene therein, should notify the Secretary of the Commission promptly and file petitions for leave to intervene in accordance with Rule 5(n) (46 CFR 201.74).

By the Commission, December 3, 1963.

THOMAS LISI,
Secretary.

[F.R. Doc. 63-13297; Filed, Dec. 24, 1963; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-14422]

BLUE RIDGE GAS CO.

Notice of Application To Amend

DECEMBER 18, 1963.

Take notice that on October 16, 1963, Blue Ridge Gas Company (Applicant), 122 South Main Street, Harrisonburg, Virginia, filed an application to amend the Commission's order issued February 1, 1960, in Docket No. G-14422 by deleting therefrom the maximum daily volume limitation of 2,041 Mcf on deliveries of natural gas to Applicant by Atlantic Seaboard Corporation (Atlantic), all as more fully set forth in the application to amend on file with the Commission and open to public inspection.

The order of February 1, 1960, modified and adopted as modified the decision of the presiding examiner wherein Atlantic was directed, pursuant to section 7(a) of the Natural Gas Act, to establish physical connection of its transportation facilities with the proposed facilities of Applicant and to sell and deliver to Applicant its natural gas requirements, not to exceed a maximum daily volume of 2,041 Mcf. Applicant requests herein that said volumetric limitation be removed.

Applicant states that said limitation prevents the full and orderly development of its business and places Applicant in a less advantageous position from that enjoyed by other customers of Seaboard who are not bound by such limitations. Further, Applicant states that it has need to increase its maximum daily volume as a result of increased customers and increased natural gas requirements for its present and future customers.

Protests, petitions to intervene or requests for hearing in this proceeding may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 10, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-13298; Filed, Dec. 24, 1963; 8:46 a.m.]

[Docket No. G-13840 etc.]

HUNT INDUSTRIES ET AL.

Order Substituting Respondents, Redesignating Proceedings, and Requiring Filing of Successor's Agreements and Undertakings

DECEMBER 18, 1963.

Hunt Industries (Successor to Lyda Hunt-Margaret Trusts, Lyda Hunt-Caroline Trusts, Lyda Hunt-Herbert Trusts, Lyda Hunt-Bunker Trusts, Lyda Hunt-Lamar Trusts); Docket Nos. G-13840,[1] G-16423, G-17162,[1] G-20445,[1] G-20535, and RI60-432.[1]

On July 20, 1963, Hunt Industries (Industries) filed a certificate application to continue sales formerly made by Lyda Hunt-Margaret Trusts, Lyda Hunt-Caroline Trusts, Lyda Hunt-Herbert Trusts, Lyda Hunt-Bunker Trusts, and Lyda Hunt-Lamar Trusts (Trusts).[2] Industries also filed notices of succession to Trusts' rate schedules. The application for certificate authorization states that Trusts have formed a partnership under the name of Industries and Trusts' interests were assigned to Industries effective on April 1, 1963. The application further states that Industries will assume all refund obligations of Trusts in the above-designated rate proceedings. We will therefore require that Industries file agreements and undertakings in each of the above-designated rate suspension proceedings in accordance therewith.

By order issued November 29, 1963, the certificates of public convenience and necessity issued to Trusts, in Docket Nos. G-10333, G-10795, G-11802, CI61-1621, and CI63-48 were amended by substituting Industries as the certificate holder, Industries' notices of succession to the rate schedules of Trusts were accepted for filing, and Trusts' FPC Gas Rate Schedule Nos. 2, 4, and 5, involved in the related rate suspension proceedings, were redesignated, respectively, as Industries' FPC Gas Rate Schedule Nos. 1, 3, and 4.

The Commission finds: It is necessary and proper in carrying out the provisions of the Natural Gas Act that Industries be substituted for Trusts in the above-designated rate suspension proceedings, that the proceedings be redesignated accordingly, and that agreements and undertakings be filed by Industries in each of the proceedings assuming all refund obligations in these proceedings, including the refund obligations heretofore undertaken by Trusts.

The Commission orders:

(A) Hunt Industries is hereby substituted as respondent in lieu of Lyda Hunt-Margaret Trusts, Lyda Hunt-Caroline Trusts, Lyda Hunt-Herbert Trusts, Lyda Hunt-Bunker Trusts, and Lyda Hunt-Lamar Trusts, in the proceedings in Docket Nos. G-13840, G-16423, G-17162, G-20445, G-20535, and RI60-432, and such proceedings are hereby redesignated accordingly.

(B) Within 30 days from the date of issuance of this order, Hunt Industries shall execute, in the form set out below, and shall file with the Secretary of the Commission, an acceptable agreement and undertaking in each of the proceedings, in Docket Nos. G-13840, G-16423, G-17162, G-20445, G-20535, and RI60-432, to assure refund of any excess charges which the Commission may require in these proceedings. Unless notified to the contrary by the Commission within 30 days from the date of submission, the agreements and undertakings shall be deemed to be satisfactory, and to have been accepted for filing.

(C) Hunt Industries shall comply with the refunding and reporting procedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, and its agreements and undertakings shall remain in full force and effect until discharged by the Commission.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63-13299; Filed, Dec. 24, 1963; 8:47 a.m.]

[1] The proceedings in Docket Nos. G-13840, G-17162, G-20445, and RI60-432 were consolidated with the Southern Louisiana area rate proceeding, Docket Nos. AR61-2, et al., by order issued May 10, 1961, 25 F.P.C. 942.

[2] The certificate application has been construed as a motion to substitute Industries in lieu of Trusts as respondent in each of the above-designated proceedings.

[Docket No. CP64-103]

TRANSCONTINENTAL GAS PIPE LINE CORP.

Notice of Application

DECEMBER 18, 1963.

Transcontinental Gas Pipe Line Corporation, United Natural Gas Company, North Penn Gas Company; Docket No. CP64-103.

Take notice that Transcontinental Gas Pipe Line Corporation (Transco), United Natural Gas Company (United), and North Penn Gas Company (North Penn) jointly filed on November 4, 1963, an application for a certificate of public convenience and necessity pursuant to section 7(c) of the Natural Gas Act authorizing minor additional development of the Wharton Storage Field in Potter and Cameron Counties, Pennsylvania, as more fully described in the application which is on file with the Commission and open to public inspection.

No additional facilities are required under Intermediate Development Program No. 2 proposed herein. As shown on Appendix F to Amendment No. 2 to the Wharton Storage Agreement, Transco will merely supply an additional 1,090,000 Mcf of cushion gas in the field at a cost of $353,269 in order to obtain the additional storage deliverability.

No new sale is proposed in this application. Transco will utilize its share of the additional top storage capacity of the Wharton Pool to assist in meeting the peak-day requirements of its many wholesale customers. In this connection, Transco has filed with the Commission

an expansion application in which it seeks authorization, inter alia, to provide additional storage service to an existing wholesale customer commencing in the 1964–65 winter. United and North Penn will use their respective shares of the additional top storage capacity in the Wharton Pool to assist in meeting the winter-day requirements of their many wholesale and retail customers.

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

Take further notice that preliminary staff analysis has indicated that there are no problems which would warrant a recommendation that the Commission designate this application for formal hearing before an examiner and that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing may be held without further notice before the Commission on this application provided no protest or petition to intervene is filed within the time required herein. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 17, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 63–13300; Filed, Dec. 24, 1963; 8:47 a.m.]

FEDERAL RESERVE SYSTEM

COUNTY TRUST CO.

Order Approving Merger of Banks

In the matter of the application of The County Trust Company for approval of merger with The First National Bank of Brewsters.

There has come before the Board of Governors, pursuant to the Bank Merger Act of 1960 (12 U.S.C. 1828(c)), an application by The County Trust Company, White Plains, New York, a State member bank of the Federal Reserve System, for the Board's prior approval of the merger of that bank and The First National Bank of Brewsters, Brewster, New York, under the charter and title of the former. As an incident to the merger, the sole office of The First National Bank of Brewsters would become a branch of The County Trust Company. Notice of the proposed merger, in form approved by the Board, has been published pursuant to said Act.

Upon consideration of all relevant material in the light of the factors set forth in said Act, including reports furnished by the Comptroller of the Currency, the Federal Deposit Insurance Corporation, and the Department of Justice on the competitive factors involved in the proposed merger,

It is hereby ordered, For the reasons set forth in the Board's Statement[1] of this date, that said application be and hereby is approved, provided that said merger shall not be consummated (a) within seven calendar days after the date of this Order or (b) later than three months after said date.

Dated at Washington, D.C., this 18th day of December 1963.

By order of the Board of Governors.[2]

[SEAL] MERRITT SHERMAN,
Secretary.

[F.R. Doc. 63–13302; Filed, Dec. 24, 1963; 8:47 a.m.]

[1] Filed as part of the original document. Copies available upon request to the Board of Governors of the Federal Reserve System, Washington, D.C., 20551, or to the Federal Reserve Bank of New York.

[2] Voting for this action: Vice Chairman Balderston, and Governors Robertson, Shepardson, and Daane. Absent and not voting: Chairman Martin, and Governors Mills and Mitchell.

SECURITIES AND EXCHANGE COMMISSION

[File No. 31–672]

LAWRENCE PARK HEAT, LIGHT AND POWER CO.

Notice of Filing of Application

DECEMBER 19, 1963.

Notice is hereby given that The Lawrence Park Heat, Light and Power Company ("Lawrence Park"), 125 Parkway Road, Bronxville, N.Y., has filed an application, pursuant to section 2(a)(3) of the Public Utility Holding Company Act of 1935 ("Act"), for an order declaring it not to be an electric utility company for the purposes of the Act.

All interested persons are referred to the application on file at the office of the Commission for a statement of the grounds for the requested order and the facts submitted in support thereof, which are summarized as follows:

Lawrence Park is a New York corporation organized in 1905 by the Lawrence family to serve its real estate interests, including the Gramatan Hotel in the Village of Bronxville, New York. It now generates and sells steam to laundries and cleaning establishments and for heating and air conditioning, and renders electric service to the occupants of certain buildings, in the central portion of the Village of Bronxville. It is asserted that Lawrence Park is primarily engaged in the business of generating and selling steam, and that the generation of electric energy is a by-product of the steam operations. Consolidated Edison Company of New York, a nonaffiliate, renders electric service in the greater part of the village. At September 30, 1963, Lawrence Park's plant and property, less reserves, amounted to $894,686; and for the twelve months then ended its total revenues amounted to $425,760, of which one-fourth, or $106,609, was electric revenue.

The application further states that General Waterworks Corporation owns all of the outstanding capital stock and notes of Lawrence Park, but does not own or operate any gas or any other electric utility company.

Notice is further given that any interested person may, on or before January 21, 1964, request this Commission in writing that a hearing be held in respect of such matters, stating the nature of his interest, the reasons for the request, and the issues of fact or law, raised by the application, which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of the request should 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 above-stated address, and proof of service (by affidavit, or in the case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the application as filed, or as it may be amended, may be granted or the Commission may take such other action as it deems appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS,
Secretary.

[F.R. Doc. 63–13325; Filed, Dec. 24, 1963; 8:48 a.m.]

[File No. 70–4181]

LOUISIANA POWER & LIGHT CO.

Notice of Proposed Transfer of a Portion of Earned Surplus to Capital Stock Account

DECEMBER 19, 1963.

Notice is hereby given that Louisiana Power & Light Company ("Louisiana"), 200 Westbank Expressway, P.O. Box 500, Gretna, Louisiana, a public-utility subsidiary company of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed with this Commission a declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act") and has designated sections 6(a) and 7 of the Act as applicable to the proposed transaction.

All interested persons are referred to the declaration on file at the office of the Commission for a statement of the transaction therein proposed, which is summarized as follows:

Louisiana proposes to transfer from its earned surplus account to its common stock capital account an aggregate of $5,250,000, which is equivalent to 50 cents per share on its outstanding no par value common stock, all of which is held by Middle South. The common stock capital account will thereby be increased to $57,750,000. At October 31, 1963, Louisiana's earned surplus amounted to $19,480,409. During the twelve months then ended, dividends charged to its earned surplus account aggregated $7,061,600, consisting of $1,286,600 on Louisiana's

outstanding preferred stock (all publicly held) and $5,775,000 on its outstanding common stock.

The declaration states that no State regulatory agency and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction, and that no fees, commissions or expenses are to be paid in connection with the proposed transaction.

Notice is further given that any interested person may, not later than January 16, 1964, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for the request, and the issues of fact or law which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should 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 declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided by Rules 20(a) and 100 thereof or take such other action as it deems appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63-13326; Filed, Dec. 24, 1963; 8:48 a.m.]

[File No. 70-4180]

NEW ORLEANS PUBLIC SERVICE INC.

Notice of Proposed Transfer of a Portion of Earned Surplus to Capital Surplus

DECEMBER 19, 1963.

Notice is hereby given that New Orleans Public Service Inc. ("New Orleans"), 317 Baronne Street, New Orleans, 60, Louisiana, a public-utility subsidiary company of Middle South Utilities, Inc. ("Middle South"), a registered holding company, has filed with this Commission a declaration, pursuant to the Public Utility Holding Company Act of 1935 ("Act"), and has designated sections 6(a) and 7 of the Act as applicable to the proposed transaction.

All interested persons are referred to the declaration on file at the office of the Commission for a statement of the transaction therein proposed, which is summarized as follows:

New Orleans proposes to transfer from its earned surplus account to its capital surplus account an aggregate of $710,264.89 which is equivalent to 50 cents per share on its outstanding no par value common stock, all held by Middle South. At October 31, 1963, New Orleans' earned surplus amounted to $15,053,837. During the twelve months then ended, dividends charged to earned surplus aggregated $4,099,009, consisting of $631,141 on New Orleans' outstanding preferred stock (all publicly held) and $3,467,868 on its outstanding common stock.

The declaration states that no State regulatory agency and no Federal commission, other than this Commission, has jurisdiction over the proposed transaction, and that no fees, commissions, or expenses are to be paid in connection therewith.

Notice is further given that any interested person may, not later than January 17, 1964, request in writing that a hearing be held in respect of such matter, stating the nature of his interest, the reasons for the request, and the issues of fact or law which he desires to controvert, or he may request that he be notified should the Commission order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should 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 declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from its rules under the Act as provided by Rules 20(a) and 100 thereof or take such other action as it deems appropriate.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DUBOIS, *Secretary.*

[F.R. Doc. 63-13327; Filed, Dec. 24, 1963; 8:48 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice No. 585]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 20, 1963.

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

All hearings and prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

No. MC 82 (Sub-No. 21), filed July 14, 1963. Applicant: BEST WAY OF INDIANA, INC., 10 Cherry Street, Terre Haute, Ind. Applicant's attorney: Ferdinand Born, 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving the plant site of the Grain Drying Equipment Co., Inc., located on Indiana Highway 55 approximately 3 miles east of the junction of said highway with U.S. Highway 41, as an off-route point in connection with applicant's presently authorized regular-route operations between Terre Haute, Ind. and Chicago, Ill.

HEARING: February 12, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner Gerald F. Colfer.

No. MC 1042 (Sub-No. 3), filed October 25, 1963. Applicant: C.P.T. FREIGHT, INC., 2600 Calumet Avenue, Hammond, Ind. Applicant's attorney: Ferdinand Born, 1017-19 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between all points located in Illinois and Indiana authorized to be served by applicant under its present Certificate No. MC 1042 and subs thereto, on the one hand, and, on the other, Demotte, Kouts, and Boone Grove, Ind.

HEARING: January 29, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 2934 (Sub-No. 10) (AMENDMENT), filed March 24, 1963, published in FEDERAL REGISTER issue November 28, 1963, amended December 16, 1963, and republished as amended this issue. Applicant: AERO MAYFLOWER TRANSIT COMPANY, INC., 863 Massachusetts Avenue, Indianapolis, Ind. Applicant's attorney: James L. Beattey, 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*, between points in Florida, on the one hand, and, on the other, points in the United States.

NOTE: The purpose of this republication is to delete "uncrated" from the commodity description.

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

No. MC 2989 (Sub-No. 32), filed September 8, 1963. Applicant: DAYS TRANSFER, INC., Sixth at University, Des Moines, Iowa. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* except those of unusual value, livestock and 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 Grabill, Ind., as an off-route point in connection with applicant's authorized regular route operations to and from Fort Wayne, Ind.

NOTE: Common control may be involved.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 3018 (Sub-No. 12), filed October 18, 1963. Applicant: McKEOWN TRANSPORTATION COMPANY, 10448 South Western Avenue, Chicago 43, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Hydrogen gas*, in cylinders and in tube trailers, from Barberton, Ohio to East Chicago, Ind., and *empty containers or other such incidental facilities* used in transporting the above described commodity on return.

NOTE: Applicant states that the proposed operation will be for the account of Linde Company, Division of Union Carbide Corp.

HEARING: January 31, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 58.

No. MC 13367 (Sub-No. 9) (AMENDMENT), filed November 14, 1963, published in FEDERAL REGISTER issue December 4, 1963, republished as amended, this issue. Applicant: ROBERT MERLEY, Post Office Box 1312, New Carlisle, Ind. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer*, dry, in bulk, from Plymouth, Ind. to points in Allegan, Berrien, Branch, Cass, Kalamazoo, St. Joseph, Van Buren, Kalkaska, Mecosta, Missaukee, Muskegon, Newaygo, Osceola, and Ottawa Counties, Mich.

NOTE: The purpose of this republication is to change the commodity description and to add the counties of Kalkaska, Mecosta, Missaukee, Muskegon, Newaygo, Osceola, and Ottawa, Mich.

HEARING: Remains as assigned January 21, 1964, at the Federal Building, Lansing, Mich., before Joint Board No. 23.

No. MC 15728 (Sub-No. 5) filed November 18, 1963. Applicant: AUTO PRODUCTS TRANSPORT, INC., 19990 James Couzens, Detroit 35, Mich. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, Kaiser Building, East Detroit, Mich. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Used wooden boxes, used wooden pallets, used wooden crates and other used shipping containers, and materials and supplies used in the repair and manufacture thereof*, from points in Minnesota, Iowa, Missouri, Arkansas, Lousiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, District of Columbia, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, and Massachusetts, to Detroit, Flint, Lansing, and Wixom, Mich., South Bend, Ind., Lorain and Toledo, Ohio, and Newark, Del.; and (2) *reconditioned wooden boxes, reconditioned wooden pallets, reconditioned wooden crates and other reconditioned wooden shipping containers*, from Detroit, Flint, Lansing, and Wixom, Mich., South Bend, Ind., Lorain and Toledo, Ohio, and Newark, Del., to points in Minnesota, Iowa, Missouri, Arkansas, Louisiana, Wisconsin, Michigan, Illinois, Indiana, Ohio, Kentucky, Tennessee, Mississippi, Alabama, Georgia, Florida, South Carolina, North Carolina, Virginia, West Virginia, Maryland, District of Columbia, Delaware, New Jersey, Pennsylvania, New York, Connecticut, Rhode Island, and Massachusetts.

NOTE: Applicant states that the proposed operations will be under a continuing contract with Auto Pallets-Boxes, Inc.

HEARING: February 20, 1964, at the Federal Building, Lansing, Mich., before Examiner A. Lane Cricher.

No. MC 19778 (Sub-No. 58), filed November 29, 1963. Applicant: THE MILWAUKEE MOTOR TRANSPORTATION COMPANY, a corporation, 516 West Jackson Boulevard, Chicago 6, Ill. Applicant's attorney: Robert F. Munsell (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Meats, meat products, and meat byproducts, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers*, as described in Sections A, C and D, in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between Sioux City, Iowa, and Hawarden, Iowa: from Sioux City, Iowa over Iowa Highway 12 to Hawarden, Iowa, and return over the same route, serving no intermediate points.

NOTE: Applicant states that the proposed operations will be restricted to traffic having a prior or subsequent rail haul via the Chicago, Milwaukee, St. Paul and Pacific Railroad Company. It is further noted that common control may be involved.

HEARING: February 7, 1964, in Room 401, Old Federal Building, Fifth and Courts Avenues, Des Moines, Iowa, before Joint Board No. 185.

No. MC 30224 (Sub-No. 23), filed September 9, 1963. Applicant: TRANSPORT SERVICE, INC., First Capitol Street, Yankton, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Fertilizer, fertilizer compounds*, and *urea (all grades) dry*, from Yankton, S. Dak. to points in Nebraska, and (2) *beer and empty containers* from Omaha, Nebr. to Yankton, S. Dak.

HEARING: February 11, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 185.

No. MC 30844 (Sub-No. 134), filed November 12, 1963. (Applicant: KROBLIN REFRIGERATED XPRESS, INC., Post Office Box 218, Sumner, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Canned goods*, from points in Connecticut to points in Iowa and Minnesota.

HEARING: February 14, 1964, in Room 401, Old Federal Offices Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 31600 (Sub-No. 558) (AMENDMENT), filed December 9, 1963, published in FEDERAL REGISTER issue of December 18, 1963, republished as amended this issue. Applicant: P. B. MUTRIE MOTOR TRANSPORTATION, INC., Calvary Street, Waltham, Mass., 02154. 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: *Alcoholic beverages*, in bulk, in tank vehicles, between points in Illinois, Indiana, and Ohio, on the one hand, and on the other, points in Massachusetts, Connecticut, and Rhode Island.

NOTE: The purpose of this republication is to change the territorial description.

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

No. MC 35540 (Sub-No. 10), filed November 15, 1963. Applicant: SCHRODER'S EXPRESS, INC., 1550 Perin Street, Cincinnati 4, Ohio. Applicant's attorney: Herbert Baker, 50 West Broad Street, Columbus 15, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), serving Farina, Ill., as an off-route point in connection with applicant's authorized regular-route operations.

HEARING: January 31, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149.

No. MC 42614 (Sub-No. 37), filed October 29, 1963. Applicant: CHICAGO AND NORTH WESTERN RAILWAY

COMPANY, a corporation, 400 West Madison Street, Chicago, Ill., 60606. Applicant's attorney: Eugene D. Anderson (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Meats, meat products, and meat byproducts, articles distributed by meat packinghouses, and such commodities as are used by meat packers in the conduct of their business when destined to and for use by meat packers*, as described in Sections A, C, and D of the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, between Sioux City, Iowa and Hawarden, Iowa, from Sioux City over Iowa Highway 12 to Hawarden, and return over the same routes, serving no intermediate points.

NOTE: Applicant states the proposed operations will involve shipments which are subject to prior or subsequent rail haul by C & NW Railway Company. Applicant is presently authorized to conduct passenger operations in Certificate No. MC 84655. It is further noted that common control may be involved.

HEARING: February 7, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 185.

No. MC 43734 (Sub-No. 3), filed October 29, 1963. Applicant: ARTUS TRUCKING COMPANY, INC. 125–05 135th Avenue, South Ozone Park, N.Y. Applicant's attorney: Arthur J. Piken, 160–16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Paper and paper products*, from Whippany, N.J., to points in Connecticut, Delaware, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and the District of Columbia, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

HEARING: February 10, 1964, at the U.S. Custom Court, 201 Varick Street, New York, N.Y., before Examiner Theodore M. Tahan.

No. MC 50069 (Sub-No. 282), filed November 12, 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: *Liquid chemicals*, in bulk, in tank vehicles, from Muskegon, Mich., and points within five (5) miles thereof, to points in the United States east of the Mississippi, and to points in Louisiana and Texas.

HEARING: February 19, 1964, at the Federal Building, Lansing, Mich., before Examiner A. Lane Cricher.

No. MC 52709 (Sub-No. 225), filed August 27, 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: *Vegetable oil, vegetable oil blends, and vegetable oil foots, sediments, and residua*, in bulk, in tank vehicles, from Chicago, Ill., to points in Wyoming, Montana, Colorado, Utah, Idaho, and Washington.

HEARING: February 14, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 55852 (Sub-No. 8), filed October 28, 1963. Applicant: SEWELL'S MOTOR EXPRESS, INCORPORATED, 218 East 24th Street, Norfolk, Va. Applicant's attorney: Jno. C. Goddin, Insurance Building, 10 South 10th Street, Richmond 19, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dredging pipe, dredging pipe fittings and equipment, tools and instruments used in installing said dredging pipe and fittings for operation*, between points in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, Delaware, Maryland, District of Columbia, Virginia, North Carolina, South Carolina, Georgia, and Florida.

HEARING: January 24, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard H. Roberts.

No. MC 58813 (Sub-No. 53), filed October 25, 1963. Applicant: SELMAN'S EXPRESS, INC., 460 West 35th Street, New York, N.Y. Applicant's attorney: Solomon Granett, 1740 Broadway, New York 19, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Materials and supplies used in the manufacture of wearing apparel*, from New York, N.Y., to Pittsfield, Mass.

HEARING: February 13, 1964, at the U.S. Custom Court, 201 Varick St., New York, N.Y., before Examiner Theodore M. Tahan.

No. MC 59240 (Sub-No. 5), filed September 12, 1963. Applicant: KNUTE BERG, doing business as BERG'S TRANSFER, Dallas, Wis. Applicant's representative: A. R. Fowler, 2288 University Avenue, Saint Paul 14, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry feed*, dry, in bulk and in bags, from New Richmond, Wis., to points in the Upper Peninsula of Michigan (except those east of U.S. Highway 41 extending between Marquette and Escanaba, Mich.).

HEARING: February 21, 1964, in Room B–29, Federal Building, and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 59531 (Sub-No. 89) (AMENDMENT), filed October 28, 1963, published FEDERAL REGISTER issue December 18, 1963, amended December 10, 1963, and republished as amended this issue. Applicant: AUTO CONVOY CO., a corporation, 3020 South Haskell Avenue, Dallas, Tex. Applicant's attorney: Reagan Sayers, Century Life Building, Fort Worth 2, Tex. Autority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Motor vehicles*, in secondary movements, in driveaway and truckaway, (1) from points in Oklahoma, to points in New Mexico, Arkansas, Louisiana, and Mississippi, and Kansas, and Missouri on and south of U.S. Highway 54, and (2) from Dallas, Houston, and San Antonio, Tex., to points in New Mexico.

NOTE: The proposed service will be restricted to (a) traffic which has been manufactured by Ford Motor Company, and (b) vehicles having prior movement by rail and/or water carrier. The purpose of this republication is to delete the restriction as shown in previous publication and substitute the above in lieu thereof.

HEARING: Remains as assigned February 10, 1964, at the Baker Hotel, Dallas, Tex., before Examiner Leo M. Pellerzi.

No. MC 65529 (Sub-No. 1), filed October 28, 1963. Applicant: MEYER ADLEMAN, doing business as NEW JERSEY MESSENGER SERVICE, 1026 Wood Street, Philadelphia, Pa. Applicant's attorney: Morris J. Winekur, Two Penn Center Plaza, Pennsylvania Boulevard at 15th Street, Philadelphia 2, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except those of unusual value, dangerous explosives, livestock, 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), between King of Prussia, Pa., and points in that part of New Jersey on and south of New Jersey Highway 33.

NOTE: Common control may be involved.

HEARING: February 3, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 69833 (Sub-No. 70), filed September 8, 1963. Applicant: ASSOCIATED TRUCK LINES, INC., 15 Andre Street SE., Grand Rapids, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, not including scrap metals in bulk, and commodities requiring special equipment), serving Grabill, Ind., as an off-route point in connection with applicant's regular route operations to and from Fort Wayne, Ind.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 71096 (Sub-No. 45), filed September 8, 1963. Applicant: NORWALK TRUCK LINES, INC., 180 Milan Avenue, Norwalk, Ohio. Applicant's attorney: Rex Eames, 1600 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, automobiles, household goods as defined by

the Commission, commodities in bulk, and those requiring special equipment), serving Grabill, Ind., as an off-route point in connection with applicant's regular route operations to and from Fort Wayne, Ind.

NOTE: Common control may be involved.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 77404 (Sub-No. 15), filed September 8, 1963. Applicant: MOHAWK MOTOR, INC., Tiffin, Ohio. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. 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 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 Grabill, Ind., as an off-route point in connection with applicant's regular-route operations to and from Fort Wayne, Ind.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 72, or, if Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 80430 (Sub-No. 106), filed October 28, 1963. Applicant: GATEWAY TRANSPORTATION CO., INC., 2130 South Avenue, La Crosse, Wis. 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 Winneconne, Wis., as an off-route point in connection with applicant's authorized regular route operations.

HEARING: February 11, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 96.

No. MC 87720 (Sub-No. 17), filed October 28, 1963. Applicant: BASS TRANSPORTATION CO. INC., Star Route A, Old Croton Road, Flemington, N.J. Applicant's representative: Bert Collins, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicles, over irregular routes, transporting: (1) *Rubber tire treads and tubes, and materials used in the process of retreading*, from Flemington, N.J., to points in Michigan, Ohio, and Pennsylvania, and *returned and rejected shipments*, on return; and (2) *rubber compounds, and materials, supplies and equipment*, other than in bulk, used in the processing of rubber compounds, from Barberton, Ohio to Flemington, N.J., and *returned and rejected shipments* on return.

NOTE: Applicant states that the proposed operations will be for the account of Oliver Tirecap Supply Co.

HEARING: February 7, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner Dallas B. Russell.

No. MC 94265 (Sub-No. 121), filed December 11, 1963. Applicant: BONNEY MOTOR EXPRESS, INC., Post Office Box 12388, Thomas Corner Station, Norfolk, Va. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C. 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.

NOTE: Common control may be involved.

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

No. MC 98507 (Sub-No. 1), filed July 26, 1963. Applicant: VIVIAN E. SHARPE, doing business as LEE TRUCK SERVICE, 508 North Holloway Street, Sullivan, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (1) between Terre Haute and Vincennes, Ind.; from Terre Haute over U.S. Highway 41 to Vincennes and return over the same route, serving the intermediate points of Pimento, Farmersburg, Shelburn, Sullivan, Paxton, Carlisle, Oaktown, and Emison, Ind.; and (2) from Terre Haute, Ind., to New Lebanon, Ind.; from Terre Haute over Indiana Highway 63 to Merom, Ind.; thence over County Road to Merom Station, thence over County Road and Indiana Highway 54 to New Lebanon, and return over the same route, serving the intermediate points of Prairieton, Prairie Creek, Graysville, Merom, Merom Station, and Fairbanks, Ind.

NOTE: Applicant states there will be interchange of traffic effected at Terre Haute and Vincennes.

HEARING: February 11, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner Gerald F. Colfer.

No. MC 98709 (Sub-No. 2), filed October 30, 1963. Applicant: ALICE V. BUSH, doing business as BUSH MOTOR EXPRESS, Rural Route No. 1, Box 69, Belvidere, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between points in Illinois within a fifty (50) mile radius of Aurora, Ill., and (2) between the points in (1) above, on the one hand, and, on the other, points in Illinois.

HEARING: January 28, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 149.

No. MC 99539 (Sub-No. 1), filed July 29, 1963. Applicant: HERBERT M. UNDERWOOD, 804 North Washington Street, Brazil, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities, paint products, drugs, fibre boxes, electrical appliances, furniture, steel and aluminum castings, and steel drums*, between Terre Haute, Ind., and Carbon, Ind.; from Terre Haute over U.S. Highway 40 to junction of Indiana Highway 59, thence over Indiana Highway 59 to Carbon, and return over the same route, serving the intermediate and off-route points of Chamberlain's Crossing, Seelyville, Cloverland, Staunton, Billtown, Brazil, Knightsville, and Harmony, Ind.

HEARING: February 10, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Joint Board No. 21, or, if the Joint Board waives its right to participate, before Examiner Gerald F. Colfer.

No. MC 102616 (Sub-No. 740), filed December 17, 1963. Applicant: COASTAL TANK LINES, INC., 501 Grantley Road, York, Pa. Applicant's attorney: Harold G. Hernly, 711 14th Street NW., Washington, D.C., 20005. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from points in Beaver, Butler, Crawford, McKean, and Venango Counties, Pa., and points in Pleasants County, W. Va., to points in Maryland, North Carolina, South Carolina, and Virginia.

HEARING: January 21, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Charles B. Heinemann.

No. MC 103493 (Sub-No. 6), filed October 4, 1963. Applicant: ROBINSON TRANSFER COMPANY, INC., 103 North Front Street, LaCrosse, Wis. Applicant's attorney: Claude J. Jasper, Suite 301, Provident Building, 111 South Fairchild Street, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise* as is dealt in by wholesale, retail and chain grocery and food business houses, and in connection therewith *equipment, materials and supplies used in the conduct of such business*, between LaCrosse, Wis., on the one hand, and, on the other, points in Dakota, Washington, Ramsay, and Hennepin Counties, Minn.

NOTE: Applicant states the proposed service will be under a continuing contract with Gateway Grocery Co. of LaCrosse, Wis.

HEARING: February 10, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 142.

No. MC 103880 (Sub-No. 300), filed December 11, 1963. Applicant: PRODUCERS TRANSPORT, INC., 224 Buf-

falo Street, New Buffalo, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank vehicles, from Cincinnati, Ohio, to points in Illinois, Indiana, Michigan, Missouri, and Wisconsin.

HEARING: January 28, 1964, at the Netherland Hilton, Cincinnati, Ohio, before Examiner Gerald F. Colfer.

No. MC 103880 (Sub-No. 301), filed December 23, 1963. Applicant: PRODUCERS TRANSPORT, INC., 224 Buffalo Street, New Buffalo, Mich. Applicant's attorney: Louis Reznek, 5009 Keokuk Street, Washington 16, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals and syrups, including Sorbitol*, in bulk, in tank vehicles, from Mapleton, Ill., to points in Illinois, Indiana, Iowa, Michigan, Minnesota, Missouri, Nevada, New York, Ohio, Pennsylvania, and Wisconsin.

HEARING: January 7, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Isadore Freidson.

No. MC 105606 (Sub-No. 3) (CORRECTION), filed October 18, 1963, published in FEDERAL REGISTER issue of December 11, 1963, and republished as corrected this issue. Applicant: JOY W. ROE, 157 Lambden Avenue, Winchester, Va. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Processed apple products*, from Mount Jackson and Maurertown, Va., to points in Florida.

NOTE: The purpose of this republication is to correct the spelling of Maurertown.

HEARING: Remains as assigned, January 20, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Lacy W. Hinely.

No. MC 106603 (Sub-No. 69), filed October 3, 1963. Applicant: DIRECT TRANSIT LINES, INC., 200 Colrain Street SW., Grand Rapids, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in mixed shipments with *salt, salt products and pepper*, from St. Clair, Mich. to points in Illinois and Indiana.

HEARING: February 17, 1964, at the Federal Building, Lansing, Mich., before Joint Board No. 73, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 107162 (Sub-No. 13), filed October 10, 1963. Applicant: NOBLE GRAHAM, Brimley, Mich. Applicant's attorney: John T. Porter, 708 First National Bank Building, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Lumber* (excluding dimension stock and built-up wood), from points in the Upper Peninsula of Michigan and the port of entry on the international boundary line between the United States and Canada located at or near Sault Ste. Marie, Mich., to points in Minnesota, Illinois, Indiana, and Ohio, and (2) *fertilizer*, in bags, from Chicago Heights, Ill., to points in the Upper Peninsula of Michigan.

HEARING: February 18, 1964, at the Federal Building, Lansing, Mich., before Examiner A. Lane Cricher.

No. MC 107512 (Sub-No. 6), filed October 10, 1963. Applicant: DAVID S. WENGER, 131 East Main Street, Brownstown, Pa. Applicant's attorney: Robert H. Griswold, Commerce Building, Post Office Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Limestone, quarry run and crushed*, from the plant site of J. C. Showalter, Inc., in East Earl Township, Lancaster County, Pa., to points in New Castle County, Del.

HEARING: January 30, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Dallas B. Russell.

No. MC 108386 (Sub-No. 1), filed October 3, 1963. Applicant: HAWKEYE TRUCKING COMPANY, Rural Free Delivery No. 4, Des Moines, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrocarbonitrate* from Seneca, Ill., and Barksdale, Wis., to points in Iowa.

HEARING: February 3, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa., before Joint Board No. 111.

No. MC 108449 (Sub-No. 170), filed October 21, 1963. Applicant: INDIANHEAD TRUCK LINE, INC., 1947 West County Road "C," St. Paul, Minn. Applicant's attorney: Glenn W. Stephens, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Cement and lime*, in bags and packages, from Duluth, Minn., to points in Wisconsin and the Upper Peninsula of Michigan.

NOTE: Common control may be involved.

HEARING: February 21, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 282.

No. MC 109397 (Sub-No. 88), filed December 11, 1963. Applicant: TRISTATE MOTOR TRANSIT CO., a corporation, Post Office Box 113, Joplin, Mo. Applicant's attorney: Max G. Morgan, 443–54 American National Building, Oklahoma City 2, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Source, special nuclear and byproduct materials, radioactive materials, and related reactor experiment equipment, component parts, and associated materials*, between the plant site of General Atomics, near San Diego, Calif., and the Burial Grounds, near Beatty, Nev.

HEARING: January 16, 1964, at the Nevada Public Service, Commission, Room 204, State Office Building, East Musser Street, Carson City, Nev., before Joint Board No. 166, or, if the Joint Board waives its right to participate, before Examiner F. Roy Linn.

No. MC 110525 (Sub-No. 614) filed November 1, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Esq., Munsey Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil, gasoline and kerosene*, in bulk, in tank vehicles, from Changewater, Washington Township, Warren County, N.J., to points in Berks, Bucks, Carbon, Chester, Delaware, Lackawanna, Lehigh, Luzerne, Monroe, Montgomery, Northampton, Philadelphia, Pike, Schuylkill, Susquehanna, Wayne, and Wyoming Counties, Pa.

HEARING: February 4, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 111138 (Sub-No. 37), filed October 21, 1963. Applicant: COLONIAL & PACIFIC FRIGIDWAYS, INC., Post Office Box 459, Storm Lake, Iowa. 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, packinghouse products, and commodities used by packinghouses*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766 from Storm Lake, Iowa, to Chicago, Ill., and points in the Chicago commercial zone as defined by the Commission, and *empty containers or other such incidental facilities* used in transporting the above described commodities, on return.

HEARING: January 30, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 53.

No. MC 111401 (Sub-No. 146), filed December 18, 1963. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, Enid, Okla. Applicant's representative: Victor R. Comstock, Post Office Box 632, Enid, Okla., 73701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products, acids and chemicals*, in bulk, in tank vehicles, (1) between points in New Mexico, (2) from points in New Mexico, to points in Texas on and west of U.S. Highway 277, (3) between points in New Mexico and points in Utah, and (4) from points in La Plata County, Colo., to points in Utah.

NOTE: Applicant has a pending contract application, MC 125020; therefore dual operations may be involved.

HEARING: January 6, 1964, at the New Mexico State Corporation Commission, Santa Fe., N. Mex., before Examiner Hugh M. Nicholson.

No. MC 111672 (Sub-No. 2), filed October 11, 1963. Applicant: R & M TRUCK LINE, INC., 1301 High Avenue West, Oskaloosa, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular

routes, transporting: *Nitro-carbonitrate*, from Seneca, Ill., and Barksdale, Wis., to points in Iowa on and east of U.S. Highway 65, and on and south of U.S. Highway 6.

HEARING: February 13, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 111812 (Sub-No. 228), filed October 31, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., Post Office Box 747, 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: *Frozen foods*, from Deerfield, Ill., to points in Washington, Oregon, Idaho, Montana, Wyoming, Utah, Colorado, Nebraska, South Dakota, North Dakota, and Minnesota.

NOTE: Common control may be involved.

HEARING: January 29, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Raymond V. Sar.

No. MC 112063 (Sub-No. 8), filed November 15, 1963. Applicant: P.I. & I. MOTOR EXPRESS, INC., Masury, Ohio. Applicant's attorney: Jack B. Josselson, Atlantic Bank Building, Cincinnati, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) (a) *Toys and children's vehicles, velocipedes, bicycles, automobiles, and parts for the foregoing and display stands therefor*, from Little Rock, Ark., to Akron, Cincinnati, Cleveland, Columbus, and Toledo, Ohio, Albany, Buffalo, and Rochester, N.Y., Baltimore, Md., Charleston, Clarksburg, and Huntington, W. Va., Evansville, Indianapolis, and Fort Wayne, Ind., Louisville, Ky., Bloomington, Chicago, Olney, and Springfield, Ill., Philadelphia, Pittsburgh, and Scranton, Pa., (b) from Olney, Ill., to Akron, Cincinnati, Cleveland, Columbus, and Toledo, Ohio, Albany, Buffalo, and Rochester, N.Y., Baltimore, Md., Charleston, Clarksburg, and Huntington, W. Va., Indianapolis, and Fort Wayne, Ind., Louisville, Ky., Little Rock, Ark., Philadelphia, Pittsburgh, and Scranton, Pa., (c) from Little Rock, Ark., and Olney, Ill., to Paterson, N.J., and (2) *iron and steel products, pipe, tubing, and conduit* from Sharon, Pa., and points in Pennsylvania, within five (5) miles of Sharon, to Little Rock, Ark.

NOTE: Applicant states it proposes to transport *damaged defective and returned shipments* of the commodities specified above in (1) and (2) on return.

HEARING: January 27, 1964, at the Netherland Hilton, Cincinnati, Ohio, before Examiner Gerald F. Colfer.

No. MC 112223 (Sub-No. 65), filed August 12, 1963. Applicant: QUICKIE TRANSPORT COMPANY, a corporation, 501 11th Avenue South, Minneapolis 15, Minn. Applicant's attorney: Earl Hacking, 503 11th Avenue South, Minneapolis 15, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal and coke*, in bulk, from points in Hennepin, Ramsey, and Dakota Counties, Minn., to points in Wisconsin, east of U.S. Highway 51.

HEARING: February 14, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 112306 (Sub-No. 13), filed October 17, 1963. Applicant: C and R TRANSFER CO., a corporation, 1315 West Blackhawk, Sioux Falls, S. Dak. Applicant's attorney: T. M. Bailey, Jr., 305 Northwest Security Bank Building, Sioux Falls, S. Dak. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Concrete products*, from Sioux Falls, S. Dak., and points within 3 miles thereof, to points in Iowa and Minnesota, 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 123885 and subs thereunder; therefore, dual operations may be involved.

HEARING: February 17, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 147.

No. MC 112582 (Sub-No. 20), filed September 20, 1963. Applicant: T. M. ZIMMERMAN COMPANY, a corporation, 227 West Commerce Street, Chambersburg, Pa. Applicant's attorney: John M. Musselman, 400 North Third Street, Post Office Box 46, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen fruits, frozen berries*, and *frozen vegetables*, from points in Maine, New York, and Ohio to Chambersburg, Pa.

HEARING: January 30, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Dallas B. Russell.

No. MC 112822 (Sub-No. 39), filed October 29, 1963. Applicant: EARL BRAY, INC., Post Office Box 910, Linwood and North Streets, Cushing, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Liquid sugar and blends* thereof, in bulk in tank vehicles from Grimes, Iowa to points in Nebraska, Missouri, and Minnesota, and *damaged and rejected shipments* on return.

HEARING: February 14, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 113267 (Sub-No. 112), filed November 4, 1963. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Fred H. Figge (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas and agricultural commodities*, otherwise exempt from economic regulation under section 203(b)(6) of the Interstate Commerce Act, when transported in mixed shipments with bananas, from St. Louis, Mo., to points in Iowa, Illinois (except Chicago), Missouri, and Wisconsin.

NOTE: Applicant states it does not propose to tack the authority requested to presently held authority to perform a through service. It is further noted common control may be involved.

HEARING: February 3, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Gerald F. Colfer.

No. MC 113325 (Sub-No. 20), filed October 3, 1963. Applicant: SLAY TRANSPORTATION CO., INC., 718 South Seventh Street, St. Louis, Mo. Applicant's attorney: Thomas F. Kilroy, 1815 H Street, NW., Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Acids and liquid chemicals*, in bulk, in tank vehicles, from points in Alabama, Arkansas, Connecticut, Delaware, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Maryland, Massachusetts, Michigan, Minnesota, Mississippi, Missouri, Nebraska, New Hampshire, New Jersey, New York, Ohio, Oklahoma, Pennsylvania, Rhode Island, Tennessee, Texas, Vermont, West Virginia, and Wisconsin, to points in the St. Louis, Mo.-East St. Louis, Ill., commercial zone as defined by the Commission.

HEARING: February 6, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Gerald F. Colfer.

No. MC113325 (Sub-No. 21), filed October 3, 1963. Applicant: SLAY TRANSPORTATION COMPANY, a corporation, 718 South Seventh Street, St. Louis, Mo. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Starch and blends thereof, and yeast and blends thereof*, in bulk, from St. Louis, Mo., to points in Alabama, Arkansas, 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 York, North Carolina, North Dakota, Ohio, Oklahoma, Pennsylvania, Rhode Island, South Carolina, South Dakota, Tennessee, Texas, Vermont, Virginia, West Virginia, and Wisconsin, and *rejected and returned shipments* on return.

HEARING: February 7, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Gerald F. Colfer.

No. MC 113584 (Sub-No. 16), filed October 10, 1963. Applicant: SHIPPERS SERVICE, INC., 712 South Jefferson Street, Mason City, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Animal and poultry drugs, tonics, medicines, and feed supplements*, from Charles City, Iowa, to New Orleans, La., New York, N.Y., Laredo, Tex., and Detroit and Port Huron, Mich.

NOTE: Applicant states that proposed service is to be performed under a continuing contract with Dr. Salsbury's Laboratories, of Charles City, Iowa.

HEARING: February 12, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 113651 (Sub-No. 60), filed October 7, 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: *Meat and meat products*, from New Orleans, La., to points in Tennessee, Iowa, Minnesota, Wisconsin, Ohio, Kentucky, Missouri, Indiana, Illinois, and Kansas.

HEARING: February 4, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 113651 (Sub-No. 63), filed November 8, 1963. Applicant: INDIANA REFRIGERATOR LINES, INC., 2404 North Broadway, Muncie, Ind. Applicant's attorneys: Mario Pieroni, 523 Johnson Building, Muncie, Ind., and Charles Singer, 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: *Frozen foods*, from La Porte, Ind. to points in Ohio, Kentucky, and Illinois.

HEARING: February 3, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 113678 (Sub-No. 61), filed October 31, 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: *Meats, meat products, meat byproducts and articles distributed by meat packinghouses* as described by the Commission, and *dairy products*, from Springfield, N.J. and points within 5 miles thereof, to points in Arizona, Colorado, Minnesota, Missouri, Nebraska, and Utah.

NOTE: Common control may be involved.

HEARING: February 11, 1964, at the U.S. Custom Court, 201 Varick Street, New York, N.Y., before Examiner Theodore M. Tahan.

No. MC 113678 (Sub-No. 68), filed December 13, 1963. Applicant: CURTIS, INC., 770 East 51st Street, Denver, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Imported meats*, from New York, N.Y., including points in the New York commercial zone, to points in Illinois, Indiana, Iowa, Kentucky, Michigan, Minnesota, Missouri, Ohio, Pennsylvania, on and west of U.S. Highway 220, points in West Virginia, and Wisconsin.

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

No. MC 114019 (Sub-No. 109), filed November 1, 1963. Applicant: MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, 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: *Pressed wood pulp, impregnated and buffing and polishing compounds*, in mixed loads with foodstuffs, restricted to 20 percent of the weight of the total shipment, from Rochester, N.Y., to points in Ohio, Pennsylvania, Indiana, Illinois, Michigan, and Louisville, Ky., and St. Louis, Mo.

HEARING: February 11, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner Dallas B. Russell.

No. MC 114740 (Sub-No. 7), filed October 28, 1963. Applicant: IVON E. CREWSE, doing business as IVON CREWSE TRUCKING, 2403 Lyon, Des Moines, Iowa. Applicant's attorney: Robert R. Rydell, 1030 Savings and Loan Building, Des Moines, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Potato chips, pork skins, popped corn, pretzels, cheese wafers and crackers, corn chips, corn curls and advertising matter and materials, for such products*, from the plant site of Hiland Potato Chip Company, Des Moines, Iowa, to points in Missouri on and north of U.S. Highway 36, and *empty containers and returned stale and damaged merchandise*, on return.

HEARING: February 4, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 137.

No. MC 117165 (Sub-No. 15), filed October 3, 1963. Applicant: C. J. DAVIS, doing business as, ST. LOUIS FREIGHT LINES, 1000 Michigan Avenue, St. Louis, Mich. Applicant's attorney: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Foodstuffs*, in mixed shipments with *salt*, from St. Clair, Mich., to points in Illinois, Indiana, and Ohio.

HEARING: February 17, 1964, at the Federal Building, Lansing, Mich., before Examiner A. Lane Cricher.

No. MC 117427 (Sub-No. 34), filed October 14, 1963. Applicant: G. G. PARSONS TRUCKING CO., a corporation, Post Office Box 746, North Wilkesboro, N.C. Applicant's attorney: Francis J. Ortman, National Press Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber* (except plywood and veneer), from points in Illinois, Indiana, Michigan, and Ohio, to points in Kentucky.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 116145 and subs thereunder; therefore dual operations may be involved.

HEARING: January 24, 1964, at the New Post Office Building, Columbus, Ohio, before Examiner Walter R. Lee.

No. MC 117574 (Sub-No. 80), filed June 30, 1963. Applicant: DAILY EXPRESS, INC., Post Office Box 434, M.R. No. 3, Carlisle, Pa. Applicant's attorney: James E. Wilson, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Self-propelled vehicles*, with or without attachments (except automobiles and trucks), (1) from Minneapolis, Minn., to points in Pennsylvania, New Jersey, New York, Delaware, Maryland, Virginia, Maine, Massachusetts, Connecticut, Rhode Island, West Virginia, and the District of Columbia, and (2) from Elgin, Ill., to points in Maine, New Hampshire, Vermont, Massachusetts, Connecticut, Rhode Island, New York, New Jersey, Delaware, Maryland, District of Columbia, Pennsylvania, and points in Virginia within fifty (50) miles of the District of Columbia.

HEARING: January 29, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Alton R. Smith.

No. MC 117647 (Sub-No. 4), filed October 21, 1963. Applicant: JAMES R. NOLES and MILDRED NOLES, doing business as NOLES TRUCKING, 2332 Washington Avenue, Terre Haute, Ind. Applicant's attorney: John E. Lesow, 3737 North Meridian Street, Indianapolis 8, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Ties, pilings, poles, posts, and structural timbers*, from Terre Haute, Ind. to points in Wisconsin and Iowa.

HEARING: February 6, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 117730 (Sub-No. 7), filed October 17, 1963. Applicant: KOUBENEC MOTOR SERVICE, INC., 641 Maple Lane, Batavia, 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: *Sand*, in bulk, (1) from Oregon, Ill., to points in Rock County, Wis., and Davenport, Clinton, and Fairfield, Iowa, and (2) from points in Columbia County, Wis., to points in Illinois.

HEARING: January 28, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 111.

No. MC 117792 (Sub-No. 4), filed October 18, 1963. Applicant: J. C. JACKSON, JR., doing business as FARM PRODUCTS COMPANY, East Pairie, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Bananas*, from Gulfport, Miss., to Peoria and Milan, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, and *exempt commodities*, on return.

HEARING: February 4, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Gerald F. Colfer.

No. MC 117815 (Sub-No. 14), filed October 3, 1963. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines 17, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods*, (a) from Eureka and Morton, Ill., to points in Iowa, (b) from Chicago, Ill., to Red Oak, Iowa, and (c) from Hartford, Wis., to Cedar Rapids, Dubuque, Fort Dodge, and Marshalltown, Iowa. (2) *Frozen foods*, from Darien, Wis., to points in Iowa and those in Illinois on and north of U.S. Highway 36.

HEARING: February 10, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 117815 (Sub-No. 15), filed November 26, 1963. Applicant: PULLEY FREIGHT LINES, INC., 2341 Easton Boulevard, Des Moines, Iowa, 50317. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to Des Moines, Iowa, and Omaha, Nebr.

HEARING: February 5, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 136.

No. MC 118272 (Sub-No. 9) (AMENDMENT), filed March 10, 1963, published in FEDERAL REGISTER issue August 21, 1963, amended December 5, 1963, and republished as amended this issue. Applicant: ZUZICH TRUCK LINE, INC., 120 Kansas Avenue, Kansas City, Kans. Applicant's attorney: Charles W. Singer and 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: (1) *Meats, meat products, meat byproducts, and articles distributed by meat packinghouses*, as described in Sections A and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, and *dairy products*, from points in Wisconsin and Minnesota, to points in Kansas, Missouri, Iowa, Nebraska, Oklahoma, and Arkansas, and East St. Louis, Ill., and (2) *frozen foods, poultry, and dairy products*, from Chicago, Ill., to Sioux City, Iowa, St. Louis, Kansas City, Springfield, and St. Joseph, Mo., Omaha, Nebr., Kansas City, Wichita and Hutchinson, Kans., and East St. Louis, Ill.

NOTE: Applicant states service from Chicago, Ill., will be restricted to shipments originating at one or more points in Wisconsin or Minnesota where applicant's vehicles stop in Chicago to complete loading. Applicant further states that in MC 69752 (Sub-No. 16), its operations were found to be those of a common carrier and it was authorized to receive a Certificate in lieu of its present permit. That proceeding has not yet become final. It is further noted the purpose of this republication is to add (1) and eliminate nine (9) Wisconsin counties from (2). Hearing was held October 10, 1963 in Chicago, Ill., where request was made for the proposed amendment. As the authority now sought enlarges the territorial scope, republication is deemed necessary prior to date of the continued hearing.

No. MC 118846 (Sub-No. 4), filed October 4, 1963. Applicant: DALE JESSUP, Rural Route No. 1, Camby, Ind. Applicant's attorney: Walter F. Jones, Jr., 1019 Chamber of Commerce Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Unprinted printing paper*, other than newsprint, from Chisholm, Penobscot, and Madawaska, Maine, Lawrence, Mass., and Tonawanda, Corinth, and Ticonderoga, N.Y., to points in Madison, Hendricks, Hamilton, Marion, Tippecanoe, Huntington, Clinton, Montgomery, Morgan, Monroe, Delaware, Henry, Shelby, Johnson, and Putnam Counties, Ind.

NOTE: Applicant proposes to perform transportation service under contract with the Mac Collum Paper Company, Inc.

HEARING: February 5, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 118989 (Sub-No. 2), filed November 21, 1963. Applicant: NASHBAN BARREL & CONTAINER CO., INC., 5323 South Ninth Street, Milwaukee 21, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Empty new steel drums*, and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, between Milwaukee, Wis., and Chicago, Ill.

HEARING: February 6, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 119009 (Sub-No. 1), filed October 28, 1963. Applicant: STEVEN E. SUVADA AND JOHN KONECNIK, doing business as F & K MILK SERVICE, 5315 North Otto Avenue, Rosemont, Ill. Applicant's attorney: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products*, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, *cottage cheese, sour cream, sour cream mixtures, yogurt, flavored milk, fruit juices, fruit drinks and fruit segments*, in containers, in mechanically refrigerated vehicles, from the plant or plant sites of Sealtest Foods Division, National Dairy Products Corporation, located at Milwaukee, Wis., to points in Illinois on and north of Illinois Highway 17, and *empty containers or other such incidental facilities* (not specified), used in transporting the commodities described above, on return.

HEARING: January 27, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 13.

No. MC 119226 (Sub-No. 50), filed September 15, 1963. Applicant: LIQUID TRANSPORT CORP., 3901 Madison Avenue, Indianapolis 27, Ind. Applicant's attorney: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Weed killing compound—Treflan E. C. (trifluralin solution)*, in bulk, in tank vehicles, from the plant site of Eli Lilly and Company located in the Lafayette, Ind., commercial zone, to points in Pulaski County, Ark.

HEARING: February 5, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 119422 (Sub-No. 20), filed October 13, 1963. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Joseph M. Scanlan, 111 West Washington St., Chicago 2, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizer and fertilizer materials*, from points in St. Clair County, Ill., to points in Iowa, Wisconsin, Missouri, and Indiana.

HEARING: February 5, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Examiner Gerald F. Colfer.

No. MC 119810 (Sub-No. 1), filed February 14, 1963. Applicant: NEBRASKA EASTERN EXPRESS, INC., Livestock Exchange Building, Omaha, Nebr. Applicant's attorney: Joseph Blackshear, Gainesville, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Carpets, carpeting, rugs, linoleum, floor tile, floor covering and materials and supplies used in the installation thereof*, from Worcester, Walpole, Lawrence, and Watertown, Mass., and Salem, Kearny, Camden, and Trenton, N.J., Lancaster, Marcus Hook, Philadelphia, and Carlisle, Pa., and New York, and its commercial zone, and Yonkers, N.Y., to points in Colorado, Iowa, Kansas, Missouri, Nebraska, Oklahoma, and Minnesota.

NOTE: Common control may be involved.

HEARING: February 18, 1964, in Room 2401, New Federal Building, 215 North 17th Street, Omaha, Nebr., before Examiner William A. Royall.

No. MC 119864 (Sub-No. 2), filed December 5, 1963. Applicant: HOFER MOTOR TRANSPORTATION CO., a corporation, 26740 Eckel Road, Perrysburg, Ohio. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from LaPorte, Ind., to points in Ohio, Illinois, and Kentucky, and *rejected and damaged shipments*, on return.

HEARING: February 3, 1964, in Room 908, Indiana Public Service Commission, New State Office Building, 100 North Senate Avenue, Indianapolis, Ind., before Examiner A. Lane Cricher.

No. MC 120061 (Sub-No. 2), filed September 9, 1963. Applicant: DELBERT BRAESCH, doing business as ARLINGTON-HOOPER TRANSFER, Box 218, Arlington, Nebr. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transport-

ing: *General commodities,* including perishables requiring refrigeration (but excepting those requiring special equipment), between Hooper and Omaha, Nebr., (1) from Hooper over U.S. Highway 275 and U.S. Highway 77 to Fremont, thence over U.S. Highway 30 to Arlington, Nebr., thence over U.S. Highway 30 to Omaha; (2) from Hooper over U.S. Highways 275 and 77 to Fremont, thence over U.S. Highway 275 to junction Nebraska Highway 8, thence over Nebraska Highway 8 to junction Nebraska Highway 36 to Bennington, Nebr., thence over Nebraska Highway 36 to Omaha; and (3) from Hooper over U.S. Highways 275 and 77 to junction Nebraska Highway 91, thence over Nebraska Highway 91 to Blair, Nebr., thence over U.S. Highway 73 to Omaha, and return over the same routes, serving all intermediate points.

HEARING: February 14, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 138.

No. MC 120162 (Sub-No. 1), filed August 14, 1963. Applicant: FRED M. GORDER, doing business as HIGHLINE TRANSFER, 1314 West A Street, North Platte, Nebr. Authority sought to operate as a *common carrier,* by motor vehicle, over *regular routes,* transporting: *General commodities* (except those requiring special equipment), beginning and ending at Grant, Nebr., in a circuitious manner; from Grant over Nebraska Highway 61 to Ogallala, thence over U.S. Highway 30 to North Platte, thence over U.S. Highway 83 to its junction with Nebraska Highway 23, thence over Nebraska Highway 23 to Grant, serving all intermediate points and the off-route point of Venango (except that no service is proposed between Ogallala and points on U.S. Highway 30 intermediate thereto).

HEARING: February 10, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 93.

No. MC 120240 (Sub-No. 1), filed September 20, 1963. Applicant: FREEMAN TRANSFER, INC., 1920 North Irving, Fremont, Nebr. Applicant's attorney: Arthur C. Sidner, First National Bank Building, Fremont, Nebr. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *General commodities* (except those requiring special equipment) and *gravel, rock* and *sand,* between points in Nebraska.

HEARING: February 10, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 93.

No. MC 120465 (Sub-No. 1), filed July 25, 1963. Applicant: GERALD L. KRUGER AND MAYME KRUGER, a partnership, doing business as NORTH BEND TRANSFER, North Bend, Nebr. Authority sought to operate as a *common carrier,* by motor vehicle, transporting: *General commodities* (except those requiring special equipment, other than a grain box and stock rack), (1) over a regular route, beginning and ending at North Bend, Nebr., in a circuitous manner; from North Bend over U.S. Highway 30 to Omaha, Nebr., thence over Nebraska Highway 8 to junction U.S. Highway 30, thence over U.S. Highway 30 to North Bend, serving no intermediate or off-route points, and (2) over irregular routes, between points within a fifteen (15) mile radius of North Bend, Nebr., on the one hand, and, on the other, points within an area defined by Norfolk on the north, Omaha on the east, Lincoln on the south, and Kearney, Burwell, and St. Paul on the west.

HEARING: February 11, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 138.

No. MC 121293 (Sub-No. 1), filed September 9, 1963. Applicant: ROBERT R. HANSON, doing business as VALLEY TRANSFER, 221 West Charles Street, Valley, Nebr. Authority sought to operate as a *common carrier,* by motor vehicle, over regular routes, transporting: *General commodities* (except those requiring special equipment), between Omaha and Fremont, Nebr.; from Omaha over U.S. Highway 275, to junction U.S. Highway 30, thence over U.S. Highway 30 to Fremont, and return over the same routes, serving all intermediate points and the off-route point of Elkhorn, Nebr.

HEARING: February 13, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 138.

No. MC 123372 (Sub-No. 7), filed October 28, 1963. Applicant: CARTAGE SERVICES, INC., 26380 Van Born, Dearborn, Mich. Applicant: Rex Eames, 1800 Buhl Building, Detroit 26, Mich. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Bakery products,* in rack and tray containers, between Lansing, Mich., and Toledo, Ohio.

NOTE: The applicant states that the proposed operations will be under a continuing contract with Schafer Bakeries, Inc. Applicant is also authorized to conduct operations as a common carrier in Certificate MC 118594 and subs thereunder; therefore, dual operations may be involved.

HEARING: February 20, 1964, at the Federal Building, Lansing, Mich., before Joint Board No. 57, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 123393 (Sub-No. 25) (AMENDMENT), filed August 29, 1963, published in FEDERAL REGISTER issue of November 20, 1963, amended December 9, 1963, and republished as amended this issue. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 1914 East Blaine Street, Springfield, Mo. Applicant's attorney: Herman W. Huber, 101 East High Street, Jefferson City, Mo. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Fresh meat and food products,* in mechanically refrigerated equipment, (1) between points in Barry, Cedar, Laclede, Greene, Wright, Texas, Lawrence, Newton, Jasper, Christian, and Macon Counties, Mo., and between points in the counties specified in (1) above, on the one hand, and, on the other, points in Nebraska.

NOTE: Applicant states it is affiliated with Bilyeu Transports, Inc., an exempt hauler of milk. The purpose of this republication is to include the commodity "fresh meat" as shown above.

HEARING: Remains as assigned January 14, 1964, at the Post Office Building, Jefferson City, Mo., before Examiner James I. Carr.

No. MC 123639 (Sub-No. 12), filed September 20, 1963. Applicant: J. B. MONTGOMERY, INC., 5150 Brighton Boulevard, Denver 16, Colo. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Meats and packinghouse products,* as defined by the Commission, from Lexington, Nebr., to points in Florida, Alabama, Georgia, South Carolina, and North Carolina.

HEARING: February 17, 1964, in Room 2401, New Federal Building, 215 North 17th Street, Omaha, Nebr., before Examiner William A. Royall.

No. MC 123934 (Sub-No. 5), filed August 23, 1963. Applicant: KREVDA BROS. EXPRESS, INC., Box 68, Gas City, Ind. Applicant's attorney: Donald W. Smith, Suite 511 Fidelity Building, Indianapolis 4, Ind. Authority sought to operate as a *contract carrier,* by motor vehicle, over irregular routes, transporting: *Glass containers,* one (1) gallon or less in capacity, from Gas City, Ind., to points in Kentucky, and Detroit, Holly, Alma, Lakeview, Newaygo, Fremont, Bailey, Fruitport, Bangor, Lowell, Harbert, Traverse City, Croswell, Bay City, Hart, Ypsilanti, Livonia, and Frankenmuth, Mich., and Pulaski, Manitowoc, Green Bay, Sheboygan, Oshkosh, New London, Stevens Point, Plymouth, Ripon, Lyons, Sturgeon Bay, and Wantoma, Wis., and *pallets* and *skids,* on return.

NOTE: Applicant states the proposed service will be performed under a continuing contract with Knox Glass, Inc., of Knox, Pa.

HEARING: February 13, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 124078 (Sub-No. 85), filed November 12, 1963. Applicant: SCHWERMAN TRUCKING CO., a corporation, 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant) Authority sought to operate as a *common carier,* by motor vehicle, over irregular routes, transporting: *Coal tar and coal tar products,* in bulk, in tank vehicles, from Chicago, Ill., to points in Wisconsin.

NOTE: Common control may be involved. Applicant is also authorized to conduct operations as a contract carrier in Permit MC 113832 and subs thereunder; therefore dual operations may be involved.

HEARING: February 5, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 124174 (Sub-No. 22), filed August 22, 1963. Applicant: MOMSEN TRUCKING CO., a corporation, North Highway 71 and 18, Spencer, Iowa. Authority sought to operate as a *common carrier,* by motor vehicle, over irregular routes, transporting: *Hides,* between

points in Iowa, points in Nebraska, points in South Dakota located on and east of U.S. Highway 281, points in Minnesota located on and south of U.S. Highway 212, and St. Cloud, Minn., points in Wisconsin located on and south of U.S. Highway 10, and Green Bay and Eau Clair, Wis., and points in Illinois located on and north of U.S. Highway 136, on the one hand, and on the other, points in Maryland, Virginia, West Virginia, Pennsylvania, New York, Michigan, New Jersey, and Ohio.

NOTE: Common control may be involved.

HEARING: February 12, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 124383 (Sub-No. 2), filed November 4, 1963. Applicant: GERALD DREYER, doing business as DREYER TRANSPORT, 4939 North 36th Street, Milwaukee 9, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Slag and slag aggregates*, in bulk, in dump or tank-type vehicles, from South Chicago, Ill., to ponts in Wisconsin; and from Gary, Ind., to points in Wisconsin (except points in Kenosha, Milwaukee, Racine, Walworth, and Waukesha Counties, Wis.).

HEARING: February 6, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 17.

No. MC 124771 (Sub-No. 2), filed October 21, 1963. Applicant: RONALD HACKENBERGER, Rural Delivery No. 1, Thompsontown, 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 the plant sites of Glen-Gary Shale Brick Corporation, located in the borough of Royalton (Dauphin County), Pa., the township of Susquehanna (Dauphin County), Pa., the township of Delaware (Northumberland County), Pa., and the township of Spring Garden (York County), Pa., and the plant site of Standard Clay Manufacturing Co., located in Fallston borough (Beaver County), Pa., to points in Michigan.

HEARING: February 21, 1964, at the Federal Building, Lansing, Mich., before Joint Board No. 244, or, if the Joint Board waives its right to participate, before Examiner A. Lane Cricher.

No. MC 124813 (Sub-No. 3), filed November 12, 1963. Applicant: UMTHUN TRUCKING CO., a corporation, 910 South Jackson Street, Eagle Grove, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and feed ingredients*, in bulk and in bags (except liquids in tank vehicles), from the plant site of Consumers Cooperative Association at Cedar Rapids, Iowa to points in Illinois, Missouri, and Wisconsin.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 118468; therefore dual operations may be involved.

HEARING: February 13, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 125182 (Sub-No. 1), filed July 8, 1963. Applicant: W. A. WELCH, Mabel, Minn. Applicant's attorney: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Rough native hardwood lumber*, between points within eighty (80) miles of Mabel, Minn., on the one hand, and, on the other, points in Minnesota, Iowa, and Wisconsin.

NOTE: Applicant states the proposed operation is to be performed for the account of Webster Lumber Company.

HEARING: February 17, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 181.

No. MC 125351, filed May 13, 1963. Applicant: CHARLOTTE GRAVENER AND EUGENE GRAVENER, JR., a partnership, doing business as G & C TRUCKING, 2922 High Street, Camden, N.J. Applicant's representative: James H. Sweeney, 902 Spruce Avenue, Oaklyn, N.J. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Pre-cast "flexicore" slabs, brick, masonry and plastering materials*, between Camden and Kresson, N.J., on the one hand, and, on the other, points in Delaware, Maryland, New York, and Pennsylvania.

HEARING: February 5, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 125370 (Sub-No. 2), filed November 4, 1963. Applicant: LEONARD E. PARRISH, doing business as LEN PARRISH TRUCKING, 1208 20th Street NE., Austin, Minn. Applicant's representative: A. R. Fowler, 2288 University Avenue, St. Paul 14, Minn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Malt beverages*, (1) from Milwaukee and Sheboygan, Wis., to Albert Lea, Austin, Owatonna, and Rochester, Minn., and (2) from La Crosse, Wis., to Albert Lea, Austin, North Mankato, Owatonna, and Rochester, Minn., and *empty containers and pallets used in transporting malt beverages* on return.

HEARING: February 19, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 125397 (Sub-No. 2), filed November 29, 1963. Applicant: FRANCIS B. TAYLOR, 3276 East 22d Street, Sioux City, Iowa. Applicant's representative: R. W. Wigton, 710 Badgerow Building, Sioux City 1, Iowa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Meats, meat products, meat byproducts, dairy products*, and *articles distributed by meat packinghouses*, as described in Sections A, B and C of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209 and 766, in shipper owned and leased trailers, from Hospers, Iowa, to Sioux City, Iowa, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities and *empty shipper owned and leased trailers*, on return.

NOTE: Applicant states the proposed operation will be restricted to shipments destined to out-of-State points by railroad trailer in flat car service.

HEARING: February 6, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 185.

No. MC 125431 (Sub-No. 2), filed September 16, 1963. Applicant: LOWELL BENGTSON, 406 East Fifth Street, New Richmond, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Printed matter* from New Richmond, Wis., to Minneapolis and St. Paul, Minn.

HEARING: Februray 21, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South 4th Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 125474 (Sub-No. 2), filed October 31, 1963. Applicant: BULK HAULERS, INC., 420 West Shipyard Blvd, Wilmington, N.C. Applicant's attorney: John C. Bradley, 618 Perpetual Building, Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Caustic soda*, in bulk, in tank vehicles, from Wilmington, N.C., and points within ten (10) miles thereof, to points in Virginia, South Carolina, and Georgia.

NOTE: Common control may be involved.

HEARING: January 29, 1964, at the offices of the Interstate Commerce Commission, Washington, D.C., before Examiner William A. Royall.

No. MC 125579 (CORRECTION), filed August 5, 1963, published in FEDERAL REGISTER issue of December 11, 1963, republished this issue to correctly show applicant's attorney. Applicant: TRUCK SERVICE, INC., 2654 Mission Drive, Baton Rouge, La. Applicant's attorney: John F. Ward, Jr., 206 Louisiana Avenue, Baton Rouge, La. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, in flatbed trailers, removable side flatbed trailers, pole trailers, and dump vehicles, (1) between Baton Rouge, La., and points in Louisiana, and (2) between Baton Rouge, La., and points in that part of Mississippi on and south of U.S. Highway 80.

NOTE: The purpose of this republication is to show Mr. John F. Ward, Jr. as attorney for applicant in lieu of Mr. Tom B. Kretsinger, shown in error in previous publication.

HEARING: Remains as assigned January 28, 1964, at the Louisiana Public Service Commission, Baton Rouge, La., before Joint Board No. 28.

No. MC 125582 (Sub-No. 2), filed September 18, 1963. Applicant: LEWIS J. RUSTAD, doing business as MESSENGER DELIVERY AND CARTAGE COMPANY, 928 Selby Avenue, St. Paul 4,

Minn. Applicant's representative: Robert E. Swanson, Room 364, Griggs Midway Building, 1821 University Avenue, St. Paul 4, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Groceries*, from St. Paul, Minn., to points in Wisconsin within 25 miles of St. Paul, Minn., and *returned and rejected shipments*, on return.

NOTE: Applicant states the proposed transportation will be for the account of New York Tea Company, 11 West Exchange Street, St. Paul, Minn.

HEARING: February 20, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 125685 (Sub-No. 1), filed October 25, 1963. Applicant: B. GENE SMITH, 407 Low Street, Flat River, Mo. Applicant's attorney: Taylor Smith, Jr., Ozarks Federal Building, Farmington, Mo. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Groceries, sundries, and other items generally merchandised in grocery stores*, for the account of Mineral Area Grocers Corporation, from Esther, Mo., to points in Randolph, Perry, Franklin, Jackson, Williamson, Saline, Gallatin, Johnson, Union, Alexander, and Pulaski Counties, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-described commodities, on return.

HEARING: February 4, 1964, in Room 1620, New Federal Building, 1520 Market Street, St. Louis, Mo., before Joint Board No. 135, or, if the Joint Board waives its right to participate, before Examiner Gerald F. Colfer.

No. MC 125697, filed September 23, 1963. Applicant: LESTER HANSEN, Kranzburg, S. Dak. Applicant's attorney: Irving A. Hinderaker, 318 Midland National Life Insurance Co. Building, Watertown, S. Dak. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Feed and fertilizer*, in bulk and in bags, *farm supplies*, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, between Gluek, Minneapolis, and St. Paul, Minn., and Kranzburg, Clear Lake, Castlewood, and Watertown, S. Dak.

HEARING: February 18, 1964, in Room B–29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 26.

No. MC 125710 (Sub-No. 1), filed October 9, 1963. Applicant: WILLIAM R. SCHIPPERS, JR., doing business as SCHIPPERS SERVICE, 1325 Morgan Hill Road, Easton, Pa. Applicant's representative: A. E. Enoch, 556 Main Street, Brodhead Block, Bethlehem, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fuel oil, gasoline and kerosene*, in bulk, in tank vehicles, from Changewater (Washington Township), Warren County, N.J., to points in Montgomery, Philadelphia, Northampton, Carbon, Monroe, Schuylkill, Luzerne, Pike, Wayne, Lackawanna, Bucks, Berks, Lehigh, Delaware, Chester, Wyoming, and Susquehanna Counties, Pa.

HEARING: February 4, 1964, at the Bellevue Stratford Hotel, Broad and Walnut Streets, Philadelphia, Pa., before Examiner Dallas B. Russell.

No. MC 125714, filed September 29, 1963. Applicant: GEORGE MARKOVICH, doing business as MARKS TRUCKING CO., 10011 South Torrence Ave., Chicago 17, Ill. Applicant's attorney: Robert W. Loser, 409 Chamber of Commerce Building, Indianapolis, Ind. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal tar products* (benzene concentration), in bulk, in tank vehicles, from points in the Chicago commercial zone as described by the Commission in 1 M.C.C. 673, to Lemont, Ill.

HEARING: January 29, 1964, at the Midland Hotel, Chicago, Ill., before Joint Board No. 21.

No. MC 125733, filed October 9, 1963. Applicant: WALTER FREEL, Rural Route No. 2, Ames, Iowa. Applicant's attorney: Stephen Robinson, 412 Equitable Building, Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lumber*, from points in Washington, Idaho, Oregon, and Montana to points in Story County, Iowa.

HEARING: February 11, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Examiner William A. Royall.

No. MC 125755, filed October 16, 1963. Applicant: HAROLD K. ALLEN, doing business as H. K. ALLEN TRUCKING, 80 East Hitchcock Avenue, Floral Park, N.Y. Applicant's attorney: William D. Traub, 10 East 40th Street, New York 15, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron mass or sponge*, not spent, for purifying gas, *and ground iron products*, from the plant site of Connelly, Inc. (subsidiary of Gas Purifying Materials Co. Inc.), located at Elizabeth, N.J., to points in Vermont, New Hampshire, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Pennsylvania, *and base materials* used in the production of iron mass or sponge, not spent, for purifying gas, and for ground iron products on return.

HEARING: February 13, 1964, at the U.S. Custom Court, 201 Varick Street, New York, N.Y., before Examiner Theodore M. Tahan.

No. MC 125763, filed October 21, 1963. Applicant: SCHRANK SEALED STORAGE, INC., Route 4, Wisconsin Rapids, Wis. Applicant's attorney: Edward Solie, 1 South Pinckney Street, Madison 3, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel silos, glass-lined, iron and steel grain storage bins, glass-lined, and related materials and accessories, used in the construction and erection of iron and steel silos and iron and steel grain storage bins*, between Kankakee, Ill., on the one hand, and, on the other, farm construction sites in the Upper Peninsula of Michigan, and those in Wisconsin located north of the northern boundaries of Crawford, Richland, Sauk, Columbia, Dodge, Washington, and Ozaukee Counties, Wis.

NOTE: Applicant proposes a contract carrier operation for its affiliated companies, Fox Valley Harvestore, Inc., and West Wisconsin Harvestore, Inc., under continuing contracts with said affiliated companies.

HEARING: February 3, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 162.

No. MC 125775, filed October 25, 1963. Applicant: MYRON R. ANDERSON, Route No. 1, Ashland, Wis. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Gasoline and fuel oil*, from Wrenshall, Minn., to Ashland, Wis.; from Wrenshall on county road to Minnesota Highway 23, thence over Minnesota Highway 23 to junction Minnesota Highway 39 and Wisconsin Highway 105, thence over Wisconsin Highway 105 to Stinson Avenue, Superior, Wis., thence over U.S. Highway 2 to Ashland, and return over the same route, serving no intermediate points.

HEARING: February 11, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 142.

No. MC 125788, filed November 1, 1963. Applicant: RAYMOND A. HARSCH, 53 Evans Avenue, Elmont, N.Y. Applicant's attorney: Morton E. Kiel, 140 Cedar Street, New York 6, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Kitchen cabinets, sink tops with and without sinks, together with moldings and necessary or accessorial hardware*, from shipper's plant in East Rockaway (Nassau County), N.Y., to points in Connecticut, Delaware, the District of Columbia, Maryland, Massachusetts, New Jersey, New York, Pennsylvania, Rhode Island, and Virginia, and *returned and damaged merchandise* on return. RESTRICTION: Under contract with Whitehall Cabinets, Inc.

HEARING: February 10, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner Dallas B. Russell.

No. MC 125814, filed November 15, 1963. Applicant: EDMUND FAUST, doing business as FAUST TRUCKING COMPANY, Pierz, Minn. Applicant's attorney: G. Harmon Klemme, Falls Court, Little Falls, Minn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Building materials*, namely: *unsaturated roofing felt, asphalt shingles and siding, paper, building roofing or sheathing, including asbestos or felt paper*, saturated or not saturated, *asbestos board or siding, asbestos shingles or siding, asbestos wallboard, roofing coal tar pitch, petroleum aphalt, asphalt roofing solid, roofing cement, paper faced with metal, boards, wall or insulating, fibreboard, composition tile, floor tile, asphalt composition floor, cement, paste or adhesive, and lumber, and lumber materials*, from Minneapolis and St. Paul, Minn., to points in Wisconsin north and west of a line formed by the county lines

of Crawford, Richland, Vernon, Monroe, Jackson, Clark, Taylor, Lincoln, Oneida, Vilas, and Iron Counties, Wis., and including points in Ashland, Bayfield and Douglas Counties, Wis., and *empty containers or other incidental facilities* (not specified), used in transporting the above described commodities, on return.

NOTE: Applicant states the proposed operations will be performed under a continuing contract with Ruberoid, Inc.

HEARING: February 20, 1964, in Room B-29, Federal Building and U.S. Courthouse, 110 South Fourth Street, Minneapolis, Minn., before Joint Board No. 142.

No. MC 125816, filed November 15, 1963. Applicant: RAY P. CARPENTER and MARTHA M. CARPENTER, doing business as R & M PICKUP AND DELIVERY, Route 1, Newton, Iowa. Applicant's representative: William A. Landau, 1307 East Walnut Street, Des Moines 16, Iowa. Authority sought to operate as a *contract 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, and those requiring special equipment, between the Des Moines Municipal Airport, at Des Moines, Iowa, on the one hand, and, on the other, Newton, Iowa. RESTRICTION: Applicant states that the proposed service would be restricted to shipments having a prior or subsequent movement by air, under a continuing contract with The Parsons Company, Newton, Iowa.

HEARING: February 6, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 92.

MOTOR CARRIERS OF PASSENGERS

No. MC 3647 (Sub-No. 352), filed October 25, 1963. Applicant: PUBLIC SERVICE COORDINATED TRANSPORT, 180 Boyden Avenue, Maplewood, N.J. Applicant's attorney: Richard Fryling (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, (1) between points in Burlington County, N.J.; from the junction of New Jersey Highways 70 and 72 over New Jersey Highway 70 to the junction of New Jersey County Highway 530 and return over the same route, serving all intermediate points, and (2) between points in Ocean County, N.J.; from the junction of New Jersey Highways 70 and 37 over New Jersey Highway 70 to the junction of New Jersey County Highway 88 at Laurelton Circle and return over the same route, serving all intermediate points and the access roads to and from the New Jersey Garden State Parkway at Interchange 88.

HEARING: February 5, 1964, at the U.S. Courtroom, Trenton, N.J., before Joint Board No. 119, or, if the Joint Board waives its right to participate before Examiner Theodore M. Tahan.

No. MC 106120 (Sub-No. 2), filed November 18, 1963. Applicant: BADGER COACHES, INC., 1313 Regent Street, Madison 5, Wis. Applicant's attorney: Adolph J. Bieberstein, 121 West Doty Street, Madison 3, Wis. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle, in special operations (1) from Milwaukee, Wis., over U.S. Highway 41 to its junction with Illinois Highway 173, thence over Illinois Highway 173 to its junction with U.S. Highway 12, thence over U.S. Highway 12 to its junction with Illinois Highway 31, thence over Illinois Highway 31 to its junction with Ringwood Road, thence over Ringwood Road to its junction with McCullom Lake Road, thence over McCullom Lake Road to Wonder Lake, Ill., and return over the same route, serving no intermediate points, (2) from Milwaukee, Wis., over U.S. Highway 41 to its junction with Illinois Highway 173, thence over Illinois Highway 173 to its junction with Illinois Highway 59, thence over Illinois Highway 59 to Fox Lake, Ill., and return over the same route, serving no intermediate points, and (3) from Milwaukee, Wis., over U.S. Highway 41 to its junction with Illinois Highway 173, thence over Illinois Highway 173 to its junction with Illinois Highway 59, thence over Illinois Highway 12, thence over U.S. Highway 12 to its junction with Illinois Highway 120 to McHenry, Ill., and return over the same route, serving no intermediate points.

HEARING: February 4, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

No. MC 118848 (Sub-No. 3), filed May 16, 1963. Applicant: DOMENICO BUS SERVICE, INC., 764 Boulevard, Bayonne, N.J. Applicant's attorney: Vincent DiDomenico, 601 Broadway, Bayonne, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, in seasonal operations during the respective racing seasons, transporting: *Passengers and their baggage*, in the same vehicle with passengers, in special round-trip operations, beginning and ending at Bayonne, N.J., and Staten Island, N.Y., and extending to Monmouth Park Race Track, Oceanport, N.J., Garden State Race Track, Delaware Township, N.J., Atlantic City Race Track, Hamilton Township, N.J., Yongers Raceway, Yonkers, N.Y., Aqueduct Race Track, New York, N.Y., Roosevelt Raceway, Westbury, Long Island, N.Y., Belmont Park Race Track, Belmont, Long Island, N.Y., Bowie Race Course, Bowie, Md., and Delaware Park, Stanton, Del.

NOTE: Common control may be involved.

HEARING: February 6, 1964, in Room 212, State Office Building, 100 Raymond Boulevard, Newark 2, N.J., before Examiner Theodore M. Tahan.

No. MC 123432 (Sub-No. 3), filed November 14, 1963. Applicant: WISCONSIN COACH LINES, INC., 901 Niagara, Waukesha, Wis. 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 regular routes, transporting: *Passengers and their baggage*, and *express, mail* and *newspapers*, in the same vehicle with passengers, between Milwaukee, Wis. and Rockford, Ill., (1) from Milwaukee over Wisconsin Highway 24 to junction Wisconsin Highway 83, thence over Wisconsin Highway 83 to junction Wisconsin Highway 15, thence over Wisconsin Highway 15 to Beloit, Wis., thence over Illinois Highway 2 to Rockford, and return over the same route, serving all intermediate points, (2) from Milwaukee to Beloit as described above, thence over U.S. Highway 51 to Rockford, and return over the same route, serving all intermediate points and (3) from Milwaukee to Beloit as described above, thence over Illinois Highway 2 to junction Hononegah Road, thence over Hononegah Road to junction U.S. Highway 51, thence over U.S. Highway 51 to Rockford, and return over the same route, serving all intermediate points.

HEARING: February 7, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 13.

No. MC 125569 (Sub-No. 4), filed September 30, 1963. Applicant: VALLEY TRANSPORTATION COMPANY, a corporation, 829 State Street, Lemoyne, 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: *Passengers and their baggage* in special operations during the authorized racing season of each year, between Harrisburg, Lemoyne, Camp Hill, and York, Pa., on the one hand, and, on the other, Bowie Race Course, Bowie, Md.

HEARING: January 31, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Joint Board No. 74, or, if the Joint Board waives its right to participate, before Examiner Dallas B. Russell.

No. MC 125625, filed August 23, 1963. Applicant: J. P. HOSCHEK AND M. L. HOSCHEK, 14 Highway 69, Pennington, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Trenton and Atlantic City, N.J., from Perry Street, Trenton, over U.S. Highway 1 to junction U.S. Highway 13, thence over U.S. Highway 13 to junction Pennsylvania Highway 413, thence over Pennsylvania Highway 413 over Burlington-Bristol Bridge and New Jersey Highway 541 to junction New Jersey Highway 38, thence over New Jersey Highway 38 to junction U.S. Highway 206, thence over U.S. Highway 206 to junction U.S. Highway 30 and thence over U.S. Highway 30 to bus terminal at Atlantic City, serving the intermediate points of Morrisville, Levittown, and Bristol, Pa., and return over the same route.

HEARING: February 3, 1964, at the U.S. Courtrooms, Trenton, N.J., before Joint Board No. 67, or, if the Joint Board waives its right to participate, before Examiner Theodore M. Tahan.

No. MC 125721, filed October 7, 1963. Applicant: SPERRY TRANSPORTATION COMPANY, a corporation, Box 468, 907 F Street, Charles City, Iowa, 50616. Applicant's attorney: Robert R. Rydell, 1020 Savings and Loan Building,

Des Moines, Iowa. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: (1) *Passengers and their baggage* and (2) *general commodities* (except 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 Charles City, Iowa and Waterloo Municipal Airport, Waterloo, Iowa; from Charles City over U.S. Highway 218 to junction U.S. Highway 20, thence over U.S. Highway 20 to the Waterloo Municipal Airport, and return over the same route, serving the intermediate points of Nashua, Plainsfield, and Waverly, Iowa.

NOTE: Applicant states the above proposed service will be restricted to passengers and their baggage and shipments having a prior or subsequent movement by air. Applicant holds common carrier authority in Certificate No. MC 117478 and contract carrier authority in Permit No. MC 60465; therefore dual operations are involved.

HEARING: February 4, 1964, in Room 401, Old Federal Office Building, Fifth and Court Avenues, Des Moines, Iowa, before Joint Board No. 92.

No. MC 125754, filed October 16, 1963. Applicant: LEE McBETH, doing business as McBETH BUS COMPANY, Walnut Bottom, Pa. Applicant's attorney: Harry H. Frank, Commerce Building, Post Office Box 432, Harrisburg, Pa. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round-trip charter operations, beginning and ending at points in the Borough of Orrstown and the Township of Southampton, Franklin County, Pa., Boroughs of Shippensburg, Newberg, and Newville, Pa., the Townships of Southampton, North Newton, South Newton, Cooke, Penn, West Pennsboro, Lower Frankford, Upper Frankford, Lower Mifflin, Upper Mifflin, Shippensburg, and Hopewell, Cumberland County, Pa., and extending to points in New York, New Jersey, Delaware, Maryland, Virginia, West Virginia, Ohio, Connecticut, Massachusetts, Rhode Island, Maine, and the District of Columbia.

HEARING: January 27, 1964, at the Pennsylvania Public Utility Commission, Harrisburg, Pa., before Examiner Dallas B. Russell.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12881, filed September 9, 1963. Applicant: MRS. CLARA RAKOWSKI, doing business as ALLIED TOURS, 509 Phillip Avenue, Norfolk, Nebr. For a license (BMC 5) to engage in operations as a *broker* at Norfolk, Nebr., and Sioux City, Iowa, in arranging for transportation of *passengers and their baggage*, in charter and special operations, in groups, beginning and ending at points in Nebraska and Iowa, and extending to points in the United States.

HEARING: February 12, 1964, at the Nebraska State Railway Commission, Capitol Building, Lincoln, Nebr., before Joint Board No. 138.

No. MC 12884, filed September 26, 1963. Applicant: FERRIS TRAVEL SERVICE, 131 West Broadway, Waukesha, Wis. Applicant's attorney: Norman C. Fritz, 831 West Moreland Boulevard, Waukesha, Wis. For a license (BMC 5) to engage in operations as a *broker* at Waukesha, Wis., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *passengers and their baggage*, beginning and ending at points in Waukesha County, Wis., and extending to points in the United States.

HEARING: February 12, 1964, at the Wisconsin Public Service Commission, Madison, Wis., before Joint Board No. 96.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED

MOTOR CARRIERS OF PROPERTY

No. MC 10872 (Sub-No. 39), filed November 29, 1963. Applicant: BE–MAC TRANSPORT COMPANY, INC., 7400 North Broadway, St. Louis, Mo., 63147. Authority sought to operate as a *com*-TRANSPORT COMPANY, INC., 7400 *mon carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, those of unusual value, and those requiring special equipment), between Decatur, Ill., and Lincoln, Ill.; from Decatur, Ill., over Illinois Highway 121, to Lincoln, Ill., and return over the same route, serving no intermediate points, to be used as an alternate route for operating convenience only, in connection with applicant's authorized regular-route operations (1) between St. Louis, Mo., and Rockford, Ill.; and (2) between St. Louis, Mo., and Chicago, Ill.

No. MC 25798 (Sub-No. 108), filed December 2, 1963. Applicant: CLAY HYDER TRUCKING LINES, INC., 301 Highway North, Dade City, Fla. Applicant's attorney: Thomas F. Kilroy, 1815 H St. NW., Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Saint Joseph, Marshall, Macon, Carollton, Milan, and Moberly, Mo., to Memphis, Tenn., with service at Memphis limited to the delivery of part of a shipment, the ultimate destination of which is a point in Tennessee other than Memphis, or a point beyond Tennessee.

No. MC 59894 (Sub-No. 36), filed December 6, 1963. Applicant: TEXAS-ARIZONA MOTOR FREIGHT, INC., 1700 East Second Street, Post Office Box 1034, El Paso, Tex. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (except those of unusual value, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, commodities injurious or contaminating to other lading, and Classes A and B explosives), (1) between Los Angeles, Calif., and Tucson, Ariz., from Los Angeles, Calif., over Interstate Highway 10 to Tucson, Ariz., and return over the same route. RESTRICTION: Service to and from California points is restricted to traffic originating at or destined to points in or beyond Arizona. (2) Between Tucson, Ariz., and El Paso, Tex., from Tucson, Ariz., over Interstate Highway 10 to El Paso, Tex., and return over the same route. RESTRICTION: Service is authorized to and from the intermediate points of Deming, N. Mex., and those between Deming and El Paso, restricted to shipments originating at or destined to points north of Las Cruces, N. Mex., west of Deming, or east of El Paso, and those between Deming and Tucson, without restriction.

No. MC 64575 (Sub-No. 2), filed December 12, 1963. Applicant: RAY B. REES, Hillsdale, Kans. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Feed* in bulk, between Kansas City, Mo. and Hillsdale, Kans., from Kansas City over Interstate Highway 35 to junction U.S. Highway 169, thence over U.S. Highway 169 to Hillsdale, and return over the same route, serving all intermediate points and off-route points within ten (10) miles of Hillsdale, Kans.

No. MC 66562 (Sub-No. 1951) (AMENDMENT), filed May 13, 1963, published in issues of May 29, June 26, and September 5, 1963 and republished as amended this issue. Applicant: RAILWAY EXPRESS AGENCY, INCORPORATED, 219 East 42d Street, New York, N.Y. Applicant's attorney: William H. Marx (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, moving in express service, between New York, N.Y., and West Paterson, N.J.; from New York through the Lincoln Tunnel to junction New Jersey Highway 3, thence over New Jersey Highway 3 to junction U.S. Highway 46, thence over U.S. Highway 46 to junction Browertown Road, thence over Browertown Road to West Paterson, and return over the same route, serving Hoboken, N.J., as an off-route point; also from New York, N.Y., over the George Washington Bridge to U.S. Highway 46, thence over U.S. Highway 46 to West Paterson, N.J., and from New York over George Washington Bridge to Interstate Highway 95, thence over Interstate Highway 95 to junction Interstate Highway 80, and thence over Interstate Highway 80 to West Paterson, and return over the same routes as alternate routes for operating convenience and efficiency only, serving no intermediate points. RESTRICTIONS: The service involved shall be limited to that which is auxiliary to or supplemental of express service of the Railway Express Agency, and shipments transported by carrier shall be limited to those moving on through bills of lading or express receipts.

NOTE: The purpose of this republication is to add the two alternate routes above.

No. MC 103378 (Sub-No. 282), filed December 11, 1963. Applicant: PETROLEUM CARRIER CORPORATION, 369 Margaret Street, Jacksonville, Fla. Applicant's attorney: Martin Sack, Atlantic National Bank Building, Jacksonville, Fla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Lubricat-*

ing oil, in bulk, from Carrollton, Ga. to Greenville, Miss.

No. MC 118803 (Sub-No. 1), filed November 14, 1963. Applicant: ATLANTIC TRUCK LINES, INC., 3690 Northwest 62d Street, Miami, Fla. Applicant's attorney: Arthur H. Priest, 71–23 Austin Street, Forest Hills, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Air conditioning and heating ducts, pipes, elbows, fittings, vents, dampers, flues, grills, registers, rain carrying gutters, down-spouts, eaves, valleys, elbows and fittings, and roof ventilators*, from Long Island City, N.Y., to points in Kentucky, Tennessee, Iowa, Indiana, West Virginia, Illinois, South Carolina, New Hampshire, Maine, Michigan, Florida (north and west of the Suwannee River), Mississippi, Vermont, Wisconsin, New Jersey (north of U.S. Highway 30), and points in Audrian, Callaway, Crawford, Franklin, Gasconade, Jefferson, Lincoln, Monroe, Montgomery, Perry, Pike, Ralls, Saint Charles, Saint Francois, Saint Louis, Saint Louis City, Sainte Genevieve, Warren, and Washington Counties, Mo., and (2) *vent and dryer hoses*, metal, from Trenton, N.J., to Long Island City, N.Y., and points in Florida.

NOTE: Applicant states it proposes to transport empty containers or other incidental facilities (not specified) used in transporting the above described commodities, and refused and rejected shipments, on return in (1) and (2). It is further noted that the proposed operations in (1) will be limited to a transportation service to be performed under a continuing contract or contracts with L. Bieler & Sons, Inc., and National Elbow and Fitting Corporation, both of Long Island City, N.Y., and in (2) under continuing contract or contracts with the two (2) aforementioned corporations and Southern Diversified Industries, Inc., and Southern Tile Supply Corporation, both of Miami, Fla., Messrs. Bernard Bieler, Arthur Bieler, Louis Bieler and Joseph Bieler own and control the above named corporations, in addition to the Atlantic Truck Lines, Inc.

No. MC 125882, filed December 13, 1963. Applicant: WESTERN HAULERS, INC., 1126 West 46th Avenue, Denver, Colo. Applicant's attorney: Edward C. Hastings, Suite 801, 1200 Lincoln Street, Denver 3, Colo. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Iron and steel articles and lumber and wood products*, between Pueblo and Englewood, Colo., and points in Washington, Oregon, California, Idaho, Montana, Nevada, Utah, Arizona, Wyoming, New Mexico, Texas, Oklahoma, Nebraska, South Dakota and North Dakota.

NOTE: Common control may be involved.

MOTOR CARRIERS OF PASSENGERS

No. MC 1501 (Sub-No. 310), filed December 9, 1963. Applicant: THE GREYHOUND CORPORATION, Room 1500, 140 South Dearborn Street, Chicago, Ill. Applicant's attorney: R. H. Warns, 1400 West Third Street, Cleveland 13, Ohio. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage, express and newspapers* in the same vehicle with passengers, between Newark, N.J., and junction New Jersey Highways 3 and 21, from Newark, over city streets and New Jersey Highway 21 to its junction with New Jersey Highway 3 in Delawanna, N.J., and return over the same route serving no intermediate or off-route points, for operating convenience only.

NOTE: Applicant states the proposed service as shown above will be restricted in that (1) no traffic shall be transported between New York, N.Y., on the one hand, and, on the other, points in Hudson, Essex, Bergen, and Passaic Counties, N.J. except on applicant's intercity schedules which neither originate nor terminate at any point in New Jersey, (2) no passengers will be transported whose entire ride is between New York, N.Y., and Ramapo, N.Y., or points intermediate thereto, and (3) no passengers will be transported whose entire ride is between New York, N.Y., on the one hand, and, on the other, points intermediate of Ramapo and Newburg, N.Y., both inclusive except on applicant's intercity schedules between New York, N.Y., and Kingston, N.Y., or points beyond.

NOTE: Common control may be involved.

No. MC 1501 (Sub-No. 311), filed December 9, 1963. Applicant: The GREYHOUND CORPORATION, 140 South Dearborn Street, Chicago 3, Ill. Applicant's attorney: Robert J. Bernard (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, mail* and *newspapers*, in the same vehicle with passengers, between Eufaula, Ala., and Abbeville, Ala., from Eufaula over U.S. Highway 82 to junction Georgia Highway 39 near Georgetown, Ga., thence over Georgia Highway 39 to Fort Gaines, Ga., thence over Georgia Highway 37 to the Georgia-Alabama State line, thence over Alabama Highway 10 to Abbeville, and return over the same route, serving all intermediate points.

APPLICATIONS FOR CERTIFICATES OR PERMITS WHICH ARE TO BE PROCESSED CONCURRENTLY WITH APPLICATIONS UNDER SECTION 5 GOVERNED BY SPECIAL RULE 1.240 TO THE EXTENT APPLICABLE.

No. MC 668 (Sub-No. 87), filed December 12, 1963. Applicant: INTER-CITY TRANSPORTATION CO., INC., 730 Madison Avenue, Paterson, N.J. Applicant's attorney: James F. X. O'Brien, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between Ridgewood, N.J. and Paramus, N.J., from junction Linwood Avenue and New Jersey Highway 17 in Ridgewood, N.J., over New Jersey Highway 17 to Paramus-Rochelle Park, N.J., municipal line, and return over the same route.

NOTE: Applicant states the above proposed operations will be subject to the following restrictions: (1) No passengers shall be picked up or discharged on the proposed route for transportation to or from New York, N.Y. via the Lincoln Tunnel, and (2) passengers may be picked up and discharged on the above described route only at its intersection with Midland Avenue and at its intersection with Ridgewood Avenue in Ridgewood, N.J., further provided such passengers are transported to New York via the George Washington Bridge. This is a matter directly related to MC–F 8620.

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–8504 (RINGLE EXPRESS, INC.—PURCHASE (PORTION)—CONTRACT CARRIERS, INC.), published in the July 24, 1963, issue of the FEDERAL REGISTER on page 7550. Petition for leave to amend the application filed December 16, 1963, to show the following operating rights sought to be transferred: *Wire, bale ties, nails, staples, steel fence and steel fence materials, pipe, sheet steel, steel ridge rolls*, and *steel rods*, as a *common carrier* over irregular routes, from Kokomo, Ind., to points in that part of Iowa on and east of U.S. Highway 69, and St. Louis, Mo., and points in Missouri within the St. Louis-East St. Louis commercial zone as defined by the Commission; *damaged, rejected or unclaimed shipments*, of the commodities specified immediately above, from points in that part of Iowa on and east of U.S. Highway 69, and St. Louis, Mo., and points in Missouri within the St. Louis-East St. Louis commercial zone as defined by the Commission, to Kokomo, Ind.; *iron and steel articles*, from Kokomo, Ind., to points in Missouri; *iron or steel bars, iron or steel bars reinforcement*, with or without accompanying bar chairs, bar spacers, bar ties, bar supports, clips, screed chairs, stirrups, tie chairs or bar chairs and spacers combined, *iron or steel cloth or fabric*, and *iron or steel mesh, bar or wire, concrete or plaster reinforcement*, from Kokomo, Ind., to points in that part of Iowa on and east of U.S. Highway 69.

No. MC–F–8573 (WATKINS MOTOR LINES, INC.—CONTROL—HAVRYLKOFF, INC.), published in the October 23, 1963, issue of the FEDERAL REGISTER on page 11339. Application filed December 16, 1963, for temporary authority under section 210a(b).

No. MC–F–8619. Authority sought for control and merger by MIDWEST EMERY FREIGHT SYSTEM, INC., 7000 South Pulaski Road, Chicago 29, Ill., of the operating rights and property of TRANS-COLD EXPRESS, INC., Post Office Box 5842, Dallas, Tex., and for acquisition by MILTON D. RATNER, 310 South Michigan Avenue, Chicago, Ill., of control of such rights and property through the transaction. Applicants' attorneys: Axelrod, Goodman & Steiner, 39 South La Salle Street, Chicago 3, Ill. Operating rights sought to be controlled and merged; numerous specified commodities, as a *common carrier* over irregular routes, from and to certain points in all States in the United States except Alaska and Hawaii, with certain restrictions, as more specifically described in Docket No. MC–114045 and various

subs thereunder. The foregoing summary is believed to be sufficient for purposes of public notice regarding the nature and extent of this carrier's operating rights, without stating, in full, the entirety thereof. MIDWEST EMERY FREIGHT SYSTEM, INC., is authorized to operate as a *common carrier* in Nebraska, South Dakota, Connecticut, Delaware, Indiana, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, Ohio, Pennsylvania, Rhode Island, Vermont, Virginia, West Virginia, Wisconsin, Missouri, Minnesota, Illinois, Iowa, North Dakota, Tennessee, Kansas, Georgia, North Carolina, South Carolina, Florida, Arkansas, Colorado, Utah, Oregon, Washington, Oklahoma, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–8621. Authority sought for purchase by OLD COLONY TRANSPORTATION CO., INC., 56 Prospect Street, New Bedford, Mass., of the operating rights and property of KELLY'S EXPRESS AND WAREHOUSE, INC., Canal Street, Lee, Mass., and for acquisition by GEORGE VIGEANT, also of New Bedford, Mass., of control of such rights and property through the purchase. Applicants' attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Road, Braintree, Mass. Operating rights sought to be transferred: *General commodities,* excepting, among others, household goods, and commodities in bulk, as a *common carrier* over irregular routes, between points in New York, and Connecticut within 30 miles of Great Barrington, Mass., including Great Barrington, on the one hand, and, on the other, points in Berkshire County, Mass.; *groceries,* between New York, N.Y., on the one hand, and, on the other, points in Berkshire County, Mass.; *textiles,* between Great Barrington, Mass., and Troy, N.Y. Vendee is authorized to operate as a *common carrier* in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, and Vermont. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8622. Authority sought for merger into MUSHROOM TRANSPORTATION COMPANY, INC., 6921 Castor Avenue, Philadelphia 49, Pa., of the operating rights and property of SMITH & HOWELL FILM SERVICE, INC., 6921 Castor Avenue, Philadelphia 49, Pa., and for acquisition by WILLIAM W. CUTAIAR, SR., Millers Hill, Kennett Square, Pa., WILLIAM W. CUTAIAR, JR., 33 Claremont Boulevard, Havertown, Pa., ROBERT F. CUTAIAR, Apartment 715, York Road and Township Line, Benson East, Jenkintown, Pa., and RICHARD W. CUTAIAR, SR., Apartment 18E Park City West, Philadelphia, Pa., of control of such rights and property through the transaction. Applicants' attorney: Charles W. Singer, 33 North La Salle Street, Chicago 2, Ill. Operating rights sought to merged: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier* over irregular routes, between Syracuse, Rochester, Buffalo, Albany, and Watervliet, N.Y., on the one hand, and, on the other, points in New York. MUSHROOM TRANSPORTATION COMPANY, INC., is authorized to operate as a *common carrier* in Maryland, Pennsylvania, New York, New Jersey, Delaware, Massachusetts, Rhode Island, Connecticut, Illinois, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE: MUSHROOM TRANSPORTATION COMPANY, INC., controls SMITH & HOWELL FILM SERVICE, INC., through ownership of capital stock pursuant to authority granted in Docket No. MC–F–7002.

No. MC–F–8623. Authority sought for control by TREDWAYS EXPRESS, INC., 512 Myrtle Avenue, Boonton, N.J., of R. A. BOZARTH, INC., Lincoln Avenue and Butler Road, Vineland, N.J., and for acquisition by TRUCKING ENTERPRISES, INC., 744 Broad Street, Newark, N.J., and in turn by JOSEPH E. SALDUTTI, 15 Melrose Road, Mountain Lakes, N.J., RALPH SALDUTTI, 171 South Orange Avenue, South Orange, N.J., and ALBERT M. SALDUTTI, 124 Fairfield Drive, Short Hills, N.J., of control of R. A. BOZARTH, INC., through the acquisition by TREDWAYS EXPRESS, INC. Applicants' attorney: Bernard F. Flynn, Jr., York-Flynn Building, East Blackwell Street, Dover, N.J., 07801. Operating rights sought to be controlled: *General commodities,* excepting, among others, commodities in bulk, but not excepting, household goods as a *common carrier* over irregular routes, between Philadelphia, Pa., and Camden, N.J., on the one hand, and, on the other, Lambertville, and Asbury Park, N.J., and points in New Jersey south of a line beginning at Lambertville, N.J., and extending in an easterly direction to Asbury Park, N.J.; *agricultural commodities,* from points in Gloucester, Salem, and Cumberland Counties, N.J., to Baltimore, Md., and Philadelphia, Pa.; *fertilizer,* from Chestertown, Md., to Elmer, and Swedesboro, N.J., from Baltimore, Md., to Swedesboro, N.J.; *lime,* from Plymouth Meeting and Bridgeport, Pa., to Elmer, N.J.; and *limestone,* from Bridgeport, Pa., to points in Salem, Cumberland, Gloucester, Camden, Burlington, and Atlantic Counties, N.J. TREDWAYS EXPRESS, INC., is authorized to operate as a *common carrier* in New York, New Jersey, and Pennsylvania. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8624. Authority sought for merger into THE MASON AND DIXON LINES, INCORPORATED, Eastman Road (P.O. Box 969), Kingsport, Tenn., of the operating rights and property of THE SILVER FLEET MOTOR EXPRESS, INC., Eastman Road (P.O. Box 969), Kingsport, Tenn., and for acquisition by E. WARD KING, E. WILLIAM KING, JOHN R. KING, and MARGARET K. NORRIS, all of Kingsport, Tenn., of control of such rights and property through the transaction. Applicants' attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn. Operating rights sought to be merged: *General commodities,* excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes including routes between Nashville, Tenn., and Chicago, Ill., between Chattanooga, Tenn., and Chicago, Ill., between specified points in Tennessee, between Louisville, Ky., and Chattanooga, Tenn., between specified points in Kentucky, between Middlesboro, Ky., and La Follette, Tenn., between Louisville, Ky., and Charlestown, Ind., between Louisville, Ky., and Columbus, Ohio, between Cincinnati, Ohio, and Mt. Vernon, Ky., between Indianapolis, Ind., and Cincinnati, Ohio, between specified points in Indiana, between Norton, Va., and Clintwood, Va., and between Murphy, N.C., and Ducktown, Tenn., serving certain intermediate and off-route points; several alternate routes for operating convenience only; *general commodities,* except loose bulk commodities, livestock, Class A and B explosives, currency, bullion, articles of virtu, and commodities exceeding ordinary equipment and loading facilities, between Tazewell, Tenn., and Kingsport, Tenn., serving all intermediate points, and the mining camps within 10 miles of the specified route; *general commodities,* except loose bulk commodities, livestock, Class A and B explosives, currency, bullion, articles of virtu, and commodities which are contaminating or injurious to other lading, or which exceed ordinary equipment and loading facilities, between Nashville, Tenn., and Birmingham, Ala., and between Decatur, Ala., and Florence, Ala., serving certain intermediate and off-route points; *general commodities,* except household goods as defined by the Commission, and commodities requiring special equipment, between Murphy, N.C., and Chattanooga, Tenn., serving all intermediate points; *general commodities,* except those of unusual value, Class A and B explosives, commodities in bulk, and those requiring special equipment, between Asheville, N.C., and Knoxville, Tenn., between specified points in North Carolina, and between Turtletown, Tenn., and Farner, Tenn., serving all intermediate and certain off-route points; *empty trucks,* between Kingsport, Tenn., and Appalachia, Va., and between Jonesville, Va., and Duffield, Va., serving no intermediate points; *general commodities,* excepting, among others, household goods and commodities in bulk, over irregular routes, between points in Indianapolis, Ind., between points in Anderson, Ind., and between points in Marion, Ind. THE MASON AND DIXON LINES, INCORPORATED, is authorized to operate as a *common carrier* in Tennessee, North Carolina, Georgia, Virginia, New York, New Jersey, Pennsylvania, Maryland, Delaware, South Carolina, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE: THE MASON AND DIXON LINES, INCORPORATED, controls THE SILVER FLEET MOTOR EXPRESS, INC., through ownership of capital stock pursuant to authority granted in Docket No. MC–F–7577.

No. MC–F–8626. Authority sought for purchase by CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., of a portion of the operating rights and property of FRANK COSGROVE TRANSPORTATION COMPANY, INC., 393 Mystic Avenue, Medford 55, Mass., and for acquisition by S. F. NINESS, also of Downingtown, Pa., and the ESTATE OF CLAIR S. LEAMAN (CHARLES E. FERNALD, EXECUTOR), 1813 Ranstead Street, Philadelphia 3, Pa., of control of such rights and property through the purchase. Applicants' attorneys: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C., and M. E. Kelley, 10 Tremont Street, Boston 8, Mass. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods, but not excepting, commodities in bulk, as a *common carrier* over regular routes, between Boston, Mass., and Derby, Vt., serving the intermediate point of Newport, Vt.; *malt beverages*, from Boston, Mass., to Newport, Vt., serving the off-route point of Lowell, Mass., restricted to pickup only; *empty malt beverage containers*, from Newport, Vt., to Boston, Mass., serving the off-route point of Lowell, Mass., restricted to delivery only; *packinghouse products*, as defined by the Commission, in bulk, in tank vehicles, and *chemicals*, in bulk, in tank vehicles, between New York, N.Y., and Boston, Mass., serving certain intermediate and off-route points; *liquid sugar and sugar syrup*, in bulk, in tank vehicles, over irregular routes, from Boston, Mass., to points in Maine, New Hampshire, and Vermont, and certain points in New York; *liquid starch*, in bulk, in tank vehicles, from Peabody, Mass., to Illiopolis, Ill.; *vinyl acetate and styrene*, in bulk, in tank vehicles, from Niagara Falls, N.Y., and Kobuta, Pa., to Peabody, Mass., from Niagara Falls, N.Y., to Illiopolis, Ill.; *red oil*, in bulk, in tank vehicles, from Dighton, Mass., to Wilmington, Del., and Pittsfield, Maine; *vinyl acetate*, in bulk, in tank vehicles, from Niagara Falls, N.Y., to Springfield, Mass.; *vinyl acetate and acetic acid*, in bulk, in tank vehicles, from the boundary line between the United States and Canada at Rouses Point, N.Y., to Springfield and Everett, Mass., and Glens Falls, N.Y., and Parlin, N.J., RESTRICTION: The service authorized over the route described immediately above is restricted solely to traffic in foreign commerce; *synthetic latex*, in bulk, in tank vehicles, from Acton, Mass., to Luke, Md.; *acetic acid*, in bulk, in tank vehicles, between Limestone, Maine, on the one hand, and, on the other, ports of entry on the United States-Canada boundary line at or near Madawaska and Van Buren, Maine; *liquid commodities* (except gasoline, fuel oil, asphalt and tar), in bulk, in tank vehicles and *chemicals* in hopper type vehicles, from ports of entry in Maine, New York, New Hampshire, and Vermont, to points in Maine, New Hampshire, and Vermont, RESTRICTION: The authority granted herein above may not be combined or tacked with any of carrier's existing authority; *liquid lard*, in bulk, in tank vehicles, from Boston, Mass., to Portland, Maine; *vermiculite*, between North Billerica, Mass., Utica, N.Y., and Trenton, N.J., from North Billerica, Mass., to points in Maine, New Hampshire, Vermont, Connecticut, and Rhode Island, from Utica, N.Y., to points in Massachusetts on and west of U.S. Highway 5, from Trenton, N.J., to points in Maryland, the District of Columbia, and certain points in Pennsylvania; *plastics* and *plastic ingredients*, from Gales Ferry, Conn., to Nashua, N.H., Arlington, Vt., Providence and Bristol, R.I., Baltimore, Md., St. Louis, Mo., Milwaukee, Wis., Roanoke, Va., Louisville, Ky., Galesburg, Rockford, and Decatur, Ill., and points in Massachusetts, Pennsylvania, New York, New Jersey, Indiana, Michigan, Ohio, and Wisconsin; *fertilizer ingredients*, from Lowell, Mass., to Burlington, Vt., Manchester, N.H., New Haven, Conn., Pawtucket, R.I., Portland, Maine, Syracuse, N.Y., Nescopick, Pa., and ports of entry on the United States-Canada boundary line in Maine, from Boston, Mass., and Carteret, N.J., to Burlington, Vt., Manchester, N.H., Portland, Maine, Syracuse, N.Y., Nescopeck, Pa., and ports of entry on the United States-Canada boundary line in Maine, from New Haven, Conn., to Lowell, Mass., Burlington, Vt., Manchester, N.H., Portland, Maine, Syracuse, N.Y., Nescopeck, Pa., and ports of entry on the United States-Canada boundary line in Maine, from Portland, Maine, to Springfield, Somerville, Worcester, and Lowell, Mass., Burlington, Vt., Manchester, N.H., New Haven, Conn., Pawtucket, R.I., Syracuse, N.Y., Nescopeck, Pa., and ports of entry on the United States-Canada boundary line in Maine; *plastic granules, powder and pellets*, from Leominster, Mass., to points in Ohio, Indiana, Illinois, Michigan, Minnesota, and certain points in Pennsylvania, New York, and New Jersey; *nylon powder*, from Manchester, N.H., to points in Ohio, Indiana, Illinois, Michigan, and certain points in Pennsylvania, New York, and New Jersey; *fertilizer, fertilizer ingredients, and fluoride products*, from North Weymouth, Mass., to points in Maine, New Hampshire, Connecticut, and Rhode Island; *fertilizer and fertilizer materials*, from Carteret, N.J., to Baltimore, Md., Alexandria, and Norfolk, Va., Cleveland, Ohio, and Three Rivers, and Buffalo, N.Y.; *ammonium sulphate*, from points in Ohio and Pennsylvania, to North Weymouth, Mass.; *tripolyphosphate*, from Carteret, N.J., to Baltimore, Md.; *chemicals*, and *linseed oil*, in bulk, in tank vehicles, from Stoneham, Mass., to points in Providence County, R.I., and certain points in New Hampshire; *chemicals*, including acids, from Providence, R.I., to points in Massachusetts and Connecticut; *empty containers*, from points in Massachusetts and Connecticut to Providence, R.I.; *soap, acids, chemicals, oil, and grease*, in containers, from Providence, and East Providence, R.I., to certain points in Massachusetts and Connecticut, RESTRICTION: The authority granted to transport soap, oil and grease, in containers, does not authorize the transportation of such commodities to Boston, Mass., points within 15 miles of Boston, or points in Massachusetts within 10 miles of the Rhode Island State line; and *perchlorethylene*, in bulk, in tank vehicles, from the port of entry on the United States-Canada boundary line at Champlain, N.Y., to Caledonia, N.Y. Vendee is authorized to operate as a *common carrier* in Maryland, Pennsylvania, New Jersey, New York, Ohio, Michigan, Illinois, Indiana, Delaware, Virginia, North Carolina, West Virginia, Kentucky, Tennessee, Connecticut, Massachusetts, Rhode Island, Missouri, Minnesota, Wisconsin, Alabama, South Carolina, Iowa, Oklahoma, Georgia, Florida, Kansas, Louisiana, Nebraska, Arkansas, Maine, New Hampshire, Vermont, Texas, Colorado, California, Arizona, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8628. Authority sought for purchase by SCHUSTER'S EXPRESS, INC., 48 Norwich Avenue, Colchester, Conn., of the operating rights of LAZO STANKOVICH and ARTHUR ROBERTS, doing business as MERCHANTS & FARMERS TRANSPORTATION, Plainfield, Conn., and for acquisition by PAUL SCHUSTER, BERNARD SCHUSTER, and ISRAEL SCHUSTER, all of Colchester, Conn., of control of such rights through the purchase. Applicants' attorney: S. Harrison Kahn, Suite 733, Investment Building, Washington 5, D.C. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except automobiles, dangerous explosives, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, as a *common carrier* over regular routes, between Jewett City, Conn., and Providence, R.I., between Danielson, Conn., and Providence, R.I., between Central Village, Conn., and junction unnumbered highway and U.S. Highway 6, serving certain off-route points, between Rice City, R.I., and Providence, R.I., serving all intermediate points on the above-described routes. Vendee is authorized to operate as a *common carrier* in Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Pennsylvania, and Delaware. Application has been filed for temporary authority under section 210a(b).

No. MC–F–8629. Authority sought for purchase by ARROW CARRIER CORPORATION, 50 Moonachie Avenue, Carlstadt, N.J., of the operating rights of PORT JERVIS TRUCKING CO., INC., 10–12 Orchard Street, Port Jervis, N.Y., and for acquisition by J. E. ACKERMAN, R. J. ACKERMAN, both of Carlstadt, N.J., and JAMES J. BUCKLEY, Third and Walnut Streets, Allentown, Pa., of control of such rights through the purchase. Applicants' attorney: Robert H. Griswold, Commerce Building, Post Office Box 432, Harrisburg, Pa. Operating rights sought to be transferred: (A) *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, as a

common carrier, over irregular routes, between points in the New York, N.Y., commercial zone, as defined by the Commission in 1 M.C.C. 665, and those in Hudson and Essex Counties, N.J., on the one hand, and, on the other, points in Ulster County, N.Y., (B) between New York, N.Y., on the one hand, and, on the other, points in Orange, Sullivan, Rockland, Delaware, and Dutchess Counties, N.Y., between points in Hudson and Essex Counties, N.J., on the one hand, and, on the other, points in Orange County, N.Y.; *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, and those requiring special equipment, between Port Jervis, N.Y., and Matamoris, Pa., on the one hand, and, on the other, Paterson, N.J., and points in Hudson and Union Counties N.J.; *household goods*, between points in Orange and Rockland Counties, N.Y., Pike County, Pa., and Bergen and Passaic Counties, N.J., on the one hand, and, on the other, points in Connecticut, Massachusetts, New York, Maryland, Pennsylvania, and the District of Columbia; *machinery*, between New York, N.Y., and points in Orange and Rockland Counties, N.Y., and Hudson and Passaic Counties, N.J., between Matamoris, Pa., and points in Orange and Rockland Counties, N.Y., on the one hand, and, on the other, Worcester and Pittsfield, Mass., and Rahway, N.J.; *roofing* and *building materials, hardware*, and *floor coverings*, from Port Jervis, N.Y., to points in Sussex County, N.J.; and *glassware*, from Port Jervis, N.Y., to Trenton, N.J. In addition to the authority described in sections (A) and (B), the operations authorized in section (A) having been acquired through proceedings in MC–FC–21905, approved December 27, 1945, the above-named carrier is authorized to perform through service under a combination of the authorities described in sections (A) and (B) when under one such section the carrier is authorized to transport the shipment to a gateway point from which the shipment is authorized to be transported under the other section, provided in each instance the movement is made through such authorized gateway point or points. Vendee is authorized to operate as a *common carrier* in Delaware, New Jersey, New York, Pennsylvania, and Vermont. Application has been filed for temporary authority under section 210a(b).

MOTOR CARRIERS OF PASSENGERS

No. MC–F–8620. Authority sought for purchase by HUDSON TRANSIT LINES, INC., 17 Franklin Turnpike, township of Mahwah, N.J., of a portion of the operating rights and certain property of INTER-CITY TRANSPORTATION CO., INC., 733 Madison Avenue, city of Paterson, N.J., and for acquisition by SHORT LINE TERMINAL AGENCY, INC., HUDSON-MAHWAH REALTY CORPORATION, HUDSON-PARAMUS REALTY CORPORATION, all of 17 Franklin Turnpike, Mahwah, N.J., HUDSON TRANSIT CORPORATION, Harriman, N.Y., and in turn by DAVID RUKIN, 501 Winthrop Road, Teaneck, N.J., of control of such rights and property through the purchase. Applicants' attorneys: James F. X. O'Brien, 17 Academy Street, Newark, N.J., 07102, and Edward F. Bowes, 1060 Broad Street, Newark, N.J., 07102. Operating rights sought to be transferred: *Passengers and their baggage*, during the season extending from the 15th day of May to the 15th day of September, inclusive, of each year, as a *common carrier* over regular routes, between Jersey City, N.J., and Delawanna, N.J., between Hohokus, N.J., and Liberty, N.Y., serving all intermediate points; *passengers and their baggage*, and *express*, in the same vehicle with passengers, between Monticello, N.Y., and Cochecton, N.Y., between Monticello, N.Y., and Kenoza Lake, N.Y., serving all intermediate and certain off-route points, between Wurtsboro, N.Y., and Accord, N.Y., serving all intermediate points, between Rock Hill, N.Y., and Mountain Dale, N.Y., between Paramus, N.J., and Livingston Manor, N.Y., serving all intermediate and certain off-route points, between Ellenville, N.Y., and Woodbourne, N.Y., between Goshen, N.Y., and Fair Oaks, N.Y., between junction Old New York Highway 17 and relocated New York Highway 17 (known as the Parksville Bypass) near Parksville, N.Y., and junction same highways near Livingston Manor, N.Y., serving all intermediate points; *passengers and their baggage*, and *express*, in the same vehicle with passengers, during the season extending from the 15th day of May to the 15th day of September, inclusive, between Rochelle Park-Paramus, N.J., municipal line and Suffern, N.Y., serving no intermediate points; *passengers and their baggage*, between Paramus, N.J., and Paramus, N.J., serving all intermediate points, RESTRICTION: The service herein authorized is subject to the condition that no passengers shall be picked up in New Jersey south of the Ramsey-Hohokus Township boundary line for discharge in New York, N.Y., except as otherwise authorized; *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Goshen, N.Y., and Chester, N.Y., serving all intermediate points; two alternate routes for operating convenience only; in pending application No. MC–668 Sub-76, *passengers and their baggage*, and *express and newspapers* in the same vehicle with passengers, between Lake Huntington, N.Y., and Narrowsburg, N.Y., between junction N.Y. Highway 97 and N.Y. Highway 52, in the town of Tusten, N.Y., and unnumbered highway leading to Neweiden, N.Y. (Ten Mile River Boy Scout camps), serving all intermediate points, RESTRICTION: The above-described service is restricted to the season beginning June 15th and ending September 15th, inclusive, annually. Vendee is authorized to operate as a common carrier in all States in the United States, including Alaska, but excluding Hawaii. Application has not been filed for temporary authority under section 210a(b).

NOTE: No. MC–668 Sub-87 is a matter directly related. Application for authority under section 214 was filed in conjunction with the application under section 5, in Finance Docket No. 22897.

No. MC–F–8625. Authority sought for control by KERRVILLE BUS COMPANY, INC., Post Office Box 712, 213 Sidney Baker Street, Kerrville, Tex., 78028, of PAINTER BUS LINES, INC., Post Office Box 797, Uvalde, Tex., and for acquisition by HAL AND CHARLIE PETERSON FOUNDATION, Kerrville, Tex., of control of PAINTER BUS LINES, INC., through the acquisition by KERRVILLE BUS COMPANY, INC. Applicants' attorneys: Jerry Prestridge, Post Office Box 1148, Austin, Tex., 78763, and Ewell H. Muse, Jr., 415 Perry Brooks Building, Austin, Tex. Operating rights sought to be controlled: *Passengers and their baggage*, and *express, newspapers*, and *mail*, in the same vehicle with passengers, as a *common carrier* over regular routes, between San Antonio, Tex., and Eagle Pass, Tex., between San Antonio, Tex., and Carrizo Springs, Tex., serving all intermediate points. KERRVILLE BUS COMPANY, INC., is authorized to operate as a *common carrier* in Texas. Application has not been filed for temporary authority under section 210a(b).

No. MC–F–8630. Authority sought for control by ISIDOR ENGELHARDT, RONALD A. ENGELHARDT, KENNETH ENGELHARDT, JOAN HEIT, JUDITH E. KLYDE, and JANE E. SILBERFEIN, 419 Anderson Avenue, Fairview, N.J., of NORTH BOULEVARD TRANSPORTATION CO., 9261 Hudson Boulevard, North Bergen, N.J. Applicants' attorney: William E. Rubin, Room 911, 17 Academy Street, Newark, N.J., 07102. Operating rights sought to be controlled: *Passengers and their baggage*, as a *common carrier* over regular routes, between North Bergen, N.J., and Manhattan, New York, N.Y., between Jersey City, N.J., and Manhattan, New York, N.Y., serving all intermediate points except those in New Jersey not on Hudson County Boulevard or Marginal Street, between North Bergen, N.J., and Fort Lee, N.J., between Underwood Place and Journal Square, both in Jersey City, N.J., serving all intermediate points; *passengers and their baggage*, restricted to traffic originating in the territory indicated, in charter operations, over irregular routes, from points in Hudson and Bergen Counties, N.J., to New York, N.Y., and points in Orange, Rockland, Sullivan, Westchester, and Nassau Counties, N.Y. ISIDOR ENGELHARDT, RONALD A. ENGELHARDT, KENNETH ENGELHARDT, JOAN HEIT, JUDITH E. KLYDE, and JANE E. SILBERFEIN, hold no authority from this Commission. However, they are affiliated with the following motor *common carriers* which are authorized to operate in the following States, respectively: GRAY LINE NEW YORK TOURS CORP., 419 Anderson Avenue, Fairview, N.Y., in the State of New York; WALTERS TRANSIT CORP., 419 Anderson Avenue, Fairview, N.J., in the States of New York and Connecticut; ORANGE & BLACK BUS LINES, INC., 419 Anderson Avenue, Fairview, N.J., in the States of New Jersey, Connecticut, Massachusetts, New York, Pennsylvania, Maine, New

Hampshire, Vermont, Rhode Island, Delaware, Maryland, Virginia, North Carolina, South Carolina, Georgia, Florida, and the District of Columbia; and COSMOPOLITAN TOURIST COMPANY, INC., 419 Anderson Avenue, Fairview, N.J., in all States in the United States except Alaska and Hawaii. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

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

[F.R. Doc. 63-13320; Filed, Dec. 24, 1963; 8:45 a.m.]

FOURTH SECTION APPLICATION FOR RELIEF

DECEMBER 20, 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. 38720: *Iron or Steel Pipe to Louisville, Ky.* Filed by Traffic Executive Association-Eastern Railroads, agent (No. E.R. 2697), for and on behalf of interested rail carriers. Rates on iron or steel pipe, in carloads, from Ellwood City, Pa., to Louisville, Ky.

Grounds for relief: Market competition.

Tariff: Supplement 414 to Traffic Executive Association-Eastern Railroads, agent, tariff I.C.C. 3388.

By the Commission.

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

[F.R. Doc. 63-13318; Filed, Dec. 24, 1963; 8:47 a.m.]

[Notice No. 586]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

DECEMBER 20, 1963.

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

All hearings and prehearing conferences will be called at 9:30 a.m., U.S. standard time (or 9:30 a.m., local daylight saving time, if that time is observed), unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PREHEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

The applications immediately following are assigned for hearing at the time and place designated in the notice of filing as here published in each proceeding. All of the proceedings are subject to the special rules of procedure for hearing outlined below:

SPECIAL RULES OF PROCEDURE FOR HEARING

(1) All of the testimony to be adduced by applicant's company witnesses shall be in the form of written statements which shall be submitted at the hearing at the time and place indicated.

(2) All of the written statements by applicant's company witnesses shall be offered in evidence at the hearing in the same manner as any other type of evidence. The witnesses submitting the written statements shall be made available at the hearing for cross-examination, if such becomes necessary.

(3) The written statements by applicant's company witnesses, if received in evidence, will be accepted as exhibits. To the extent the written statements refer to attached documents such as copies of operating authority, etc., they should be referred to in written statement as numbered appendices thereto.

(4) The admissibility of the evidence contained in the written statements and the appendices thereto, will be at the time of offer, subject to the same rules as if the evidence were produced in the usual manner.

(5) Supplemental testimony by a witness to correct errors or to supply inadvertent omissions in his written statement is permissible.

No. MC 50069 (Sub-No. 277), 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: (1) *Acids and chemicals*, in bulk, in tank and hopper type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago Heights, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, and Wisconsin, (2) *acids and chemicals*, dry, in bulk, in tank and hopper type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, (3) *soda ash*, dry, in bulk, in tank and hopper type vehicles, from the plant site of Wyandotte Chemical Company, at or near Wyandotte, Mich., to the plant sites of Stauffer Chemical Company, Victor Division at Chicago and Chicago Heights, Ill., and (4) *lime*, dry, in bulk, in tank and hopper type vehicles, from the plant site of the Mississippi Lime Company, Ste. Genevieve, Mo., to the plant sites of Stauffer Chemical Company, Victor Division, at Chicago and Chicago Heights, Ill.

HEARING: February 10, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 55236 (Sub-No. 75), filed September 1, 1963. Applicant: OLSON TRANSPORTATION COMPANY, a corporation, 1970 South Broadway, Green Bay, Wis. Applicant's attorney: Robert H. Levy, 105 West Adams Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Acids and chemicals*, in bulk, in tank or hopper-type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago Heights, Ill., to points in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin; (2) *acids and chemicals*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago, Ill., to points in the States of Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin; (3) *soda ash*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of the Wyandotte Chemical Company, at or near Wyandotte, Mich., to the plant sites of Stauffer Chemical Company, Victor Division at Chicago and Chicago Heights, Ill., and (4) *lime*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of the Mississippi Lime Company, Ste. Genevieve, Mo., to the plant sites of Stauffer Chemical Company, Victor Division at Chicago and Chicago Heights, Ill.

HEARING: February 10, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 110988 (Sub-No. 79), filed September 5, 1963. Applicant: KAMPO TRANSIT, INC., 200 West Cecil Street, Neenah, Wis. Applicant's attorney: Harry C. Ames, Jr., Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Acids* and *chemicals*, in bulk, in tank or hopper-type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago Heights, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, (2) *acids* and *chemicals*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of Stauffer Chemical Company, Victor Division, in Chicago, Ill., to points in Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Ohio, and Wisconsin, (3) *soda ash*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of Wyandotte Chemical Company, at or near Wyandotte, Mich., to the plant sites of Stauffer Chemical Company, Victor Division, at Chicago and Chicago Heights, Ill. and (4) *lime*, dry, in bulk, in tank or hopper-type vehicles, from the plant site of the Mississippi Lime Company, Ste. Genevieve, Mo., to the plant sites of the Stauffer Chemical Company, Victor Division, at Chicago and Chicago Heights, Ill.

NOTE: Applicant states no duplicating authority is sought.

HEARING: February 10, 1964, at the Midland Hotel, Chicago, Ill., before Examiner A. Lane Cricher.

No. MC 113678 (Sub-No. 66), filed December 10, 1963. Applicant: CURTIS, INC., 770 East 51st Avenue, Denver, Colo. Applicant's attorney: Frank B. Morrison, Jr., 401 North Spruce, Ogallala, Nebr., 69153. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat, meat products, meat packinghouse products and articles distributed by packinghouses*, as described by the Interstate Commerce Commission, and *dairy products and frozen foods*,

from points in Nebraska to points in Connecticut, Delaware, Maryland, New Jersey, Massachusetts, New York, Pennsylvania, Rhode Island, Virginia, and District of Columbia.

HEARING: January 22, 1964, at Room 2401, New Federal Building, 215 North 17th Street, Omaha, Nebr., before Examiner David Waters.

By the Commission.

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

[F.R. Doc. 63-13321; Filed, Dec. 24, 1963; 8:47 a.m.]

[Notice No. 285]

MOTOR CARRIER ALTERNATE ROUTE DEVIATION NOTICES

DECEMBER 20, 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 1422 (Deviation No. 5), VOSS TRUCK LINES, INC., Dallas, Tex., filed December 10, 1963. Applicant's attorney: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas 1, Tex. 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 66 and Missouri Highway 13 over Missouri Highway 13 to junction U.S. Highway 24, at or near Lexington, Mo., thence over U.S. Highway 24 to junction U.S. Highway 71 in Kansas City, Mo., 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 Springfield, Mo., over U.S. Highway 66 to Carthage, Mo., thence over U.S. Highway 71 to Kansas City, Mo., and return over the same route.

NOTE: In No. MC-F8530, approved November 12, 1963, the operating rights and property of Voss Truck Lines, Inc., and Western Truck Lines, Ltd., Docket No. MC-8948 were authorized to be merged into Western Gillete, Inc. In the event this transaction is consummated, the operations over the deviation route proposed herein, if accepted, will be conducted thereafter by Western Gillete, Inc.

No. MC 1422 (Deviation No. 6), VOSS TRUCK LINES, INC., Dallas, Tex., filed December 10, 1963. Applicant's attorney: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas 1, Tex. Carrier proposes to operate as *common carrier,* by motor vehicle, of *general commodities,* with certain exceptions, over a deviation route as follows: From junction U.S. Highway 66 and Missouri Highway 13 over Missouri Highway 13 to junction U.S. Highway 40, thence over U.S. Highway 40 to junction U.S. Highway 71 in Kansas City, Mo., 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 Springfield, Mo. over U.S. Highway 66 to Carthage, Mo., thence over U.S. Highway 71 to Kansas City, Mo., and return over the same route.

NOTE: In No. MC-F-8530, approved November 12, 1963, the operating rights and property of Voss Truck Lines, Inc., and Western Truck Lines, Ltd., Docket No. MC-8948 were authorized to be merged into Western Gillete, Inc. In the event this transaction is consummated, the operations over the deviation route proposed herein, if accepted, will be conducted thereafter by Western Gillete, Inc.

No. MC 1422 (Deviation No. 7), VOSS TRUCK LINES, INC., Dallas, Tex., filed December 10, 1963. Applicant's attorney: Hugh T. Matthews, 630 Fidelity Union Tower, Dallas 1, Tex. 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 66 and Missouri Highway 13 over Missouri Highway 13 to junction Missouri Highway 83, thence over Missouri Highway 83 to Bolivar, Mo., thence over Missouri Highway 32 to Fair Play, Mo., thence over Missouri Highway 123 to Humansville, Mo., thence over Missouri Supplementary Route V, 1 mile west to its junction with Missouri Highway 13, thence over Missouri Highway 13 to Warrensburg, Mo., thence over U.S. Highway 50 to junction U.S. Highway 71 in Kansas City, Mo., 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 Springfield, Mo., over U.S. Highway 66 to Carthage, Mo., thence over U.S. Highway 71 to Kansas City, and return over the same route.

NOTE: In No. MC-F-8530 approved November 12, 1963, the operating rights and property of Voss Truck Lines, Inc., and Western Truck Lines, Ltd., Docket No. MC-8948 were authorized to be merged into Western Gillete, Inc. In the event this tranaction is consummated, the operations over the deviation route proposed herein, if accepted, will be conducted thereafter by Western Gillete, Inc.

No. MC 2890 (Deviation No. 37), AMERICAN BUSLINES, INC., 1805 Leavenworth Street, Omaha 2, Nebr., filed December 6, 1963. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *passengers and their baggage,* over a deviation route as follows: From Purcell, Okla., over Interstate Highway 35 to Dallas, Tex., 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 Oklahoma City, Okla., over U.S. Highway 77 to Dallas, and return over the same route.

No. MC 13300 (Deviation No. 6), CAROLINA COACH COMPANY, Post Office Box 1591, Raleigh, N.C. Applicant's attorney, James E. Wilson, Perpetual Building, 1111 E Street NW., Washington 4, D.C., filed December 11, 1963. Carrier proposes to operate as a *common carrier,* by motor vehicle, of *passengers and their baggage,* over deviation routes as follows: (A) From Petersburg, Va. over Interstate Highway 95 to junction U.S. Highway 301 and Virginia Highway 35, and (B) from junction Interstate Highway 95 and U.S. Highway 301 (approximately 4 miles north of Emporia, Va.), over Interstate Highway 95 to Weldon, N.C., 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: From Petersburg over U.S. Highway 301 to Weldon; and from Pleasant Hill, N.C. over North Carolina Highway 48 to Roanoke Rapids, N.C., thence over U.S. Highway 158 to Weldon, and return over the same routes.

No. MC 22214 (Deviation No. 2), ACCELERATED TRANSPORT-PONY EXPRESS, INC., 23061 West Lee Street, Hagerstown, Md., filed December 8, 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 Hagerstown, Md., over U.S. Highway 11 to Harrisburg, Pa., 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 Hagerstown over Maryland Highway 60 to the Maryland-Pennsylvania State line, thence over Pennsylvania Highway 316 to Waynesboro, Pa., thence over Pennsylvania Highway 16 to Zora, Pa., thence over Pennsylvania Highway 116 to Gettysburg, Pa., thence over U.S. Highway 15 to Harrisburg, and return over the same route.

No. MC 29957 (Deviation No. 3) (CORRECTION), CONTENENTAL SOUTHERN LINES, INC., Box 4407, Alexandria, La., filed November 29, 1963, published in FEDERAL REGISTER issue December 18, 1963, and republished as corrected this issue. Carrier proposes to operate as a common carrier, by motor vehicle, of passengers and their baggage, over a deviation route as follows: From junction Interstate Highway 40 and U.S. Highway 64 (near eastern city limit of Memphis) over Interstate Highway 40 to junction Tennessee Highway 20 (approximately 4 miles northwest of Jackson), thence over Tennessee Highway 20 to Jackson, 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 authorized service route as follows: From Memphis over U.S. Highway 64 to Whiteville, Tenn., thence over Tennessee Highway 100 to junction Tennessee Highway 18, thence over Tennessee Highway 18 to junction U.S. Highway 45, thence over U.S. Highway 45 to Jackson, and return over the same route.

NOTE: The purpose of this republication is to clarify the previously published deviation routes, in Deviation No. 3.

No. MC 35628 (Deviation No. 18), INTERSTATE MOTOR FREIGHT SYSTEM, 134 Grandville Avenue SW., Grand Rapids 2, Mich., filed December 12, 1963. Carrier proposes to operate as a *common carrier*, by motor vehicle, of *general commodities*, with certain exceptions, over deviation routes as follows: (A) From Cincinnati, Ohio over U.S. Highway 42 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Interstate Highway 71, thence over Interstate Highway 71 to Cleveland, Ohio; (B) from Cincinnati over Interstate Highway 71 to junction U.S. Highway 36, thence over U.S. Highway 36 to junction Ohio Highway 3, thence over Ohio Highway 3 to Wooster, Ohio, thence over Ohio Highway 5 to Akron, Ohio, and thence over Ohio Highway 8 to Cleveland; (C) from Canton, Ohio over Interstate Highway 77 to Akron; (D) from the Indiana-Ohio State line over Interstate Highway 70 to Wheeling, W. Va.; (E) from St. Louis, Mo. over Interstate Highway 70 to Terre Haute, Ind.; (F) from Chicago, Ill. over Interstate Highway 94 to junction Interstate Highway 96, thence over Interstate Highway 96 to junction U.S. Highway 31 near Holland, Mich., and thence over U.S. Highway 31 to Ludington, Mich.; (G) from Uniontown, Ohio over Ohio Highway 619 to junction Ohio Highway 183, thence over Ohio Highway 183 to junction U.S. Highway 62, and thence over U.S. Highway 62 to Salem, Ohio; (H) from Bryan, Ohio over U.S. Highway 127 to junction Alternate U.S. Highway 20, thence over Alternate U.S. Highway 20 to junction Ohio Highway 2, thence over Ohio Highway 2 to Toledo, Ohio; (I) from Syracuse, N.Y. over Interstate Highway 81 to Binghamton, N.Y.; (J) from Pittsburgh, Pa. over Interstate Highway 79 to Erie, Pa.; and (K) from Buffalo, N.Y. over New York Highway 384 to Niagara Falls, N.Y., thence over New York Highway 31 to Lockport, N.Y., thence over New York Highway 78 to Wrights Corners, N.Y., thence over U.S. Highway 104 to Maple View, N.Y., thence over U.S. Highway 11 to junction New York Highway 69, thence over New York Highway 69 to Rome, N.Y., thence over New York Highway 49 to Utica, N.Y., and thence over New York Highway 5 to Albany, N.Y., and return over the same routes 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 Cincinnati over U.S. Highway 42 to Cleveland; from Cincinnati over Ohio Highway 3 to Wooster, thence over Ohio Highway 5 to Akron, and thence over Ohio Highway 8 to Cleveland; from Canton over Ohio Highway 8 to Akron; from the Indiana-Ohio State line over U.S. Highway 40 to Wheeling; from St. Louis over U.S. Highway 40 to Terre Haute; from Chicago over U.S. Highway 12 to junction unnumbered highway (formerly portion U.S. Highway 12) at or near New Buffalo, Mich., thence over unnumbered highway to St. Joseph, Mich., thence over U.S. Highway 31 to junction business route U.S. Highway 31, thence over business route U.S. Highway 31 via Pentwater, Mich., to junction U.S. Highway 31, and thence over U.S. Highway 31 to Ludington; from Uniontown over Ohio Highway 619 to Alliance, Ohio, thence over Ohio Highway 173 to junction U.S. Highway 62, thence over U.S. Highway 62 to Salem; from Bryan over Ohio Highway 2 to Toledo; from Syracuse over U.S. Highway 11 to Binghamton; from Pittsburgh over U.S. Highway 19 to Erie; and, from Buffalo, over New York Highway 384 to Niagara Falls, thence over New York Highway 31 to Rochester, N.Y., thence over U.S. Highway 104 to Maple View, thence over U.S. Highway 11 to junction New York Highway 69, thence over New York Highway 69 to Rome, thence over New York Highway 49 to Utica, and thence over New York Highway 5 to Albany, and return over the same routes.

No. MC 109834 (Sub-No. 3) (Deviation No. 5), NOVICK TRANSFER CO., INC., Winchester, Va., filed December 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 40 and Interstate Highway 695 (west of Baltimore, Md), over Interstate Highway 695 to junction Interstate Highway 95, thence over Interstate Highway 95 to junction U.S. Highway 13, 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 U.S. Highway 40 and Interstate Highway 695 over U.S. Highway 40 (west of Baltimore, Md.) to junction U.S. Highway 13, and return over the same route.

No. MC 111383 (Sub-No. 5) (Deviation No. 4) (CORRECTION), BRASWELL MOTOR FREIGHT LINES, INC., Post Office Box 9518, El Paso, Tex., filed December 1, 1963, published FEDERAL REGISTER December 18, 1963, and republished this issue. The purpose of this correction is to show the correct number as shown above, MC 111383 Sub 5 in lieu of MC 11383 Sub 5 as shown in previous publication.

By the Commission.

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

[F.R. Doc. 63-13319; Filed, Dec. 24, 1963; 8:47 a.m.]

DEPARTMENT OF LABOR

Office of the Secretary

[Secretary's Order 31-63]

DEPUTY MANPOWER ADMINISTRATOR FOR OPERATIONS ET AL.

Redelegation of Authority and Assignment of Responsibility for Functions

1. *Purpose.* This order redelegates the authority for performing functions under Title V of the Agricultural Act of 1949, as amended, and the Migrant Labor Agreement of 1951, as amended, which were vested in the Manpower Administrator (Under Secretary of Labor) by Secretary's Order 3-63 as modified by Secretary's Order 8-63, to the Deputy Manpower Administrator for Operations (Administrator of the Bureau of Employment Security).

2. *Authority and directives affected*—(a) *Background.* Secretary's Order 3-63 established the Manpower Administration within the Department of Labor, delegated authority vested in the Secretary of Labor for Manpower Programs, including the Mexican Labor Program, to the Manpower Administrator (Under Secretary of Labor) and authorized the redelegation of that authority by the Manpower Administrator. Secretary's Order 3-63 was subsequently revised by Secretary's Order 8-63 which modified the delegation of authority for Mexican Labor Program functions.

Secretary's Order 4-63 redelegated certain of the functions vested in the Manpower Administrator (Under Secretary of Labor). Paragraph 4a of that order vested in the Deputy Under Secretary of Labor responsibility for determining and interpreting policy with respect to farm labor programs and activities and coordinating the farm labor activities of the Department of Labor bureaus.

(b) *Directives affected.* Secretary's Order 4-63 is revised as provided for in this order. All other orders, instructions and memoranda of the Manpower Administrator or other officials of the Department of Labor, to the extent they are not inconsistent herewith, remain in effect.

3. *Delegation of authority and assignment of responsibilities.* The Deputy Manpower Administrator for Operations (Administrator of the Bureau of Employment Security), subject to the general direction and control of the Manpower Administrator (Under Secretary of Labor) and subject to the authority vested in the Deputy Under Secretary of Labor by Secretary's Order 4-63, Paragraph 4a, is hereby delegated authority and assigned responsibility for all functions to be performed by the Manpower Administrator under Title V of the Agricultural Act of 1949, as amended, and the Migrant Labor Agreement of 1951, as amended, pursuant to the delegation of authority set forth in Secretary's Order 3-63 as revised by Secretary's Order 8-63, except that the Manpower Administrator

(Under Secretary of Labor) reserves to himself the authority to negotiate agreements or arrangements relating to the employment in the United States of agricultural workers from the Republic of Mexico. The Deputy Manpower Administrator for Operations (Administrator of the Bureau of Employment Security) is authorized to redelegate the authority vested in him by this order.

4. *Ratification of prior actions.* This order confirms the oral authority delegated to the Deputy Manpower Administrator for Operations on March 1, 1963, and constitutes ratification of actions taken by him under such authority.

5. *Effective date.* This order is effective immediately and will remain in effect for four years unless canceled earlier.

Signed at Washington, D.C., November 27, 1963.

JOHN F. HENNING,
Manpower Administrator.

[F.R. Doc. 63-13310; Filed, Dec. 24, 1963; 8:47 a.m.]

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF FULL-TIME STUDENTS WORKING OUTSIDE OF SCHOOL HOURS IN RETAIL OR SERVICE ESTABLISHMENTS AT SPECIAL MINIMUM WAGES

Notice is hereby given that pursuant to section 14 of the Fair Labor Standards Act of 1938 (52 Stat. 1060, as amended, 29 U.S.C. 201 et seq.), the regulation on employment of full-time students (29 CFR Part 519), and Administrative Order No. 579 (28 F.R. 11524), the establishments listed in this notice have been issued special certificates authorizing the employment of full-time students working outside of school hours at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the act. The effective and expiration dates, type of establishment and total number of employees of the establishment are as indicated below. Pursuant to § 519.6(b) of the regulation, the minimum certificate rates are not less than 85 percent of the minimum applicable under section 6 of the Fair Labor Standards Act.

The following certificates were issued pursuant to paragraphs (c) and (g) of § 519.6 of 29 CFR, Part 519, providing for an allowance not to exceed the proportion of the total number of hours worked by full-time students at rates below $1.00 an hour to the total number of hours worked by all employees in the establishment during the base period, or 10 percent, whichever is lesser, in occupations of the same general classes in which the establishment employed full-time students at wages below $1.00 an hour in the base period.

REGION VIII

Buckeye Variety, Inc., d.b.a. T.G. & Y. Stores Co., No. 71, 1515 North Harvard, Tulsa, Okla.; effective 12-1-63 to 9-2-64 (variety store; 12 employees).

McCrory-McLellan-Green Stores, 301 Alamo Plaza, San Antonio, Tex.; effective 12-4-63 to 9-2-64 (variety store; 82 employees).

Redbud Variety, Inc., d.b.a. T.G. & Y. Stores Co., No. 2, 229 East Main, Norman, Okla.; effective 12-1-63 to 9-2-64 (variety store; 15 employees).

REGION XI

Miller's Supermarket, 327-331 Central Avenue, Crescent City, Fla.; effective 12-2-63 to 9-2-64 (food store; 27 employees).

Rose's Stores, Inc., Broad Street, Edenton, N.C.; effective 12-28-63 to 9-2-64 (variety store; 21 employees).

The following certificates were issued to establishments coming into existence after May 1, 1960, under paragraphs (c), (d), (g), and (h) of § 519.6 of 29 CFR Part 519. The certificates permit the employment of full-time students at rates of not less than 85 cents an hour in the classes of occupations listed, and provide for limitations on the percentage of full-time student hours of employment at rates below $1.00 an hour to total hours of employment of all employees. The percentage limitations vary from month to month between the minimum and maximum figures indicated.

S. S. Kresge Co., 609 Market Street, Parkersburg, W. Va.; effective 12-6-63 to 9-2-64; sales clerks; between 3.6 percent and 10 percent (variety store; 45 employees).

McCrory-McLellan-Green, No. 372, 940 North Market Street, Troy, Ohio; effective 12-12-63 to 9-2-64; selling, stockkeeping, office clerical; between 6.2 percent and 10 percent (variety store; 30 employees).

Moore Variety, Inc., d.b.a. T.G. & Y. Stores Co., No. 89, 709 Moore Avenue North, Moore, Okla.; effective 12-6-63 to 9-2-64; clerical, sales, stock work; 10 percent for each month (variety store; 15 employees).

Pruett's Food Town East Ridge, Inc., 5738 Ringgold Road, East Ridge, Tenn.; effective 12-10-63 to 9-2-64; sack boys; 10 percent for each month (food store; 27 employees).

Each certificate has been issued upon the representations of the employer which, among other things, were that employment of full-time students at special minimum rates is necessary to prevent curtailment of opportunities for employment, and the hiring of full-time students at special minimum rates will not tend to displace full-time employees. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in Part 528 of Title 29 of the Code of Federal Regulations. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within 15 days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 519.9.

Signed at Washington, D.C., this 17th day of December 1963.

ROBERT G. GRONEWALD,
Authorized Representative of the Administrator.

[F.R. Doc. 63-13311; Filed, Dec. 24, 1963; 8:47 a.m.]

CUMULATIVE CODIFICATION GUIDE—DECEMBER

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