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Rules and Regulations

Title 6—AGRICULTURAL CREDIT

Chapter III—Farmers Home Administration, Department of Agriculture

SUBCHAPTER A—GENERAL REGULATIONS

[FHA Instructions 442.1, 442.2, 442.4, 443.1, 444.4]

PART 310—INTEREST, ANNUAL CHARGE, AND REPURCHASE AGREEMENT FOR INSURED LOANS

Change in Lender's Interest Rate and Repurchase Agreement

Sections 310.3 and 310.4, Title 6, Code of Federal Regulations (28 F.R. 12247), are revised to reflect changes in the rate of return to the lender and to establish new fixed periods, and to read as follows:

§ 310.3 Farm Ownership, Labor Housing, and Soil and Water loans made by lenders other than the United States to applicants other than public bodies.

Farm Ownership, Labor Housing, and Soil and Water loans made with funds advanced by lenders other than the United States to applicants other than organizations which are public bodies will be insured at the time of loan closing. The interest rate to the borrower will be 5 percent per year on the unpaid principal balance of the loan. The interest rate to the lender will be either $4\frac{1}{4}$ percent with a 3-year repurchase agreement, or $4\frac{3}{8}$ percent with a 6-year repurchase agreement, or $4\frac{1}{2}$ percent with a 10-year repurchase agreement.

§ 310.4 Labor Housing and Soil and Water loans made by lenders other than the United States to public bodies.

Labor Housing and Soil and Water loans made with funds advanced by lenders other than the United States to organizations which are public bodies will be insured at the time of loan closing. The interest rate to the lender will be determined by negotiation. The annual charge will be one percent. The interest rate to the borrower will be the rate to the lender plus one percent, but not to exceed five percent. The length of the fixed period will be five years.

(Sec. 514, 75 Stat. 186, secs. 307, 308, 75 Stat. 308; 42 U.S.C. 1484, 7 U.S.C. 1927, 1928)

This order is effective January 15, 1964.

Dated: January 9, 1964.

HOWARD BERTSCH,
Administrator,
Farmers Home Administration.

[F.R. Doc. 64-383; Filed, Jan. 14, 1964; 8:49 a.m.]

Title 7—AGRICULTURE

Subtitle A—Office of the Secretary of Agriculture

PART 1—ADMINISTRATIVE REGULATIONS

Subpart H—Delegation of Authority

The first sentence of § 1.201 is amended to read as follows:

§ 1.201 General delegation of authority.

The head of each agency shall, under the general direction and supervision of the Secretary of Agriculture and the Under Secretary, and the Assistant Secretaries, the Administrative Assistant Secretary, the Director of Agricultural Economics, or the Director of Science and Education, to whom is assigned the general direction and supervision of his agency, direct and supervise the activities of the employees of his agency.

(R.S. 161; 5 U.S.C. 22)

Done at Washington, D.C., January 10, 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-384; Filed, Jan. 14, 1964; 8:49 a.m.]

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

SUBCHAPTER B—FARM MARKETING QUOTAS AND ACREAGE ALLOTMENTS

[Amtd. 6]

PART 719—RECONSTITUTION OF FARMS, FARM ALLOTMENTS, AND FARM HISTORY AND SOIL BANK BASE ACREAGES

Land Removed From Agricultural Production and Pooled Allotments

On Page 9824 of the FEDERAL REGISTER of September 7, 1963, there was published a notice of proposed rule making to issue an amendment to the regulations governing the reconstitutions of farms, farm allotments, and farm history and soil bank base acreages. Interested persons were given fifteen days in which to submit written comments, suggestions, or objections with respect to the proposed amendment to the regulations.

Consideration has been given to the comments submitted and it has been determined that they do not require a revision of the proposal.

The proposed amendment to the regulation is hereby adopted without change.

Effective date: Date of publication in the FEDERAL REGISTER.

Signed at Washington, D.C., on January 10, 1964.

H. D. GODFREY,
Administrator, Agricultural Stabilization and Conservation Service.

§ 719.9 Reconstitution of farm allotments, history acreages, and farm bases.

(h) Land removed from agricultural production (not acquired under right of eminent domain). In applying the provisions of this subsection, if a parent farm is composed of tracts under separate ownership, each separately owned tract being transferred in whole or in part shall be considered as a separate farm.

(1) Conditions under which the farm will not be reconstituted. The farm shall not be reconstituted and the allotments, history acreages and farm bases shall remain with the parent farm if all of the following conditions prevail: (i) The ownership of a tract of land is transferred from a parent farm; (ii) the tract transferred is to be used for non-agricultural purposes; (iii) the tract was not or could not have been acquired under right of eminent domain; (iv) the cropland on the tract transferred does not exceed the larger of 5 acres or 25 percent of the cropland on the farm from which the tract was transferred; (v) the county committee determines that the tract transferred will be changed to non-agricultural uses; and (vi) an agreement signed by all persons interested in the transfer is obtained stating that the land is in fact to be changed to non-agricultural uses. In these cases, the farmland and cropland data shall be corrected on all appropriate records for the parent farm.

(2) Conditions under which the farm will be reconstituted. The farm shall be reconstituted on the basis of conditions existing at the time of transfer of ownership and the farm allotment(s), history acreages and farm bases shall be apportioned among the tracts in accordance with applicable regulations when any of the following conditions prevail: (i) An entire ownership tract in a multiple ownership farm is transferred for non-agricultural uses; (ii) all of the conditions prescribed in subparagraph (1) of this paragraph are not present; (iii) the land is not in fact changed to non-agricultural uses but is continued in agricultural use; (iv) the county committee, State committee or the Deputy Administrator determines that the land transferred was continued in agricultural use or was returned to agricultural uses within a period of years equal to the longest base period used in establishing eligibility for an old farm allotment for any commodity involved in the transfer.

[F.R. Doc. 64-382; Filed, Jan. 14, 1964; 8:49 a.m.]

Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission

PART 213—EXCEPTED SERVICE

Department of Defense

Effective upon publication in the FEDERAL REGISTER, subparagraph (5) of paragraph (a) of § 213.3106 is amended as set out below.

§ 213.3106 Department of Defense.

(a) *Office of the Secretary.* * * *

(5) Not to exceed January 1, 1966, 8 positions of Regional Director in the Office of the Assistant Secretary of Defense (Civil Defense).

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 64-368; Filed, Jan. 14, 1964; 8:47 a.m.]

PART 213—EXCEPTED SERVICE

Housing and Home Finance Agency

Effective upon publication in the FEDERAL REGISTER, subparagraphs (41) and (42) are added to paragraph (a) of § 213.3344 as set out below.

§ 213.3344 Housing and Home Finance Agency.

(a) *Office of the Administrator.* * * *

(41) One Special Assistant to the Commissioner, Urban Renewal Administration.

(42) One Assistant to the Deputy Commissioner, Community Facilities Administration.

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

UNITED STATES CIVIL SERVICE COMMISSION,

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

[F.R. Doc. 64-369; Filed, Jan. 14, 1964; 8:47 a.m.]

Title 15—COMMERCE AND FOREIGN TRADE

Chapter III—Bureau of International Commerce, Department of Commerce

SUBCHAPTER B—EXPORT REGULATIONS

[9th General Rev. of Export Regs., Amdt. P.L. 42]

PART 399—POSITIVE LIST OF COMMODITIES AND RELATED MATTERS

Miscellaneous Amendments

Section 399.1 *Positive List of Commodities* is amended in the following particulars:

1. The following commodities are deleted from the Positive List:

| Department of Commerce Schedule B No. | Commodity description |
|---------------------------------------|--|
| | Other industrial machines and parts: Pipe valves and parts: Pipe valves, iron or steel, except automatic control or regulating: Other valves, cocks, or pressure regulators incorporating either of the following materials: (a) polytetrafluoroethylene, or (b) polytrifluoroethylene. ¹ |
| 77450 | |
| 77455 | Pipe valves, brass, bronze or other nonferrous metals, except automatic control or regulating: Other valves, cocks, or pressure regulators incorporating either of the following materials: (a) polytetrafluoroethylene, or (b) polytrifluoroethylene. ¹ |
| 77460 | Automatic control or regulating pipe valves, n.e.c.: Other automatic control valves or pressure regulators incorporating either of the following materials: (a) polytetrafluoroethylene, or (b) polytrifluoroethylene. ¹ |
| 77465 | Pipe valves, n.e.c., and specially fabricated parts and accessories, n.e.c.: Other nonmetal valves, cocks, or pressure regulators incorporating either of the following materials: (a) polytetrafluoroethylene, or (b) polytrifluoroethylene. ¹ |

¹ Valves, cocks, and pressure regulators having flow contact surfaces made of or lined with polytetrafluoroethylene or polytrifluoroethylene remain on the Positive List.

This item of the amendment shall become effective as of December 19, 1963.

2. The following commodities are added to the Positive List:

| Dept. of Commerce Schedule B No. | Commodity description | Unit | Processing code and related commodity group | GLV dollar value limits | Validated license required | Commodity lists |
|----------------------------------|---|------|---|-------------------------|----------------------------|-----------------|
| | <i>Coal-tar and other cyclic chemical products</i> | | | | | |
| | Coal-tar intermediates, and other cyclic intermediates, except acids: | | | | | |
| 80279 | 2-Di-cyclohexyl carbodiimide | Lb. | ORGN 2 | None | RO | |
| 80279 | Di-o-tolyl carbodiimide | Lb. | ORGN 2 | None | RO | |
| 80279 | Methyl benzylate | Lb. | ORGN 2 | 25 | RO | |
| 80279 | Ortho chloro benzaldehyde | Lb. | ORGN 2 | 25 | RO | |
| 80279 | Piperidine carboxyl acid | Lb. | ORGN 2 | 25 | RO | |
| 80279 | 3-Quinuclidinone; and 3-quinuclidinol | Lb. | ORGN 2 | 25 | RO | |
| | <i>Industrial chemicals (excluding of medicinal chemicals, U.S.P. and N.F.)</i> | | | | | |
| | Organic chemicals except cyclic, n.e.c.: | | | | | |
| 83299 | 2-Cyanoacetamide | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Di-ethyl methyl phosphonite | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Di-isopropyl amino ethyl chloride hydrochloride | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Di-isopropyl carbodiimide | Lb. | ORGN 2 | None | RO | |
| 83299 | 2-Di-isopropyl aminoethanol | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Di-methyl hydrogen phosphite | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Lysergic acid di ethyl amide | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Malononitrile | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Methyl dichlor phosphine | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Methyl isonicotenate | Lb. | ORGN 2 | 25 | RO | |
| 83299 | Methyl phosphonyl dichloride | Lb. | ORGN 2 | 25 | RO | |
| | <i>Scientific and professional instruments, apparatus, and supplies, n.e.c.</i> | | | | | |
| | Research laboratory apparatus and equipment, n.e.c., specially fabricated parts and accessories, n.e.c.: | | | | | |
| 91980 | Cord treating and testing laboratory units (for example, Computreators), and specially fabricated parts and accessories, n.e.c. | | SATE 2 | 25 | RO | |

This item of the amendment shall become effective as of December 26, 1963.

3. The following entries are added to the Positive List:

| Dept. of Commerce Schedule B No. | Commodity description | Unit | Processing code and related commodity group | GLV dollar value limits | Validated license required | Commodity lists |
|----------------------------------|--|------|---|-------------------------|----------------------------|-----------------|
| | <i>Electrical machinery and apparatus</i> | | | | | |
| 70741 | Electric industrial melting and refining furnaces: Electric industrial melting and refining furnaces specially designed for the production or processing of vapor deposited (pyrolytic) graphite or doped graphites whether as standing bodies, coatings, linings or substrates. (Specify by name and characteristics.) ¹ | No. | ELME 2 | None | RO | |
| 70744 | Electric industrial metal heat-treating furnaces: Electric industrial metal heat-treating furnaces specially designed for the production or processing of vapor deposited (pyrolytic) graphite or doped graphites whether as standing bodies, coatings, linings, or substrates. (Specify by name and characteristics.) ¹ | No. | ELME 2 | None | RO | |

¹ These commodities are already on the Positive List under a more general entry and are made separate entries for easier identification.

This item of the amendment shall become effective as of December 26, 1963.

Shipments of commodities removed from general license to Country Group R or Country Group O destinations as a result of this amendment which were on dock for lading, on lighter, laden aboard an exporting carrier, or in transit to a port of exit pursuant to actual orders for export prior to 12:01 a.m., December 26, 1963, may be exported under the previous general license provisions up to and including January 20, 1964. Any such shipment not laden aboard the exporting carrier on or before January 20, 1964 requires a validated license for export.

(Sec. 3, 63 Stat. 7; 50 U.S.C. App. 2023; E.O. 10945, 26 F.R. 4487; E.O. 11038, 27 F.R. 7003)

FORREST D. HOCKERSMITH,
Director,
Office of Export Control.

[F.R. Doc. 64-309; Filed, Jan. 14, 1964;
8:45 a.m.]

Title 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

[Release 34-7208]

PART 241—INTERPRETATIVE RE- LEASES RELATING TO SECURITIES EXCHANGE ACT OF 1934 AND GENERAL RULES AND REGULA- TIONS THEREUNDER

Broker-Dealer Participation in Proxy Solicitations

The Securities and Exchange Commission today released an opinion of its General Counsel with respect to participation by broker-dealer firms in proxy solicitations. This is deemed appropriate in view of recent expressions of interest in this matter. The opinion is set forth below:

On November 12, 1963, the Office of General Counsel sent a telegram to the New York Stock Exchange which read as follows: "We should appreciate your advising members that if they transmit proxy material to stockholders whose stock is held in street name, the transmission of any material not supplied by the participants may constitute a solicitation in violation of SEC proxy rules."

We understand that certain questions have arisen with respect to the scope and effect of this telegram, and it is the purpose of this opinion to consider these questions in more detail.

I. Section 14(a) of the Securities Exchange Act makes it unlawful for any person to solicit a proxy or authorizations in respect of any security which is registered on a national securities exchange in contravention of the rules of the Commission. The basic objective of this section and of the rules issued under it (Regulation 14) is to secure reliable and fair disclosure to security holders so that their exercise of the corporate franchise may be informed. These objectives apply to proxy sollicita-

tions whether or not there is a contest, but the existence of a contest may complicate their attainment. As the Court of Appeals stated in *Securities and Exchange Commission v. May*, 229 F. 2d 123, 124 (C.A. 2, 1956), a proxy contest is not to be viewed as a political contest, "with each side free to hurl charges with comparative unrestraint * * *. Congress has clearly entrusted to the Commission the duty of protecting the investing public against misleading statements made in the course of a struggle for corporate control."

Section 14 and the proxy rules apply to any person—not just management, or the opposition. This coverage is necessary in order to assure that all materials specifically directed to stockholders and which are related to, and influence their voting will meet the standards of the rules. Where, for any reason, there is a general interest in the outcome of a vote of security holders, particularly where there is a proxy contest but not limited to this situation, persons other than the management, or the opposition—if any—may become involved for various reasons and in various ways in efforts to influence the voting. If the activities of such persons were free of the controls provided by the proxy rules, the objectives of these rules would frequently be defeated. These principles apply to brokers along with all other persons. Brokers are, however, particularly likely to become involved in proxy solicitations both because they may have an interest in the matters to be voted on and because they may have connections with management, opposition, or other participants. There are, however, certain characteristics of the brokerage business which raise particular questions in relation to proxy solicitation. These are primarily as follows: First, brokers may feel obligated to furnish advice to customers as to how they should vote, just as they furnish advice to customers with respect to other matters pertinent to their investments. In the second place, brokers in the ordinary course of their business issue substantial amounts of written material which discuss particular securities and particular corporations. Where a proxy solicitation is in progress a question may arise as to whether this material is, or is not, soliciting material. In the third place, brokers may engage in solicitations with respect to securities owned by customers which are carried in the name of the broker, either in obedience to exchange rules or otherwise.

II. The first two questions, i.e., voting advice to customers and distribution of investment advisory material in the context of a proxy solicitation, are related and may be considered together. The application of section 14(a) of the Securities Exchange Act and of the proxy rules is keyed to the concept of "solicitation" of a proxy. If an activity constitutes solicitation, it is subject to the rules, otherwise not. Rule 14a-1 (§ 240.14a-1) defines "solicitation" to include "the furnishing of a form of proxy or other communication to security holders under circumstances reasonably calculated to result in the procurement,

withholding or revocation of a proxy." Whether or not a particular communication falls within this definition is a question of fact dependent both upon the nature of the communication and the circumstances under which it is transmitted. If the material constitutes solicitation, its distribution is not unlawful but the broker must comply with the rules applicable to persons engaged in soliciting proxies. Thus, the soliciting material must be filed in compliance with Rule 14a-6 (§ 240.14a-6), and it may not be misleading within the meaning of Rule 14a-9 (§ 240.14a-9). Generally speaking, solicitation may be made only to those persons who have previously received a proxy statement conforming to Rule 14a-3 (§ 240.14a-3). If there is a contest with respect to the election of directors, the requirements of Rule 14a-11 (§ 240.14a-11) must be complied with.

In our view a broker normally is not engaged in solicitation where he merely responds, whether orally or in writing, to an unsolicited request from a customer for advice as to how to vote. Since the broker is merely responding to his customer's request for advice in his capacity as adviser to the customer and not actively initiating the communication, it may be concluded that he is not engaged in "soliciting". This has been the traditional position of the Commission, as expressed in paragraph 2458.10 of the New York Stock Exchange Guide as follows:

Voting advice. We understand it to be the position of the Securities and Exchange Commission that on the unsolicited request of a customer, a member may advise him how to vote in a proxy contest, without becoming a participant and having to file under Securities and Exchange Commission rules. However, if a member volunteers advice to customers on how to vote a proxy, he may have to file with the Commission.

This, however, cannot be said if a broker voluntarily distributes material of such a nature that it would constitute soliciting material, under the tests referred to below, to persons who have not asked for it whether they are his customers or not. Insofar as advice to customers is concerned, therefore, the primary test is whether or not the advice is given in response to the unsolicited request of the customer or whether the broker goes beyond this advisory function and volunteers soliciting material.

As pointed out above, the question of whether or not communications by a broker constitute soliciting material depends both upon the nature of the material and upon the circumstances under which it is distributed. Material distributed during a period while proxy solicitation is in progress, which comments upon the issues to be voted on or which suggests how the stockholder should vote, would constitute soliciting material. Similarly, material originating with the broker which is sent along with proxy material which the broker is distributing on behalf of someone else, would almost always constitute a solicitation because of the circumstances under which it comes into the hands of the security holder. These principles, of course, are

in no way affected by whether or not the material is distributed directly by the broker or is sent to correspondents or branch offices for transmission by them to security holders.

The distribution under other circumstances of other types of material may or may not constitute a solicitation, depending upon whether or not the nature of the material or the manner of its distribution is calculated to influence the voting. These principles apply whether or not there is a proxy contest involving either the election of directors, as provided in Rule 14a-11 (§ 240.14a-11), or a solicitation in opposition to a management proposal, such as a merger or sale of assets. Where there is no contest and the stockholder has no decision as to whether he will send in his proxy or not, material not on its face soliciting material, such as the research reports and industry surveys of the type voluntarily sent out in the ordinary course of a broker's business, is unlikely to constitute soliciting material. In an analogous situation, the Commission has stated, in Exchange Act Release No. 5276, that the proxy rules were not applicable to communications, such as semi-annual and quarterly reports, "containing information and comment concerning the business of the character normally sent to security holders by corporate management during the course of a fiscal year * * *." Even if there is a contest, research reports and industry surveys may not constitute soliciting material where they do not purport in any way to comment on the merits of the contest and are sent out in the ordinary course of a firm's business without reference to, or in anticipation of, the contest. For example, a brokerage firm regularly sends out a study of the chemical industry in the fall. Such a study, containing only a factual and historical analysis of the business of several companies including X company, is sent out one year—at the usual time—during a proxy contest involving the X company. In the absence of any unusual circumstances, the distribution by the publisher of such material would not be regarded as a solicitation.

III. Turning now to the third question, the solicitation of customers whose securities are held in the name of the broker, it is quite clear, as pointed out above, that the transmission to customers of proxy material furnished by the issuer or any other person who is soliciting a proxy, is clearly itself the solicitation of a proxy, since the material is transmitted under circumstances reasonably calculated to result in the procurement, withholding or revocation of a proxy. A broker sending out such material, however, is normally engaged in a solicitation which is exempt under Rule 14a-2(b) (§ 240.14a-2(b)). This rule exempts any solicitation by a person in respect of securities carried in his name or held in his custody if such person: (1) Receives no compensation other than the reimbursement of expenses; (2) furnishes to all persons solicited copies of

soliciting material furnished to him for that purpose; (3) and in addition does no more than "impartially" instruct the person solicited as to how to transmit the proxy to the person who is originally soliciting it, or request instructions as to the giving of a proxy. This exemption was based, as the Commission has stated, "on the assumption that the banker, broker or other person is acting in a ministerial capacity and is not making an independent solicitation from the beneficial owner." Securities Exchange Act Release No. 4668 (January 31, 1952). Thus, the exemption will be lost if the firm does not act in an "impartial" manner, for example, if it transmits the material of one side promptly and delays transmission of the material of the other side, or passes on some but not all soliciting literature. See *Walsh v. The Peoria & Eastern Railway Co.* (63 Civ. 2003, S.D. N.Y. Oct. 9, 1963). Moreover, if the firm transmits—along with a party's soliciting material—its own literature, which in any way relates to the merits of the solicitation, the broker is probably not acting in a ministerial capacity and thus not entitled to the exemption. The limited nature of this exemption is the basis for the telegram quoted at the outset of this opinion.

IV. In summary, the transmission of material to security holders by a broker while proxy solicitation is in progress may or may not constitute a solicitation requiring compliance with the proxy rules, depending upon whether the material is of a nature calculated to influence the voting. This, in turn, depends both upon the content of the material, upon the conditions under which it is transmitted, and upon surrounding circumstances. In the context of a proxy contest where security holders are confronted with a choice as to which side they will support and where their proxies are not likely to be given in a routine manner, material originating with brokers is more likely to constitute proxy solicitation. Absent a contest, the ordinary distribution of research reports, market letters, etc., which do not refer to any question to be decided by the security holders, is unlikely to constitute solicitation unless sent out with proxy material or otherwise in a manner likely to cause it to be considered by a security holder in connection with his voting decision. Even where there is a contest, ordinary investment advisory material distributed in the ordinary course of business is not necessarily a solicitation but more care is called for. A broker who transmits proxy materials for others is engaged in solicitation and must stay within the limitation of exemption granted by Rule 14a-2(b) (§ 240.14a-2(b)) unless he complies with the requirements applicable to persons participating in a solicitation.

[SEAL] ORVAL L. DUBOIS,
Secretary.

JANUARY 7, 1964.

[F.R. Doc. 64-348; Filed, Jan. 14, 1964;
8:46 a.m.]

Title 29—LABOR

Chapter V—Wage and Hour Division, Department of Labor

SUBCHAPTER A—REGULATIONS

PART 526—INDUSTRIES OF A SEASONAL NATURE

Open-Cut Mining of Placer Gold by Hand and Power Machinery

On October 23, 1963, a notice was published in the FEDERAL REGISTER (28 F.R. 11316), proposing to amend the determination that open-cut mining of placer gold by hand in Colorado, Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington and Wyoming, and open-cut mining of placer gold by both hand and power machinery in Alaska are seasonal industries.

Persons adversely affected by this proposal were given 15 days to file written statements of data, views, and argument and request a hearing. None were received.

Therefore, pursuant to the procedure prescribed by 29 CFR 526.6, I hereby find that the above operations, except in Alaska, are not industries of a seasonal nature, and amend that part of the table in 29 CFR 526.101 which reads: "Gold, placer, open-cut mining: Idaho, Montana, Nevada, Oregon, South Dakota, Utah, Washington, Alaska, and Wyoming, Dec. 26, 1939, 5 F.R. 24; Colorado, Apr. 26, 1940, 5 F.R. 1602; Redefinition, Apr. 28, 1942, 7 F.R. 3252."

As amended, the section will read as follows: "Gold, placer, open-cut mining, Alaska".

This amendment shall become effective 30 days after publication of this document in the FEDERAL REGISTER.

Signed at Washington, D.C., this 9th day of January 1964.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 64-345; Filed, Jan. 14, 1964;
8:46 a.m.]

PART 526—INDUSTRIES OF A SEASONAL NATURE

Revocation of Seasonal Determination of Decortication and Drying of Ramie Fiber

On October 23, 1963, a notice was published in the FEDERAL REGISTER (28 F.R. 11317), proposing to revoke the determination that decortication and drying of ramie fiber in Florida is an industry of a seasonal nature.

Persons adversely affected by this proposal were given 15 days to file written statements of data, views, and argument, and request a hearing. None were received.

Therefore, pursuant to the procedure prescribed by 29 CFR 526.6, I hereby find that the decortication and drying of ramie fiber in Florida is not an industry of a seasonal nature, and revoke that

part of the table in 29 CFR 526.101 which reads: "Ramie fiber, decortication and drying in the state of Florida—Sept. 14, 1949, 14 F.R. 5722". The revocation shall become effective 30 days after this document is published in the FEDERAL REGISTER.

Signed at Washington, D.C., this 9th day of January 1964.

CLARENCE T. LUNDQUIST,
Administrator.

[F.R. Doc. 64-346; Filed, Jan. 14, 1964; 8:46 a.m.]

Title 31—MONEY AND FINANCE: TREASURY

Chapter II—Fiscal Service, Department of the Treasury

SUBCHAPTER A—BUREAU OF ACCOUNTS
[Dept. Cir. 176 (Rev.); 12th Amdt.]

PART 202—DEPOSIT OF PUBLIC MONEYS AND PAYMENT OF GOVERNMENT CHECKS

Collateral Securities for Deposits

Part 202, Subchapter A, Chapter II, Title 31, of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 176 (Revised), 11 F.R. 102, January 3, 1946, as amended), is hereby further amended by revising paragraph (c) of § 202.20 to read as follows:

§ 202.20 Collateral securities for deposits.

(c) Obligations of the Federal Land Banks, Federal Intermediate Credit Banks, Federal Home Loan Banks, the Federal National Mortgage Association, the Central Bank for Cooperatives, the Banks for Cooperatives, the Tennessee Valley Authority, and bonds of Puerto Rico; at face value.

(Sec. 10, 56 Stat. 356, as amended; 12 U.S.C. 265)

Dated: January 10, 1964.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 64-354; Filed, Jan. 14, 1964; 8:46 a.m.]

[Dept. Cir. 92 (Rev.); 8th Amdt.]

PART 203—SPECIAL DEPOSITS OF PUBLIC MONEYS UNDER THE ACT OF CONGRESS APPROVED SEPTEMBER 24, 1917, AS AMENDED

Special Depositories Must Pledge Collateral Security Before Receiving Deposits; Acceptable Securities

Part 203, Subchapter A, Chapter II, Title 31, of the Code of Federal Regulations of the United States (appearing also as Treasury Department Circular No. 92 (Revised), 14 F.R. 7058, November 23, 1949, as amended), is hereby further amended by revising paragraph (c) of § 203.7 to read as follows:

§ 203.7 Special depositories must pledge collateral security before receiving deposits; acceptable securities.

(c) *Obligations of Government Agencies.* Obligations of the Federal Land Banks, Federal Intermediate Credit Banks, Federal Home Loan Banks, the Federal National Mortgage Association, the Central Bank for Cooperatives, the Banks for Cooperatives, and the Tennessee Valley Authority; at face value.

(Sec. 8, 40 Stat. 291, as amended; 31 U.S.C. 771)

Dated: January 10, 1964.

[SEAL] JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 64-355; Filed, Jan. 14, 1964; 8:46 a.m.]

Title 32—NATIONAL DEFENSE

Chapter I—Office of the Secretary of Defense

SUBCHAPTER M—MISCELLANEOUS

PART 274—VOLUNTARY ALLOTMENTS FOR PAYMENT OF DUES TO EMPLOYEE ORGANIZATIONS

The Deputy Secretary of Defense approved the following November 27, 1963:

- Sec.
274.1 Purpose.
274.2 Applicability.
274.3 Definitions.
274.4 Policies.
274.5 Procedure.
274.6 Effective date.

AUTHORITY: The provisions of this Part 274 issued under section 10 (Executive Order 10988, 27 F.R. 551).

§ 274.1 Purpose.

This part provides guidance within the Department of Defense for making voluntary allotments for payment of employee organization dues, pursuant to the Federal Employees Pay Regulations of the Civil Service Commission, 5 CFR Part 25, Subpart F and DoD Directive 1418.4, "Civilian Pay Allotments," January 14, 1963.

§ 274.2 Applicability.

(a) Except as provided in paragraph (b) of this section, this part is applicable to all components of the Department of Defense (Military Departments, DoD Agencies, and the Office of the Secretary of Defense), hereinafter referred to as "DoD components".

(b) This part does not apply to those DoD components or parts thereof to which, pursuant to section II.1 of DoD Directive 1426.1, "Employee Organizations," May 15, 1962, the provisions of Executive Order 10988 do not apply.

§ 274.3 Definitions.

For the purpose of this part the terms listed below are defined as follows:

(a) "Employee organization dues" and "dues" means dues as defined in § 25.601 (h) of the Federal Employees Pay Regulations of the Civil Service Commission, 5 CFR, Part 25, Subpart F.

(b) "Eligible employee organization" means an employee organization which, pursuant to DoD Directive 1426.1, "Em-

ployee Organizations," May 15, 1962, has been accorded formal or exclusive recognition in a unit of any DoD component: *Provided* That formal recognition at the national level under section V.A.5. of DoD Directive 1426.1, "Employee Organizations," May 15, 1962 will not qualify an employee organization as an eligible employee organization.

(c) "Eligible employee" means a member in good standing of an eligible employee organization, who is employed in the unit in which the employee organization has been accorded formal or exclusive recognition, and whose net salary after other legal and required deductions is regularly sufficient to cover the amount of an authorized allotment for employee organization dues.

(d) "Unit" means unit as defined in section III.5 of DoD Directive 1426.1, "Employee Organizations," May 15, 1962.

§ 274.4 Policies.

(a) Any eligible employee organization, upon compliance with the procedures prescribed in this part, will be accorded the right for its members who are eligible employees to make voluntary allotments from their pay for the payment of their dues to such organization.

(b) Any eligible employee, upon compliance with the procedures prescribed in this part, will have the right to make a voluntary allotment from his pay for the payment of his dues to not more than one eligible employee organization of which he is a member, and to revoke such allotment when he desires to do so.

(c) Dues will be withheld each pay period, the amount to be withheld being determined as follows:

(1) When the amount of dues is stated in terms of an annual amount (covering a period of twelve months) the figure will be divided by twenty-six.

(2) When the amount of dues is stated in terms of a monthly amount the figure will be multiplied by twelve and the result divided by twenty-six.

§ 274.5 Procedure.

(a) An eligible employee organization which desires to arrange for its members to make voluntary allotments for payment of dues will submit a written request to the head of the unit in which it has formal or exclusive recognition.

(b) The head of a unit or the designated official, upon receipt of a written request from an eligible employee organization, will arrange to work out with the head of the organization a mutual arrangement, in writing, which will cover those elements of the procedures and arrangements deemed essential to the smooth functioning of the program for voluntary allotments for payment of dues. Such arrangements will conform with the requirements of Federal Employees Pay Regulations of the Civil Service Commission, 5 CFR, Part 25, Subpart F and DoD Directive 1418.4, "Civilian Pay Allotments," January 14, 1963 and this Part and will, as a minimum, provide:

(1) That the employee organization is responsible for purchasing the standard allotment form prescribed by the Comptroller General; distributing it to its members; certifying as to the amount of

its dues; delivering completed forms to the appropriate payroll officers; and educating its members on the program for allotments for payment of dues, its voluntary nature, and the uses and availability of the required form;

(2) A procedure under which the employee organization shall promptly notify the appropriate payroll office when a member of the organization is expelled or for any reason ceases to be a member in good standing.

(3) A procedure for appropriate notification to the organization by the payroll office of the revocation of an allotment by an eligible employee; and,

(4) The specific officer in the organization designated to receive from the payroll office, after each payroll period for which deductions are made pursuant to voluntary allotments, the remittance of dues withheld and a listing of names and amounts withheld.

(c) It will be the responsibility of the employee organization to comply with the terms of the written arrangement, to assure that allotments on the part of its members are voluntary, and to inform its members fully of the conditions governing revocation of allotments.

(d) It will be the responsibility of the head of the unit, when a written agreement is concluded with an eligible employee organization for voluntary allotments for payment of dues, to post on appropriate bulletin boards within the unit a notice apprising employees:

(1) That an arrangement has been made with the employee organization for voluntary allotments for payment of dues;

(2) That such allotments are to be entirely voluntary on the part of employees who are members of the organization and will take effect during the pay period beginning after the appropriate form, properly completed and designed, has been received in the payroll office;

(3) That forms to be used in making voluntary allotments for payment of dues are to be secured from the employee organization and returned to the payroll office through the employee organization; and,

(4) That an eligible employee may at any time revoke his allotment for payment of dues, to be effective in the first full pay period following March 1 or September 1, depending upon date of receipt of his revocation in the payroll office, and specifying the office or location within the unit where he can obtain forms and information concerning the revocation of an allotment.

(e) The head of the unit will maintain a supply of the form which has been provided for use in revoking an allotment and will make this form available to eligible employees upon request. However, a written request for revocation of an allotment which is otherwise in order and signed by the employee will be accepted and acted upon even though not submitted on the form.

(f) Nothing in this § 274.5 requiring arrangements at the local level will preclude the head or other appropriate official of a DoD component from entering into a written arrangement with the head of a national employee organiza-

tion covering those elements and procedures of the voluntary dues allotment program which can appropriately be covered on a national basis. Any such arrangement will conform with the requirements of Federal Employees Pay Regulations of the Civil Service Commission, Chapter 1, Part 25, Subpart F and DoD Directive 1418.4, "Civilian Pay Allotments," January 14, 1963 and this Part and will be supplemented, as necessary, by the written arrangements provided for in paragraph (b) of this section.

§ 274.6 Effective date.

This part is effective immediately; however, no employee organization dues will be withheld from any employee's pay prior to the first pay period beginning on or after January 1, 1964.

MAURICE W. ROCHE,
Administrative Secretary.

[F.R. Doc. 64-317; Filed, Jan. 14, 1964;
8:49 a.m.]

Title 39—POSTAL SERVICE

Chapter I—Post Office Department POSTMARKING

Revision of Time Designation

With a view to a more economical and efficient operation of the Postal Service, effective February 1, 1964, the hour designation in postmarks will be discontinued on all mail at all post offices. On and after that date, mail postmarked between 12:01 a.m. and 12 noon will show the letters A.M. as time designation. Mail postmarked from 12:01 p.m. to 12 midnight will show the letters P.M.

When senders of registered and certified mail request the hour of mailing to be shown on their mailing receipts, this will be done by showing the time in ink on the receipt form and, in the case of registered mail, the same time on the post office mailing record. Certificates of mailing for ordinary mail shall also be endorsed to show the time of acceptance when the sender so requests.

The appropriate amendments necessary to codify the foregoing revision into Title 39, Code of Federal Regulations, will be published in the FEDERAL REGISTER at a later date.

(R.S. 161, as amended; 5 U.S.C. 22, 39 U.S.C. 501, 2507)

LOUIS J. DOYLE,
General Counsel.

[F.R. Doc. 64-363; Filed, Jan. 14, 1964;
8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[FCC 64-17]

PART 0—COMMISSION ORGANIZATION

Delegation of Authority

At a session of the Federal Communications Commission held at its offices in

Washington, D.C., on the 8th day of January 1964:

The Commission having under consideration § 0.281 of its rules and regulations concerning delegations of authority to the Chief, Broadcast Bureau; and

It appearing, that by Memorandum Opinion and Order released July 15, 1963 (Docket No. 14661; FCC 63-644) the Commission adopted, among other things, final rules requiring the periodic inspection of standard, FM and certain non-commercial educational FM broadcast transmitters; and

It further appearing, that because of terrain and weather factors, the Commission recognized therein that some licensees would be physically unable to make the required five transmitter inspections per week throughout the entire year, and that it would therefore be necessary to "entertain requests for waiver when supported by a showing of the number of inspections per week which can be made, the maintenance program which has been instituted to insure proper operation, and a record of continued compliance with Commission rules"; and

It further appearing, that the large number of waiver requests being received can most expeditiously be processed at staff level, under the circumstances set forth in the foregoing Memorandum Opinion and Order; and

It further appearing, that existing delegations of authority to the Chief, Broadcast Bureau, should therefore be enlarged to allow for grant (or denial, as appropriate) of requests for waiver of the transmitter inspection requirements imposed by §§ 73.93(e), 73.265(e), and 73.565(e) of the Commission's rules; and

It further appearing, that authority for the adoption of the amendment ordered herein is contained in sections 4(i), 5(d), and 303(r) of the Communications Act of 1934, as amended; and

It further appearing, that since the amendment herein adopted pertains to Commission organization and procedure, the notice and effective date provisions of section 4 of the Administrative Procedure Act are inapplicable thereto:

It is ordered, That, effective January 20, 1964, Part 0 of the Commission's rules and regulations is amended as set forth below.

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

Released: January 10, 1964.

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

Section 0.281(d)(15) is added to read as follows:

§ 0.281 Authority delegated.

* * * * *

(d) For waiver of the transmitter inspection requirements imposed by §§ 73.93(e), 73.265(e), and 73.565(e) of this chapter.

* * * * *

[F.R. Doc. 64-372; Filed, Jan. 14, 1964;
8:47 a.m.]

[Docket No. 15123; FCC 64-4]

PART 25—SATELLITE COMMUNICATIONS

Subpart B—Communications Satellite Procurement Regulations

1. On July 19, 1963, the Commission issued a notice of proposed rule making looking toward the amendment of Part 25 of its rules and regulations by adding a new subpart (Subpart B—Communications Satellite Procurement Regulations) with respect to the procurement of apparatus, equipment, and services required for the establishment and operation of the communications satellite system and satellite terminal station (28 F.R. 7516, July 24, 1963).

2. Pursuant to the notice, comments to the proposed rules have been timely filed by the American Telephone and Telegraph Company (AT&T), the Communications Satellite Corporation (the Corporation), GT&E Service Corporation (GT&E), Aerospace Industries Association of America, Inc. (AIA), Electronics Industries Association (EIA), and the Department of Justice (Justice). In addition, the Commission has received other relevant information, including the views of the Small Business Administration (SBA) and the Area Redevelopment Administration (ARA).

3. This proceeding was instituted pursuant to the Communications Satellite Act of 1962 (the Act) which, among other things, declares that "maximum competition be maintained in the provision of equipment and services utilized by the system." (Section 102(c).) In order to implement this declaration of national policy, section 201(c)(1) provides that the Commission shall: "insure effective competition, including the use of competitive bidding where appropriate, in the procurement by the corporation and communications common carriers of apparatus, equipment, and services required for the establishment and operation of the communications satellite system and satellite terminal stations; and the Commission shall consult with the Small Business Administration and solicit its recommendations on measures and procedures which will insure that small business concerns are given an equitable opportunity to share in the procurement program of the corporation for property and services, including but not limited to research, development, construction, maintenance, and repair."

And section 201(c)(11) provides that the Commission shall "make rules and regulations to carry out the provisions of this Act."

4. As originally proposed, the rules would apply to all procurements (with certain specified exceptions) in excess of \$2,500 of equipment and services required for the establishment and operation of the communications satellite system and satellite terminal stations (§ 25.151). In order to insure the maintenance of effective competition, the rules provide that the Corporation, other communications common carriers, and their respective prime contractors

and subcontractors shall employ three alternative methods of procurement, namely, formal advertising, two-step procurement, or negotiation, the choice of the alternatives depending on the nature of the apparatus, equipment, or service to be procured (§§ 25.171-25.174).

5. At the outset we desire to stress that it is not the intention of the Commission in promulgating these rules to participate in the selection of contractors nor to engage in contract negotiations. Rather, the regulatory objective is to establish a framework of procurement procedures which will afford all concerns, including small business, an equitable opportunity to share in the procurement requirements of the communications satellite system and satellite terminal stations, and to prevent an unfair competitive advantage accruing to any manufacturing interest who may participate in the ownership of the Corporation.

6. The rules further provide that the Corporation, other communications common carriers, and their respective prime contractors file with the Commission a notification statement, prior to the award of a procurement contract, containing pertinent information with respect to the procurement involved. It should be noted that subcontractors are excluded from the notification procedure. The procurement contract may be awarded 10 days after the filing of the notification statement unless the Commission advises the party making procurement that it is unable to determine that its rules are being complied with. (§§ 25.162-25.167.) The notification procedure is designed to keep the Commission currently informed of all major procurements and to insure that they are being made in accordance with the competitive conditions prescribed by the proposed rules.

7. A number of the provisions of the proposed rules relate to small business. These provisions are designed to keep small business concerns informed of procurement proposals made by the Corporation and communications common carriers and to afford such concerns an opportunity to participate in such procurements. They provide that parties making procurement shall consult with the Small Business Administration to obtain names of qualified small business concerns for inclusion in their bidders' mailing lists; that, where feasible, procurements should be divided into reasonably small lots so that small business can bid on less than the full requirements; that when a procurement can be furnished by a small business concern, price and other factors considered, the award shall be made to such concern; that all parties making procurements regardless of the value involved cooperate with the Small Business Administration, to the extent feasible, for the purpose of insuring that small business has an equitable opportunity to participate in all procurements; and that the Corporation be required to maintain an office responsible for the supervision of small business activities and for liaison with the Commission, the Small

Business Administration, and contractors.

JURISDICTION

8. Before discussing the specific comments filed by the parties, we shall first consider the issue raised by the Corporation which questions the Commission's authority to promulgate rules applicable to prime contractors and subcontractors who are not communications common carriers.

9. The Corporation contends that the Commission's authority under section 201(c)(1) must be construed solely within the limits of the terms of that section; that no other provision of the Act purports to give the Commission authority over procurement; and, that while section 102(c) contains an expression of the intent of Congress that "maximum competition be maintained in the provision of equipment and services utilized by the system", such provision is not a grant of power to the Commission to regulate procurements of prime contractors and subcontractors who are not communications common carriers.

10. Section 102(c) represents a significant declaration of Congressional intent and when read in concert with section 201(c)(1) must be construed as a compelling public interest criterion by which the proper exercise of section 201(c)(1) is to be measured. The legislative history of the Act reveals that Congress was well aware that the establishment of a single commercial system would create unprecedented problems requiring comprehensive and flexible regulation, and fully appreciated the possibility that manufacturing subsidiaries or affiliates of common carriers might be given favored treatment in supplying equipment and services required for the system and thereby deprive others of the opportunity to compete for this newly emerging market. Accordingly, the avowed aim of the Act in the field of procurement is to secure the maintenance of maximum effective competition in the acquisition and utilization of equipment and services required for the system.

11. In this connection it is particularly relevant to note the position that the Commission consistently and repeatedly pressed upon Congress both prior to the pendency of any specific legislative proposals, and during the course of the several hearings on the Act. All of the Commission's legislative recommendations, including those relating to procurement, were premised on the realistic forecast that for the foreseeable future only one commercial communications satellite system would be technically and economically feasible. Recognizing that a single system would increase the problem of maintaining effective competition in communications and, in view of the fact that most major communications common carriers are also engaged in the manufacture of satellite hardware and related facilities through corporate subsidiaries or affiliates, who are not common carriers, the Commission recommended to Congress that it be given authority to regulate all procure-

ments related to the establishment and operation of the system.¹

12. It is well settled that Congress, in exercising its authority to regulate interstate commerce by delegating authority to a regulatory agency, concerns itself with defining broad areas of regulation and leaves to the agency the task of establishing particular standards and procedures to be employed in the administration of the delegated authority. Traditionally, the Commission has adopted rules particularizing its concept of pertinent public interest elements underlying its rule making authority, notwithstanding that such rules may affect persons and firms over whom the Commission has no direct jurisdiction. (*National Broadcasting Co., Inc. et al. v. United States*, 319 U.S. 190.)

13. In our view, the application of the rules as proposed, constitutes a proper exercise of authority effectuating the public interest considerations underlying section 201(c)(1) i.e. to prevent potential restraints on free and fair competition in the procurement program of the Corporation and carriers. Additionally, for all practical purposes, and particularly from the standpoint of the public interest, procurement contracts let by the lowest tier subcontractor are as much a part of the regulatory scheme as the initial procurement contract which may be awarded by the Corporation and carriers. The procurement process necessarily involves not only the awarding of the initial or prime contract but also subsequent subcontracts which are required for, and related to, the performance of the prime contract. Further, it is important to note that section 201(c)(1) also directs the Commission to insure that small business concerns are given an equitable opportunity to share in procurements. We think that the application of the rules to subcontractors represents an appropriate, if not essential, measure to afford small business concerns the equitable opportunity intended by Congress. The opportunities for small business concerns to share in procurements largely will depend upon their opportunity to be subcontractors to larger firms who may be prime contractors of the Corporation and carriers.

¹ Docket No. 14024, Notice of Inquiry, Paragraph 2; 1st Report, Paragraph 9.

Testimony of former FCC Chairman Newton Minow before Communication Subcommittee of the Committee on Commerce, U.S. Senate, August 1961, page 26.

Hearings, House Interstate and Foreign Commerce Committee, 87th Congress, 1st Session, July 25, 1961, page 11.

Hearings on S. 2650 and 2814, Senate Committee on Aeronautical and Space Sciences, 87th Congress, 2d Session, pp. 195, 204, February 28, 1962; Hearings on H.R. 10115 and H.R. 10138, House Committee on Interstate and Foreign Commerce, 87th Congress, 2d Session, page 400, March 14, 1962.

Hearings on Antitrust Problems of the Space Satellite Communication System before the Subcommittee on Antitrust and Monopoly of the Senate Committee on the Judiciary, 87th Congress, 2d Session (part 2) page 286, April 6, 1962.

Senate Report No. 1584, Committee on Commerce on H.R. 11040, 87th Congress, 2d Session, pp. 12, 13.

14. In light of the foregoing the Commission concludes that section 201(c)(1) vests it with authority to promulgate procurement rules and regulations applicable to all prime contractors and subcontractors who elect to compete for the manufacture and supply of equipment and services required for the establishment and operation of the communications satellite system and satellite terminal stations.

DESIRABILITY OF APPLYING THE RULES TO PRIME CONTRACTORS AND SUBCONTRACTORS

15. As indicated above, the rules are applicable to the Corporation, other carriers, and their respective prime contractors and subcontractors. However, subcontractors are not required to follow the notification procedures. The Corporation, in addition to the legal issue previously discussed, contends that the application of the rules to prime contractors and subcontractors would delay the establishment of the system. AT&T takes a similar position. Justice and GT&E support the application of the rules to prime contractors and subcontractors with respect to procurements of a value of \$10,000. The Corporation also asserts that the procurement procedures prescribed by the rules will tend to discourage subcontractors and particularly small business concerns from engaging as suppliers in the communications satellite procurement program. On the other hand, AT&T sees advantages in the application of the small business provisions of the rules to prime contractors and subcontractors.

16. The Commission cannot find that the Corporation and AT&T have substantiated the contention that the application of the proposed rules would delay the establishment of the system. Information available to the Commission indicates a contrary experience in this field. Thus, it should be noted that the Department of Defense (DOD) and the National Aeronautics and Space Administration (NASA) in developing this Nation's communications satellite program have required, in almost all instances, that prime contractors submit proposed subcontracts for approval. In addition, such submission generally includes copies of cost breakdowns, price-cost analysis, comparative prices of competitive subcontract bidders, copies of quotations of the competitive bidders and analysis of this material by the prime contractors, including a certificate that the proposed subcontract is the best possible arrangement obtainable under the circumstances. Similarly, many of the contracts awarded by AT&T for its Telstar project required AT&T's approval of subcontracts. There is no indication that the taking of such measures by DOD, NASA, or AT&T has impeded the development of this Nation's communications satellite program.

17. Additionally, the Commission is not persuaded by the assertion of the Corporation that the rules would tend to discourage subcontractors and particularly small business concerns from engaging as suppliers for the system. In this connection, it is important to note

that under the Act the Commission is directed to consult with the Small Business Administration and solicit its recommendations on appropriate measures and procedures which will insure that small business concerns are afforded an equitable opportunity to share in the communications satellite procurement program. On the basis of consultations with the Small Business Administration, the Commission is satisfied that the application of the rules to subcontractors represents a necessary and appropriate measure to insure equitable opportunity for small business concerns to participate in the procurement program.

18. The Commission fully appreciates the need to establish the system as expeditiously as practicable. In preparing the proposed rules, every effort was made to satisfy this objective while at the same time accommodating the requirement that effective competition be insured and equitable opportunity be afforded small business. The Commission believes that the proposed rules with the amendments hereinafter discussed are compatible with meeting both objectives.

DOLLAR VALUE OF CONTRACTS SUBJECT TO RULES

19. The thrust of the comments filed in opposition to the cutoff amount of \$2,500 was to the effect that too many transactions would be subjected to an undue burden of paper work and procedures which would not be commensurate with the value of the procurement; that it would slow down the procurement program for the satellite system; that it would unduly increase the cost of compliance; and that all of the foregoing would render participation in satellite business unattractive to potential suppliers and particularly to small business. Should the dollar amount specified in our rules produce these undesirable consequences it would, of course, defeat the legislative objective of fostering competition in procurement and insuring an equitable opportunity for small business. Upon consideration of all of these arguments, we are convinced that the \$2,500 amount we originally proposed is too low. On the other hand, we note that there is no general agreement as to what a proper cut off figure should be. Suggestions range from \$10,000 by the Corporation, GT&E, and Justice to \$100,000 by AT&T and EIA. It appears clear from the wide range of the cut off amount suggested in the filed comments that the selection of an appropriate figure is essentially a matter of judgment. Upon consideration of all the comments, including an analysis of the procurement transactions involved in AT&T's Telstar project, we conclude that a cut off amount of \$25,000, together with the other procurement regulations prescribed herein, should not adversely affect the competitive environment sought to be maintained by the legislation. We further believe that such a cut off figure, together with the provisions relating to small business, will not be so high as to adversely affect small business participation. In this connection, consultations with the Small Business Administration

indicate that such a cut off figure when considered together with the other small business provisions of these rules, including the voluntary program referred to in paragraph 27(c)(4), should not deprive small business of an adequate and fair opportunity to participate in the communications satellite procurement program.

NOTIFICATION PROCEDURES

20. The rules as proposed provide that only the Corporation, other communications common carriers, and their respective prime contractors are required to notify the Commission in writing prior to the award of any proposed contract or subcontract. Such contract or subcontract may, at the discretion of the party making procurement, be awarded 10 days after the filing of the notification statement, unless, in the interim, notice is given by the Commission that there is a question as to whether its rules and regulations have been complied with.

21. Before we evaluate the arguments made with respect to the notification procedures, we believe certain matters should be clarified. First of all we wish to emphasize again that the Commission is not performing the role of a contracting officer empowered to initiate, formulate, and approve procurement contracts. Secondly, it should be noted that no approval by the Commission of such contracts is required.

22. The notification procedures have a two-fold purpose. First, they are designed to apprise the Commission of the procurement activities of the Corporation, carriers, and their respective prime contractors. Secondly, the 10 day waiting period is designed to afford the Commission a reasonable opportunity to review the notification statement in order to determine whether the rules are being complied with.

23. The Corporation suggests that the filing of a "statement of compliance" after the award of a contract, in lieu of the proposed notification procedures, would eliminate problems of delay and expense. EIA shares this view. Additionally, the Corporation recommends that if the proposed notification procedures are adopted they should be made applicable only to the contracts of the Corporation and carriers involving not less than \$1,000,000. EIA would limit such procedures to purchases from carrier affiliates or from a sole source.

24. The Commission believes that either the filing of a "statement of compliance" after the award of a contract, or application of notification procedures to contracts of the Corporation and carriers involving not less than \$1,000,000, or from carrier affiliates or sole source, is too inadequate a measure to meet the responsibility of insuring effective competition and equitable opportunity for small business participation. Further, use of the above suggested procedures are more likely to increase the problems of delay and expense incident to any violations of the rules. The notification procedures should not result in any undue delay, particularly in view of the time which would normally be required for the completion of procurement contracts in the space communications field and, in

our view, are essential to enable us to discharge the duties imposed by law. The notification procedures are designed to prevent potential violations without the necessity of lengthy and expensive proceedings after the fact by providing a speedy and effective mechanism for detecting possible violations and rectifying errors before the award is made. Further, we have made provision for emergency procurements and have included provisions for a waiver of the rules in appropriate circumstances which should permit prompt handling of any unusual procurement problems.

25. Finally, we note that AT&T reiterates the "time consuming" argument previously made in connection with the application of the rules to prime contractors and subcontractors (paragraph 15, supra). In view of the fact that the Commission has decided upon a cut off figure of \$25,000 and that the notification procedures do not apply to subcontractors, this argument loses much of whatever force it may have had.

26. For the foregoing reasons the Commission has decided to adopt the notification procedures as proposed.

27. Additional comments. (a) The Commission has considered and rejected the following comments:

(1) EIA's suggestion of exempting all "research and development contracts" would remove from regulation substantially all of the procurement activities in the early development of the system. This we believe is clearly inconsistent with the purposes and objectives of section 201(c)(1) of the Act.

(2) AT&T and EIA's suggestion of deleting the bidders' mailing list requirement because of delay and expense would in effect eliminate the publication requirements of all procurements in the communications satellite field. Such requirements are an essential means of insuring equitable opportunity and effective competition among all business concerns, and where utilized, have not caused undue delay or expense.

(3) The Corporation recommends that the rules should include a provision under which the Commission could approve "alternative procurement procedures" proposed by the Corporation or any carrier. AIA advances a similar recommendation. We think that such an approach at this time could lead to a multiplicity of procurement procedures which could prove confusing, time consuming, and costly to all concerned. However, if later it should appear that the public interest would be served better by the adoption of the above recommendation, the Commission would be prepared to reconsider it.

(b) The Commission has considered and decided to adopt the following comments.

(1) The Corporation has suggested that the 10 day period provided under the notification procedures (§ 25.166) should begin to run from the date of filing of the notification statement with the Commission rather than from the date of acceptance of filing of such statement. We are deleting § 25.168 and amending § 25.166 to reflect this suggestion.

(2) The Corporation has also suggested an editorial change in the last sentence of § 25.163(e) to make clear that, for purposes of the notification procedures, the term "bidder" does not apply to a party engaging in a negotiated procurement. Sections 25.163(e) and 25.174(d) have been amended to reflect this suggestion.

(3) AT&T and EIA recommend that the provisions relating to the use of negotiations as a method of procurement should apply when it is not feasible or practicable to use formal advertising or two-step procurement. Section 25.174(a) has been amended to provide that the use of negotiations as a method of procurement may be used only when formal advertising or two-step procurement is not feasible or practicable.

(4) AT&T and EIA have also suggested that the Commission adopt a self-contained section to cover emergency situations rather than rely upon a general waiver provision as proposed in § 25.162. A new section (§ 25.160) has been added to reflect this suggestion.

(c) The Commission on its own motion has amended the original proposal in the following respects:

(1) In order to simplify procedures, the phrase "all substantial contract modifications" has been deleted from the definition of contracts in § 25.156(c) and in lieu thereof, § 25.172(c) has been amended to require notice to the Commission of any withdrawals or modifications of bids made after opening.

(2) The annual filing of the bidders' mailing lists and reports (§§ 25.169(a) and 25.177(a)) is to commence on a date certain, to wit: June 1, 1964.

(3) Section 25.174(b) has been amended to make clear that in all instances negotiated procurements are to be initiated by a request for proposals. While this was the intent of the section as originally proposed, we believe the amended language removes any possible ambiguities as to its meaning.

(4) As indicated previously, the Commission, on the basis of the comments received, has established the cut off value for application of the rules at \$25,000. We are advised, however, that the Small Business Administration maintains a voluntary cooperative program with industry generally to assist small business in engaging as suppliers for procurements. The Small Business Administration has urged that we give recognition to this voluntary program in our rules. We believe this position is well taken and therefore have included a provision that all parties making procurements shall cooperate with the Small Business Administration, to the extent feasible, even if the value of the procurement is less than \$25,000.

28. This is a new and developing field and the Commission recognizes that the rules to be promulgated may not represent a final solution to all of the problems which may arise in the area of procurement. While we believe that the rules are designed to allow flexibility and afford equitable opportunity to all parties concerned, the Commission is prepared to adapt and modify its procedures to meet new problems as they may arise. We will welcome suggestions on the basis

of actual experience as to the manner in which the procurement rules can be altered in order to carry out more effectively the objectives of the Act.

29. In view of the foregoing, and after consultation with the Small Business Administration, the Commission finds the public interest, convenience, and necessity will be served by the adoption of rules and regulations in accordance with the determinations herein made. Accordingly, pursuant to the authority contained in section 201(c)(1) and 201(c)(11) of the Communications Satellite Act of 1962, and section 4(i) of the Communications Act of 1934, as amended, *It is ordered*, This 8th day of January 1964 that:

1. The foregoing report is adopted.
2. Part 25 of the Commission's rules and regulations is amended by adding a new Subpart B, as set forth below, effective February 24th, 1964.

Adopted: January 8, 1964.

Released: January 9, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

Sec.

- 25.151 Scope, purpose and application of this subpart.
- 25.152-25.155 [Reserved]
- 25.156 Definitions.
- 25.157-25.159 [Reserved]
- 25.160 Emergencies.
- 25.161 Contract requirements.
- 25.162 Persons required to give prior notification.
- 25.163 Contents of notification.
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- 25.166 Action upon notification.
- 25.167 Amendments.
- 25.168 [Reserved]
- 25.169 Publication requirements.
- 25.170 [Reserved]
- 25.171 Methods of procurement.
- 25.172 Formal advertising.
- 25.173 Two-step procurement.
- 25.174 Negotiation.
- 25.175 [Reserved]
- 25.176 Small business.
- 25.177 Maintenance and inspection of records, etc.
- 25.178 Inspection.
- 25.179-25.201 [Reserved]

AUTHORITY: The provisions of this subpart issued under sec. 4, 48 Stat. 1066, as amended; 47 U.S.C. 154. Interpret or apply secs. 201, 76 Stat. 42, 47 U.S.C. 721.

§ 25.151 Scope, purpose and application of this subpart.

The provisions of this subpart govern the administration of section 201(c)(1) of the Communications Satellite Act of 1962, and are designed to insure effective competition in the procurement by the corporation and communications common carriers of apparatus, equipment, and services required for the establishment and operation of the communications satellite system and satellite terminal stations, and to insure that small business concerns are given an equitable opportunity to share in such procurements. This subpart establishes uniform policies and procedures applicable to all procurements except where:

(a) The value of the procurement is less than \$25,000, except as provided in § 25.176(c).

(b) The procurement is for electric power or energy, gas, water, or other utility service.

(c) The procurement is from or through a government instrumentality.

(d) The procurement is for personal services.

The provisions with respect to notification (§§ 25.162-25.167) shall apply only to the Corporation, other communications common carriers, and their respective prime contractors.

§§ 25.152-25.155 [Reserved]

§ 25.156 Definitions.

Except as otherwise provided, the following terms shall have the following meanings when used in this subpart. (See also § 25.103.)

(a) *Bidders' mailing list.* The term "bidders' mailing list" means one of a number of lists classified by types of property or services containing the names of those suppliers, including small business concerns, who have made request for inclusion and who appear to be qualified for inclusion therein, or who may appear from other information to be qualified.

(b) *Carrier.* The term "carrier" has the same meaning as that of communications common carrier. (See § 25.103 (a).)

(c) *Contracts.* The term "contracts" means all types of agreements and purchase orders for procurement by a party making procurement.

(d) *Government instrumentality.* The term "government instrumentality" means any of the following:

(1) An agency or instrumentality of the Federal Government; a possession of the United States; or the Commonwealth of Puerto Rico;

(2) A State or local government or an agency or instrumentality thereof.

(e) *Party making procurement.* The term "party making procurement" means any person or firm engaged in the procurement of property or services required primarily for the establishment and operation of a communications satellite system or a satellite terminal station including the corporation, carriers, prime contractors, and subcontractors; provided, however, for the purposes of §§ 25.162-25.167, inclusive, the term party making procurement means the corporation, carriers, and prime contractors.

(f) *Procurement.* The term "procurement" means all procedures for the purchasing, renting, leasing, or the obtaining by any other means of all properties of services required primarily for the establishment and operation of a communications satellite system or a satellite terminal station.

(g) *Property.* The term "property" means all tangible property, including apparatus, equipment, and supplies.

(h) *Prime contractor.* The term "prime contractor" means any person or firm to whom any contract is awarded directly by the corporation or a carrier.

(i) *Services.* The term "services" shall include but is not limited to re-

search, development, construction, maintenance, and repair activities.

(j) *Small business concern.* The term "small business concern" shall have the same definition as promulgated by the Small Business Administration for procurement purposes as set forth in 13 CFR Part 121. If the size status of any small business concern is questioned, the matter shall be referred to the Small Business Administration for a determination.

(k) *Subcontract.* The term "subcontract" means any contract to perform any work or to make or furnish any property or service required for the performance under any one or more prime contracts or subcontracts.

(l) *Subcontractor.* The term "subcontractor" means any person or firm to whom any contract is awarded by a prime contractor or subcontractor under a prime contract.

§§ 25.157-25.159 [Reserved]

§ 25.160 Emergencies.

(a) Any party making procurement confronted by a serious emergency occasioned by conditions unforeseen by him, and beyond his control, which prevents his compliance with this subpart, may make such procurements as may be required by the circumstances without regard to the other requirements of this subpart, provided he immediately informs the Commission of the nature of the emergency and of the action he has taken or proposes to take.

(b) In addition to notifying the Commission immediately, any party making procurement under paragraph (a) of this section shall file with the Commission within 10 days following such procurement a statement in writing setting forth in detail all the terms and conditions of the transaction(s).

§ 25.161 Contract requirements.

Every contract or subcontract shall contain a provision that each party making procurement shall comply with the provisions of this subpart.

§ 25.162 Persons required to give prior notification.

No party making procurement as defined in § 25.156(e) shall award a contract or subcontract for property or services unless notification shall have been given to the Commission in accordance with §§ 25.163-25.167; however, the Commission may waive or modify the foregoing requirements or any other provisions of this subpart in accordance with § 1.3 of this chapter.

§ 25.163 Contents of notification.

Each notification submitted under this subpart shall contain or incorporate the following information:

(a) Name and address of the party making procurement.

(b) Names and addresses of all companies who have responded to the invitation for bids or request for proposals of the party making procurement.

(c) The method of procurement used and a statement that such method has been carried out in compliance with the

provisions of this subpart applicable thereto.

(d) Copy of the contract or subcontract to be awarded or a description of its material provisions.

(e) The name of the person or firm to whom the contract or subcontract will be awarded. In the event the award is not to be made to the lowest bidder, under formal advertising or two-step procurement, a statement of the reasons therefor.

(f) If the party making procurement has a financial interest in the person or firm to whom the award will be made, the nature and extent of such interest.

(g) A statement containing a full and complete disclosure of the real party or parties in interest, if other than the parties named in the contract or subcontract.

§ 25.164 Who may sign the notification.

(a) Each notification or amendment thereto shall be personally signed by the party making procurement, if said party is an individual; by one of the general partners, if said party is a partnership; by an officer or duly authorized employee, if said party is a corporation; or by a member who is an officer, if said party is an unincorporated association.

(b) Only the original of any notification and any amendment thereto need be signed; copies may be conformed.

(c) Notification and amendments thereto need not be signed under oath; however, wilful false statements made therein are punishable by fine and imprisonment (18 U.S.C. Sec. 1001), and by other appropriate administrative sanctions.

§ 25.165 Form of notification, number of copies, etc.

(a) The original notification and five copies thereof shall be filed with the Commission. Each copy shall bear the dates and signatures that appear on the original and shall be complete in itself.

(b) All notifications shall be on paper approximately 8 by 10½ inches with left hand margin not less than 1½ inches wide. The impression shall be on one side of the paper only and shall be double spaced. Notifications and accompanying papers, except charts, shall be typewritten or prepared by mechanical processing methods. All copies must be clearly legible.

§ 25.166 Action upon notification.

The party making procurement may award the proposed contract or subcontract at any time subsequent to 10 days after the date of filing with the Commission at its office in Washington, D.C., or 13 days after deposit in the mail, of such notification or last amendment thereto, unless within such period either the party making procurement, by written or telegraphic notice to the Commission, extends such period, or the Commission notifies such party during such 10-day period or any extension thereof that his notification statement is defective or that the Commission cannot, without further investigation, determine whether its rules and regulations have been complied with. In the latter

event, the Commission shall issue a public notice and proceed in accordance with paragraphs (a) and (b) of this section:

(a) Within 10 days following issuance of such notice by the Commission, any interested person may file written comments with respect to the proposed contract or subcontract. Such comments shall also be served on the party making procurement who shall be afforded 5 days in which to file written reply comments.

(b) The party making procurement may award the proposed contract or subcontract at any time subsequent to 30 days following issuance of such notice by the Commission, unless within the 30-day period such party is further notified in writing by the Commission that it is unable to find that the rules and regulations of this subpart have been complied with and the reasons therefor. Such further notice shall specify a reasonable time within which such party may respond thereto. Upon receipt and consideration of such response, if any, and all other relevant information, the Commission shall enter an order either permitting the award of the contract or subcontract or institute such further proceedings as appear appropriate.

§ 25.167 Amendments.

The Commission may at any time order or require the party making procurement to amend his notification so as to make it more definite and certain or to submit such additional documents or statements as in the judgment of the Commission may be necessary.

§ 25.168 [Reserved]

§ 25.169 Publication requirements.

Every invitation for bids or request for proposals issued by a party making procurement shall be publicized through the bidders' mailing list and the party making procurement is encouraged to use the Commerce Business Daily, published by the Department of Commerce (see 41 CFR Subpart 1-1.10). A copy of every such invitation or request, together with a list of all concerns which have been notified, and a statement of the method of procurement to be used and of the reasons therefor, shall be filed with the Commission by the party making procurement within 5 days from the date of issuance of such invitation or request.

(a) Bidders' mailing lists shall be compiled and maintained by the party making procurements who shall file such lists with the Commission prior to the issuance of his first invitation for bids or request for proposals. Current revisions of such lists shall be filed annually commencing on June 1, 1964.

(b) The party making procurement shall consult with the Small Business Administration to obtain names and addresses of small business concerns who are considered by that organization to have the technical and other capabilities required to provide the type of property or services for which the bidders' mailing lists are intended.

(c) Less than the complete bidders' mailing list may be utilized if a reasonable number of suppliers are solicited. When less than the complete bidders'

mailing list is utilized, all small business concerns on such list shall be solicited, except that only a reasonable number of such concerns need be solicited when the bidders' mailing list is composed predominantly of small business concerns.

(d) When a supplier of property or services listed by the party making procurement consistently fails to respond to invitations for bids or requests for proposals, the supplier may be deleted from the bidders' mailing list. Such supplier shall be reinstated upon application to said party.

(e) A reasonable number of copies of invitations for bids and requests for proposals publicized through the bidders' mailing list, including specifications and other pertinent information, shall be maintained by the party making procurement. Copies of such invitations or requests shall be available for inspection by all interested parties, including Government agencies, manufacturers, contractors, publishers, trade associations, procurement information services, and other disseminators of information.

§ 25.170 [Reserved]

§ 25.171 Methods of procurement.

All procurements by a party making procurement shall be initiated and made by formal advertising except where two-step procurement or negotiations are otherwise authorized under this subpart.

§ 25.172 Formal advertising.

Formal advertising means procurement by competitive bids and awards as prescribed in this section and involves the following basic requirements:

(a) *Contents of the invitation for bids.* The invitation for bids shall contain a detailed description of the requirements of the party making procurement. The invitation shall specify the date by which the bid must be submitted, the time and place established for the opening of bids, delivery requirements, all applicable contractual provisions (including any requirements for bonds, liquidated damage provisions, etc.) and shall contain a complete set of all applicable specifications, technical data, and drawings or the place where such specifications, technical data, and drawings may be obtained by bidders and any other information deemed appropriate.

(b) *Publicizing the invitation for bids.* The bids shall be solicited, and the invitation shall be publicized, and the Commission shall be notified in accordance with the procedures set forth in § 25.169.

(c) *Submission of bids by prospective contractors.* Bids must be submitted in the form and manner prescribed in the invitation for bids and comply with all the requirements contained therein. Bids may be modified or withdrawn at any time prior to opening. After opening, such modifications or withdrawals may be permitted by the party making procurement provided they are not to the detriment of other bidders or in no way detract from the competitive nature of the procurement. Notice of any withdrawals permitted or modifications made after opening shall be furnished to the Commission within 5 days thereafter, together with a statement of reasons therefor.

(d) *Evaluation and award.* To the extent possible, all bids for a given procurement shall be opened at the time and place set forth in the invitation for bids by the party making procurement who shall record all bids. Unless all bids are rejected, an award shall be made to that bidder whose bid, conforming to the invitation, is most advantageous to the party making procurement, price and other factors considered. (See also § 25.176(b).) When an award has been made, an unsuccessful bidder shall upon request be notified by the party making procurement of the reasons its bid was not accepted.

§ 25.173 Two-step procurement.

Two-step procurement is a means of procurement conducted in two steps. Step one consists of the request for, and the submission, evaluation, and if necessary, discussion of, technical proposals without pricing. Step two consists of a formally advertised procurement limited to those contractors submitting technically acceptable proposals in step one.

(a) *Limitations on use.* This method of procurement may be used only when available specifications or purchase descriptions do not permit formal advertising without engineering evaluations and discussion with respect to the technical aspects thereof so as to insure mutual understanding between contractors and the party making procurement.

(b) *Request for technical proposals—step one.* Technical proposals shall be requested, the request publicized, and the Commission notified in accordance with the procedures set forth in § 25.169. The request for technical proposals shall contain or incorporate the following information:

(1) The best available description of the property or services required.

(2) A statement that the procurement will be conducted in two steps and notification to contractors of the scope of each step.

(3) The minimum acceptable technical information required to be submitted by the bidders.

(4) The criteria for evaluating technical proposals, and a statement that modifications of the criteria may be permitted provided it is not to the detriment of other bidders or in any way detracts from the competitive nature of the procurement.

(5) A statement that technical proposals shall not be accompanied by prices or pricing information.

(6) Notification that prospective bidders may discuss the request and their technical proposals with the party making procurement.

(7) A statement that only those bidders submitting acceptable technical proposals will be permitted to participate in the second step of the procurement.

(8) The date by which the technical proposal must be submitted.

(9) Any other information deemed appropriate.

(c) *Evaluation of technical proposals—step one.* The following procedures shall govern the evaluation of technical proposals:

(1) Upon receipt and review of technical proposals submitted in step one, all reference to pricing or cost data shall be removed and may not be given consideration.

(2) Evaluation of technical proposals shall be made upon the criteria set forth in the request for technical proposals, and any permissible modifications.

(3) Technical proposals shall be categorized, by the party making procurement, as follows: acceptable, acceptable requiring further discussion, or unacceptable. Upon evaluation of technical proposals received in step one, the party making procurement shall, if additional proposals are necessary to insure effective competition or equitable opportunity for small business, arrange for necessary discussions with those bidders submitting technical proposals which might become acceptable after further discussion.

(d) *Step two.* Upon completion of the procedures required in step one, invitations for bids shall be extended to those parties whose technical proposals have been evaluated and determined to be acceptable or become acceptable after further discussion. A list of such parties shall be filed with the Commission within 5 days from the date such invitations for bids are extended. The invitation shall specify the date by which the bid must be submitted, the time and place established for the opening of bids, delivery requirements, all applicable contractual provisions (including any requirements for bonds, liquidated damage provisions, etc.), and any other information deemed appropriate. Such parties shall be informed in the invitation that they will be limited to the property or service set forth in the acceptable technical proposals and if they submit pricing for other property or service their bid shall be rejected.

(e) *Evaluation and award.* To the extent possible, all bids for a given procurement shall be opened at the time and place set forth in the invitation for bids by the party making procurement who shall record all bids. Unless all bids are rejected, an award shall be made to that bidder whose bid, conforming to the invitation, is most advantageous to the party making procurement, price and other factors considered. (See also § 25.176(b).) When an award has been made, an unsuccessful bidder shall upon request be notified by the party making procurement of the reasons its bid was not accepted.

§ 25.174 Negotiation.

This section sets forth the basic requirements for procurement by means of negotiation and the circumstances under which negotiation shall be permitted.

(a) *Limitations on use.* This method of procurement may be used only when it is not feasible or practicable to procure property or service through either formal advertising or two-step procurement, or if otherwise specifically authorized by the Commission.

(b) *Preparation of the request for proposals.* Negotiations shall be initiated by a request for proposals which,

to the extent feasible, shall clearly and completely set forth the requirements of the procurement; the criteria upon which proposals will be evaluated; the type of contract that is intended to be utilized; the availability of special tooling or equipment necessary to fulfill the technical requirements of the contract; the time for receipt of proposals; the general terms and conditions of the contract to be awarded; and any other information deemed appropriate.

(c) *Request for proposals.* Proposals shall be requested, the request publicized, and the Commission notified in accordance with the procedures set forth in § 25.169.

(d) *Evaluation and award.* When discussion of proposals with prospective contractors is deemed necessary, such discussions may not be used to give preference to any particular contractor, or to disclose the technical or costing data submitted by other prospective contractors. The award of a negotiated procurement shall be made to that person or firm whose proposal is most advantageous to the party making procurement on the basis of the criteria established, price and other factors considered. (See also § 25.176(b).) When an award has been made, an unsuccessful party shall upon request be notified by the party making procurement of the reasons its proposal was not accepted.

§ 25.175 [Reserved]

§ 25.176 Small business.

(a) Whenever economically and technically feasible, the party making procurement shall divide any procurement into reasonably small lots in order to permit bidding by small business concerns on quantities less than the total requirements. The maximum amount of time practicable shall be allowed for preparation, submission of bids or proposals, and delivery schedules.

(b) When a procurement made by a party making procurement can be fulfilled or furnished by a small business concern, price and other factors considered, the award of such procurements shall be made to such concern. A list of such awards shall be filed annually with the Commission commencing on June 1, 1964.

(c) In addition to complying with the requirements applicable to procurements of \$25,000 or more, all parties making procurements shall cooperate with the Small Business Administration to the extent feasible, even if the value of the procurement is less than \$25,000, for the purpose of insuring that small business has an equitable opportunity to participate in all procurements.

(d) The Corporation shall maintain an office responsible for the supervision and administration of small business activities, compliance with the small business provisions of this subpart, and for liaison with the Commission, the Small Business Administration, and contractors.

§ 25.177 Maintenance of records.

(a) The Corporation and carriers shall obtain information on all subcontracts

awarded under each of their prime contracts. Such information shall include the name and address of each subcontractor, the property or service purchased, and the amount of the award. Reports reflecting such information shall be filed annually, commencing on June 1, 1964, with the Commission.

(b) The party making procurement shall maintain records of all awards for 3 years. Such records shall set forth the property or service purchased; the name of the firm receiving the award and the names of any other firms solicited; and the reason for selecting the firm receiving the award.

§ 25.178 Inspection.

The Commission may, from time to time, inspect the procurement practices and procedures of any party making procurement to ascertain whether such practices and procedures are in compliance with the provisions of this subpart. In connection therewith, the Commission shall at all reasonable times have access to, and the right of inspection of the actual operations, accounts, records and memoranda, including all documents, papers and correspondence now or hereafter existing, of any party making procurement pertinent to that party's procurement of property or services required primarily for the establishment and operation of the communications satellite system or satellite terminal stations.

§§ 25.179-25.201 [Reserved]

Subparts C-G—[Reserved]

[F.R. Doc. 64-374; Filed, Jan. 14, 1964; 8:47 a.m.]

[FCC 64-18]

PART 73—RADIO BROADCAST SERVICES

Equipment and Antenna Systems

At a session of the Federal Communications Commission held at its offices in Washington, D.C., on the 8th day of January 1964;

The Commission having under consideration its Order (FCC 63-36) adopted January 9, 1963, amending §§ 3.48, 3.250, and 3.550 (now §§ 73.48, 73.250, and 73.550) of the Commission's rules relating to acceptability of broadcast transmitters for licensing, to provide for interchangeability of transmitting equipment under certain circumstances;

It appearing, that, pursuant to the aforesaid sections as so amended a licensee or a permittee may, without further authority, install and utilize a transmitter other than that specifically authorized in its station license or construction permit if such transmitter is listed in the Commission's "Radio Equipment List, Part B, Aural Broadcast Equipment" as acceptable for the transmitter output power authorized and, if operation under §§ 73.295, 73.297, 73.595, or 73.596 is included, such transmitter is

listed in the said "Radio Equipment List" as acceptable for the appropriate type of operation; and

It further appearing, that, §§ 73.257(b) (2) and 73.557(b) (2) of the Commission rules and regulations relating to replacement of transmitter should be amended to make them consistent with the rule changes effected by the aforementioned Order; and

It further appearing, that, these amendments to the rules are procedural in nature and that compliance with the notice and effective date provisions of section 4 of the Administrative Procedure Act is not required; and

It further appearing, that, authority for the promulgation of these amendments to the rules is contained in sections 4(i), 301, 303(e) and 303(r) of the Communications Act of 1934, as amended;

It is ordered, That §§ 73.257(b) (2) and 73.557(b) (2) of the Commission's rules are amended to read as follows:

§ 73.257 Changes in equipment and antenna system.

* * * * *

(b) * * *
(2) A replacement of the transmitter as a whole, unless such transmitter is one which may be installed and utilized in accordance with the provisions of § 73.250(a) (5).

* * * * *

§ 73.557 Changes in equipment and antenna system.

* * * * *

(b) * * *
(2) A replacement of the transmitter as a whole, unless such transmitter is one which may be installed and utilized in accordance with the provisions of § 73.550(a) (5).

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

Released: January 10, 1964.

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

[F.R. Doc. 64-373; Filed, Jan. 14, 1964; 8:47 a.m.]

Title 49—TRANSPORTATION

Chapter I—Interstate Commerce Commission

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

PART 120—ANNUAL, SPECIAL OR PERIODICAL REPORTS

Annual Reports of Refrigerator Car Lines Owned or Controlled by Railroad Companies

At a session of the Interstate Commerce Commission, Division 2, held at its

office in Washington, D.C., on the 27th day of December A.D. 1963.

The matter of annual reports of refrigerator car lines owned or controlled by railroad companies being under further consideration, and the changes to be made by this order being minor changes in the data to be furnished, rule-making procedures under section 4(a) of the Administrative Procedure Act, 5 U.S.C. 1003, being deemed unnecessary:

It is ordered, That § 120.70 of the order of December 14, 1961, in the matter of Annual Report Form B-1 (Refrigerator Car Lines Owned or Controlled by Railroad Companies), be, and it is hereby, modified and amended with respect to annual reports for the year ended December 31, 1963, and subsequent years, to read as shown below.

It is further ordered, That § 120.70 be, and it is hereby, modified and amended, to read as follows:

§ 120.70 Annual reports of refrigerator car lines owned or controlled by railroad companies.

Commencing with reports for the year ended December 31, 1963, and thereafter, until further order, all refrigerator car lines which are operated in interstate commerce subject to the provisions of section 20(6) of the Interstate Commerce Act, 49 U.S.C. 20, and which are owned or controlled by railroad companies, are required to file annual reports in accordance with Annual Report Form B-1 (Annual Reports of Refrigerator Car Lines Owned or Controlled by Railroad Companies), which is attached to and made a part of this section.¹ Such report shall be filed in duplicate in the Bureau of Transport Economics and Statistics, Interstate Commerce Commission, Washington, D.C., 20423, on or before March 31 of the year following the year to which it relates.

(Sec. 12, 24 Stat. 383, as amended; 49 U.S.C. 12. Interpret or apply sec. 20, 24 Stat. 386, as amended; 49 U.S.C. 20)

And it is further ordered, That copies of this order and of Annual Report Form B-1 shall be served upon all refrigerator car lines subject to section 20(6) of the Interstate Commerce Act, owned or controlled by railroad companies, and upon every trustee, receiver, executor, administrator, or assignee of any such car line, and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D.C., and by filing it with the Director, Office of the Federal Register.

By the Commission, Division 2.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-358; Filed, Jan. 14, 1964; 8:46 a.m.]

¹ Filed as part of the original document.

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Parts 4b, 40, 41, 42]

[Notice 63-42A; Docket No. 2033]

REGULATIONS, PROCEDURES, AND EQUIPMENT FOR PASSENGER EMERGENCY EVACUATION; FLIGHT ATTENDANTS; AND ASSIGNMENT OF EMERGENCY EVACUATION FUNCTIONS FOR CREWMEMBERS

Extension of Comment Period

The Flight Standards Service of the Federal Aviation Agency proposed in Notice 63-42 (Regulations, Procedures, and Equipment for Passenger Emergency Evacuation; Flight Attendants; and Assignment of Emergency Evacuation Functions for Crewmembers) published in the FEDERAL REGISTER of October 29, 1963 (28 F.R. 11507), to amend certain operating rules of Parts 4b, 40, 41, and 42 of the Civil Air Regulations. That notice stated that consideration would be given to all comments received on or before January 13, 1964.

The Aerospace Industries Association of America (AIA), on behalf of its members, has requested an extension of the time for comments on this proposed regulatory action. This organization has a substantive interest in the proposed rule and advised the Agency that they needed until February 10, 1964, to give proper consideration to the proposal.

I find that the petitioner has shown a substantial interest in the proposed rule and good cause for the extension, and that the extension is consistent with the public interest. Therefore, pursuant to the authority which has been delegated to me by the Administrator (14 CFR 11.45), the time within which comments on Notice 63-42 will be received is extended to February 10, 1964.

Communications should be submitted in duplicate to the Federal Aviation Agency, Office of the General Counsel: Attention Rules Docket, 800 Independence Avenue NW, Washington, D.C., 20553. All comments submitted will be available, both during and after the comment period, in the Rules Docket for examination by interested persons.

Issued in Washington, D.C., on January 10, 1964.

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

[F.R. Doc. 64-391; Filed, Jan. 14, 1964;
8:49 a.m.]

[14 CFR Part 71 [New]]

[Airspace Docket No. 63-CE-56]

CONTROLLED AIRSPACE

Supplemental Notice of Proposed Rule Making; Correction

On December 21, 1963, there was published in the FEDERAL REGISTER (28 F.R.

352

13940) a proposal to alter the Springfield, Ill., control zone, revoke the Springfield control area extension and the

Jacksonville, Ill., transition area, and designate the Springfield transition area.

During publication, the bearing from the Springfield radio range used to describe the lateral extent of the position of the Springfield transition area proposed with a floor of 700 feet above the surface, extending from the 7-mile radius area to 12 miles southwest of the radio range was transposed from 214° to 124°; and, the radial from the Capital VOR, used to describe the lateral extent of the portion of the Springfield transition area proposed with a floor of 1,200 feet above the surface within a 15-mile radius of the Capital VOR, was transposed from 164° to 146°. In addition, the airway designation used in describing the extent of a longitudinal boundary extending from the 26-mile radius area was transposed from Victor 426 to Victor 462. Accordingly, the portion of the Notice proposing the designation of the Springfield transition area is corrected by substituting 214° for the 124° indicated in the notice for the portion with a floor of 700 feet above the surface; substituting 164° for the 146° indicated in the notice for the portion with a floor of 1,200 feet above the surface; and substituting Victor 426 for Victor 462 where it appears in the 1,200-foot area description.

In order to provide interested persons time to adequately evaluate this proposal, as modified herein, and an opportunity to submit additional written data, views or arguments, the date for filing such material is hereby extended to forty-five days after publication of this notice. Communications should be submitted in triplicate to the Director, Central Region, Attention: Chief, Air Traffic Division, Federal Aviation Agency, 4825 Troost Ave., Kansas City, Mo., 64110.

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

Issued in Washington, D.C., on January 8, 1964.

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

[F.R. Doc. 64-336; Filed, Jan. 14, 1964;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[47 CFR Part 73]

[Docket No. 12945; FCC 64-15]

TELEVISION BROADCAST STATIONS; TABLE OF ASSIGNMENTS

Notice of Proposed Rule Making

1. The Commission has under consideration the following proposals set forth

in its notice of proposed rule making (FCC 59-722), adopted on July 15, 1959:

(1) A petition for rule making, filed May 24, 1957, and amended July 3, 1957, by Capitol Broadcasting Company, licensee of Station WCOV-TV on Channel 20 at Montgomery, Alabama, to assign a second VHF channel to Montgomery as follows:

| City | Channel No. | |
|----------------------|---------------------|-------------------------|
| | Present | Proposed |
| Montgomery, Ala..... | 12, 20, *26+, 32 | 8-, 12, 20, *26+, 32 |
| Selma, Ala..... | 8-, 58+ | 58+ |

(2) A petition for rule making, filed December 10, 1957, by the Washington Post Company, to provide a third commercial VHF channel to Birmingham, Alabama, as follows:

| City | Channel No. | |
|----------------------|------------------------------|----------------------------------|
| | Present | Proposed |
| Birmingham, Ala..... | 6-, *10-, 13-, 42+, 48 | 6-, 8-, *10-, 13-, 42+, 48 |
| Selma, Ala..... | 8-, 58+ | 58+ |

(3) Proposals submitted as alternative counterproposals in the Columbus, Georgia, rule making proceeding (Docket No. 12054) on February 21, 1958, and on April 2, 1958, by Frank K. Spain, principal owner of WTUV, Inc., licensee of Station WTUV on Channel 9 at Tupelo, Mississippi, as follows:

PLAN 1

| City | Channel No. | |
|----------------------|-------------|-------------|
| | Present | Proposed |
| Tupelo, Miss..... | 9-, 38 | 38 |
| Tuscaloosa, Ala..... | 45, 51- | 9-, 45, 51- |

PLAN 2

| City | Channel No. | |
|------------------------------------|-------------|----------|
| | Present | Proposed |
| Tupelo, Miss..... | 9-, 38 | 38 |
| Tuscaloosa-Birmingham, Ala..... | 45, 51- | 4- |
| Columbus, Miss..... | 4-, 28- | 9-, 28- |

¹ On February 17, 1960 the Commission added Channel *14 to Tuscaloosa. In the Matter of Amendment of Table of Assignments, Docket No. 13193, FCC 60-152.

(4) A proposal submitted as a counterproposal in the Columbus, Georgia, rule making proceeding (Docket No. 12054) on April 2, 1958, by Birmingham Television Corporation, holder of a permit for Station WBMG on Channel 42 at Birmingham, Alabama, which would assign a third commercial VHF channel to Birmingham and a second VHF channel to Montgomery, Alabama, as follows:

| City | Channel No. | |
|----------------------------|------------------------------|-----------------------------------|
| | Present | Proposed |
| Birmingham, Ala. | 6-, *10-, 13-, 42+, 48 | 4-, 6-, *10-, 13-, *42+, 48 |
| Columbus, Miss. | 4-, 28- | 2+, 28- |
| State College, Miss. | *2+ | *8 |
| Montgomery, Ala. | 12, 20, *26+, 32 | 8-, 12, 20, *26+, 32 |
| Selma, Ala. | 8-, 58+ | 58+ |
| Columbus, Ga. ² | 4, 28, *34 | 3, 9+, *34 |
| Dothan, Ala. ² | 9+, 19- | 4, 19- |

¹ On July 15, 1959, the Commission added Channels 3 and 9 to Columbus, and added Channel 4 to, and deleted Channel 9 from, Dothan. In the Matter of Amendment of Table of Assignments, Docket No. 12054, FCC 59-721.

Proposal No. 1. **2.** Proposal No. 1 (and No. 4, *inter alia*) requests a shift of Channel 8 from Selma to Montgomery, Alabama. Selma Television, Inc., formerly known as Deep South Broadcasting Company (herein WSLA-TV), has been operating on Channel 8 in Selma since March 1960. No application has been filed for Channel 58, the other assignment in Selma. In Montgomery, WSFA-TV (an NBC affiliate) is operating on Channel 12; WCOV-TV (a CBS affiliate) is operating on Channel 20; WCCB-TV went on the air on Channel 32 on March 24, 1962, but went off the air with authority to remain silent on February 15, 1963; and WAIQ is operating as a noncommercial educational station on Channel 26. Capitol Broadcasting Company, licensee of WCOV-TV in Montgomery, filed the instant petition to move Channel 8, and requested that its authorization for Channel 20 be modified to Channel 8 at Montgomery and the authorization of the Selma station be modified to Channel 58. Capitol's 1957 petition requested that Channel 8 be moved from Selma to provide equality of service for the two television stations then operating in Montgomery. It had been operating on a UHF channel since 1953 but began to have difficulty competing when WSFA-TV went on the air on Channel 12 in December 1954. Capitol contends that over a period of three and one-half years the number of UHF sets in the Montgomery market declined by 18,750 in contrast to an increase of 42,000 in the number of VHF receivers, argues that if the intermixed situation is permitted to continue the number of UHF sets will continue to decline until the point is reached where WCOV-TV will no longer be able to operate. Capitol alleges that it has been able to survive only because of its superior programming, its twenty-one month head start on its VHF competitor, and the absence of other VHF signals in the market. It is further urged that if WCOV-TV operates on Channel 8, 138,688 persons who now receive only one television service would receive a second service.

3. Selma is served by WSLA-TV and receives a Grade B signal from WSFA-TV, the VHF station in Montgomery. WSLA-TV vigorously opposes the removal of the channel from Selma, alleging its right to a hearing under section 316 of the Communications Act of 1934, as amended, before its authorization can be amended, and claims that

the removal of the only VHF assignment and the only operating station from Selma to make available a second VHF station for Montgomery is contrary to the requirements of section 307(b) of the Communications Act. It is argued that the deletion of Channel 8 from Selma signals the end of local television there and that significant numbers of people in southwestern Alabama would be left without service.

4. Capitol asks us to move a VHF channel from Selma, where it is the only VHF channel assigned and the only television station operating, to Montgomery, where one VHF station and one UHF station are on the air and where one UHF permittee has authority to remain silent. Capitol is the UHF station on the air and would substitute the VHF service for its present operation. Montgomery would then have two local VHF services; Selma would have none.

5. The record indicated substantial UHF conversion in Montgomery County, Capitol's home county. An estimated 94 percent conversion is given by the 1960 American Research Bureau report. Capitol does not allege it has been losing money, but admittedly its earnings are not comparable with those of the competing VHF station. However, since the inception of this rule making, Congress has enacted legislation³ which authorizes the Commission to require that television receivers shipped in interstate commerce for sale or resale to the public (or imported into the United States for such purpose) shall be capable of adequately receiving all frequencies allocated by the Commission to television broadcasting. The Commission has issued an order requiring that receivers manufactured after April 30, 1964 and shipped in interstate commerce must be equipped to receive all channels.

6. Our anticipations concerning the effect of this legislation on UHF operation are summarized in a letter submitted to the House Committee on Interstate and Foreign Commerce (see H. Rept. No. 1559, 87th Cong., 2d Sess., pp. 18-26) discussing the effect the passage of the all-channel receiver authority might have on certain pending proceedings, in which the Commission made the following statement: "The UHF operator (both commercial and educational) could look forward to UHF receiver saturation not only in his home city but in the surrounding rural areas as well, and could expect improvement in the quality of the UHF portion of the receivers in the hands of the public. With increased use of UHF, and increased incentive for both equipment manufacturers and station operators to exploit its maximum potential, there is reason to believe that several of the problems which presently restrict the coverage of UHF stations could be overcome."

7. To grant the instant proposal would deprive Selma of its only local television service, would result in the demise of the UHF station presently in Montgomery and would discourage the return of WCCB-TV, the silent UHF station. We

³ Public Law 87-529, enacted into law July 10, 1962.

are therefore of the view that the interests of both the people of Selma and Montgomery would be better served by the denial of this proposal. We particularly call attention to our action in Docket No. 14231,⁴ in which we stated that all new VHF assignments and applications will be scrutinized as to their likely effect upon UHF development.

Proposal No. 2. 8. This proposal, filed by the Washington Post Company on December 10, 1957, requests a shift of Channel 8 from Selma to Birmingham, Alabama. As we have previously indicated, we will not remove from Selma its only operating television station. Moreover, a station on Channel 8 at Birmingham would be likely to invade UHF territory in Northern Alabama where WMSL-TV is operating on Channel 23 at Decatur, WAFG-TV on Channel 31 and WHNT-TV on Channel 19 at Huntsville and WOWL-TV on Channel 15 at Florence. Construction permits are also outstanding for Channels 25 at Huntsville and 47 at Tuscumbia. For these reasons, the proposal of the Washington Post Company is herewith denied.

Proposal No. 3. 9. Proposal No. 3 (Plan 1) was filed by Frank K. Spain of WTWV, Tupelo, Mississippi and would shift Channel 9 from Tupelo to Tuscaloosa, Alabama. Spain also requested that the Commission amend WTWV's authorization to specify Channel 9 at Tuscaloosa, Alabama. On July 15, 1959, in Docket No. 12054 we allocated Channel 9 to Columbus, Georgia which is located 158 miles from Tuscaloosa. The minimum required co-channel spacing for this zone is 190 miles and the assignment of Channel 9 to Tuscaloosa would be at substantially less than the minimum mileage separation. No comments in support of the instant proposal were filed. In view of the short separation, it is denied.

10. Proposal No. 3 (Plan 2) was filed by Spain after he determined that Channel 4 could be so used that it would serve both Birmingham and Tuscaloosa. He requested that Channel 4 be allocated to Tuscaloosa-Birmingham by substituting Channel 9 for Channel 4 at Columbus, Mississippi. He further requested that the Commission order WTWV to show cause why its authorization should not be changed to Channel 4 at Tuscaloosa-Birmingham and that WCBI-TV be ordered to show cause why its authorization should not be changed to Channel 9 in Columbus. Under this proposal, Tupelo would be deprived of its only local television station which has operated in that community since March, 1957. The only other signal received in Tupelo is from Columbus, Mississippi, 50 miles away. This proposal would also require the modification of WCBI-TV's license at Columbus and WTWV has conditioned its willingness to give up Channel 9 at Tupelo upon its getting in exchange Channel 4 at Birmingham. For the above reasons, this proposal is denied.

Proposal No. 4. 11. Birmingham Television Corporation, authorized to oper-

⁴ FCC 62-1192, issued Nov. 23, 1962.

⁵ In the Matter of Assignment of Additional VHF Channels to Oklahoma City, etc., FCC 63-501, adopted May 29, 1963.

[47 CFR Part 97]

[Docket No. 15267; FCC 64-7]

AMATEUR RADIO SERVICE

Proposed Deletion of Dual Identification Requirements

ate WBMG on Channel 42 at Birmingham, also submitted a plan to allocate Channel 4 to Birmingham. Since Columbus, Mississippi, is only 93 miles from Birmingham, it would be necessary to find another frequency for WCBI-TV before Channel 4 on which that station operates could be allocated to the Birmingham area. Birmingham Television suggests that Channel *8 be substituted for Channel *2 in State College, Mississippi, thus releasing Channel 2 for use by WCBI-TV in Columbus, Mississippi. Birmingham proceeds on the assumption that the Commission will adopt the other portion of Proposal No. 4, namely that Channel 8 (presently allocated to Selma, Alabama) be shifted to Montgomery, Alabama. If that feature of its proposal is not adopted, Birmingham Television suggests that Channel *2 in State College be shifted to Columbus, Mississippi, without substituting a channel at State College.

12. We have herein stated that we will not move Channel 8 from Selma to Montgomery. Therefore we will consider only the alternate proposal. The Channel 4 allocation could be made by deleting educational Channel 2 (unused) from State College, Mississippi, substituting Channel 2 for Channel 4 at Columbus, Mississippi; thus Channel 4 would move from Columbus to Birmingham at standard separations. However, a Channel 2 station at WCBI-TV's present site at Columbus would involve a short separation to the educational station, WDIQ, at Andalusia, Alabama. The University of Mississippi opposes the deletion of the only VHF channel reserved for educational use in the State of Mississippi unless a satisfactory VHF channel can be substituted in its place. The University has indicated that an active program for effective utilization of Channel 2 is rapidly maturing and that the continued reservation of the channel is necessary. To maintain the required separations from co-channels WSM-TV at Nashville, Tennessee and WTVY at Dothan, Alabama, a Channel 4 transmitter would have to be placed approximately 30 miles from Birmingham. The placement of the transmitter at such a distance from Birmingham would prevent the new station from becoming fully competitive with the existing stations there. Since this proposal would involve deletion of an educational reservation, would require a short spaced separation of channels at Columbus and would involve a distant placement of transmitter at Birmingham, it is herewith denied.

13. In view of the foregoing: *It is ordered*, This 8th day of January 1964, that the above-described proposals for rule making are denied and this proceeding is terminated.

Released: January 10, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,⁶[SEAL] BEN F. WAPLE,
Secretary.[F.R. Doc. 64-376; Filed, Jan. 14, 1964;
8:47 a.m.]

⁶ Concurring statement of Commissioner Cox filed as part of the original document.

service as a whole in having proper and prompt enforcement of the Amateur rules and regulations outweighs any possible advantage to be gained from the relaxation of the present identification requirements.

5. Petitioner Bruening takes note of the Commission's comment in RM-277, but he maintains that by requiring licenses to file prior written notice of their proposed radio teleprinter operations, elimination of "dual identification" could be accomplished without detracting from monitoring efficiency. He contends that since radio teleprinter operations are conducted by very few amateurs, "Such an amendment should not, therefore, place any administrative burden upon the district offices of the Commission, and will indeed help their monitoring efforts through such special registrations. In the case of suspected interference by an amateur using a mode of operation other than telephony or telegraphy, the district Engineer-in-Charge would have immediate access to a list of amateur stations participating in special forms of transmission and communications."

We cannot agree with this contention. A filing of a notice of proposed operation would not provide the means of rapid and positive identification which is so necessary to investigative and enforcement activities.

6. The Commission does, however, feel that, notwithstanding its view with regard to deletion of the entire "dual identification" requirement, a partial relaxation of § 97.87(a)(2) is appropriate as proposed primarily by the ARRL and alternatively by Mr. Bruening. In support of its petition, the League notes that:

"* * * the Commission's identification needs will be fully met by modifying the present dual identification requirement for teletype operation only to the extent of making it unnecessary for telegraphic transmission of the call sign or signs of the station or stations being called or communicated with by a station conducting teletype transmissions. The Commission's monitoring stations and mobile units, as well as the League's Official Observer, still will be able to identify the transmitting station by the telegraphic transmission of its own call sign. Should the Commission desire to learn the identity of the station or stations called or communicated with, it need only ask the transmitting station to supply the desired information from the logs it is required to maintain."

7. For the reasons set forth by the ARRL, the Commission concludes that it does not appear that the omission of the telegraphic or telephonic transmission of the call sign of the station being called during teleprinter operations will unduly detract from the Commission's monitoring efficiency. Therefore, the Commission proposes to delete this requirement by amending § 97.87(a)(2) as set forth below.

8. As a corollary to its basic proposal, the ARRL notes: "* * * that telegraphic identification of the transmitting station might be superimposed upon the carrier without interrupting the teletype transmission. It is suggested that any notice of proposed rule making based upon this petition invite comments and suggestions on such a method of telegraphic identification." With regard to

In the matter of amendment of § 97.87(a)(2) of the Commission's rules governing the Amateur Radio Service to delete a "dual identification" requirement, Docket No. 15267, RM-358, RM-435.

1. The Commission has before it for consideration petitions from the American Radio Relay League (ARRL), Newington, Connecticut (RM-358), and from Edwin B. Bruening, Ann Arbor, Michigan (RM-435), both proposing to amend § 97.87(a)(2) (formerly § 12.82(a)(2)) of the Commission's rules governing the Amateur Radio Service. The ARRL petition proposes to delete the requirement for the identification by telegraphy or telephony of the call sign(s) of the station(s) to which an amateur radio teleprinter station is transmitting.

2. Mr. Bruening submits the same proposal but only as an alternative to his primary recommendation. Primarily, Mr. Bruening proposes that all telegraphic or telephonic identification requirements for amateur radio teleprinter stations be deleted and that, as a substitute therefor, licensees be required to file prior written notice of their proposed radio teleprinter operations with appropriate Commission Field Offices.

3. Section 97.87 of the rules sets forth station identification requirements in the Amateur Radio Service. Section 97.87(a)(1) provides that identification shall include transmission of the call sign of the station being called followed by the call sign of the transmitting station. Section 97.87(a)(2) provides that this identification shall be by either telegraphy or telephony, as appropriate, and, in addition, when a method of communication other than telegraphy or telephony is being used, such as radio teleprinter, the identification shall also be transmitted by that method. The requirement for telegraphic or telephonic station identification, in addition to radio teleprinter station identification, is commonly referred to as the "dual identification" requirement.

4. Deletion of the "dual identification" requirement was considered by the Commission in connection with an earlier petition (RM-277), filed by the ARRL. In denying that petition by its Memorandum Opinion and Order released February 26, 1962 (FCC 62-214; 22 R.R. 1573), the Commission stated that:

The dual identification requirement is necessary for the Commission properly to perform its duties. Amateur stations are not assigned specific frequencies, and as a consequence, the interference resulting from the overlapping of signals makes identification difficult at best. Infraction notices are issued only upon positive identification. Without the dual identification requirement, positive identification would be very difficult for the monitoring stations, and practically impossible for the Commission's mobile units which are not equipped to receive radioteletype transmissions. It appears to the Commission that the advantage to the Amateur

this suggestion, the rules do not now specifically preclude the use of such a method of identification, provided that the type of emission used therefor is in accordance with those specified in § 97.61 (formerly § 12.111). However, satisfaction of the purpose of § 97.87(a)(2) requires that the International Morse identification be easily discernible by ear using a conventional communications receiver. To date, the experience in other radio services with such superimposed identification indicates that a method which provides clearly unmistakable identification and which is also simple and inexpensive has not yet been developed. Therefore, until a suitable method has been developed and demonstrated, amateur licensees experimenting with superimposed identification may not omit making the required identification by proven conventional methods. However, in addition to comments on the proposed amendment to § 97.87(a)(2), the Commission invites the submission of comments and suggestions on methods of superimposed identification, including methods using (superimposed) emissions not now permitted by § 97.61.

9. Authority for this proposed amendment is contained in sections 4(i) and 303 of the Communications Act of 1934, as amended.

10. Pursuant to applicable procedures set forth in § 1.415 of the Commission's rules, interested persons may file comments on or before March 16, 1964, and reply comments on or before April 1, 1964. All relevant and timely comments and reply comments will be considered by the Commission before final action is taken in this proceeding. In reaching its decision in this proceeding, the Commission may also take into account other relevant information before it in addition to specific comments invited by this Notice.

11. In accordance with the provisions of § 1.419(b) of the Commission's rules, an original and fourteen copies of all statements, briefs, and comments filed shall be furnished the Commission.

Adopted: January 8, 1964.

Released: January 10, 1964.

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

Part 97 of the Commission's rules is proposed to be amended as follows: Section 97.87(a)(2) is amended to read as follows:

§ 97.87 Transmission of call signs.

(a) * * *

(2) The required identification shall be transmitted on the frequency or frequencies being employed at the time and, in accordance with the type of emission authorized thereon, shall be by either telephony using the International Morse Code, or telephony, except that, when a method of communication other than telephony or telegraphy using the International Morse Code is being used or attempted, the required identification shall be transmitted by that method and only the call sign of the transmitting station need be transmitted by either

telephony or telegraphy using the International Morse Code.

[F.R. Doc. 64-375; Filed, Jan. 14, 1964; 8:47 a.m.]

FEDERAL HOME LOAN BANK BOARD

[12 CFR Part 545]

[No. 17,662]

LOANS TO FINANCE ACQUISITION AND DEVELOPMENT OF LAND, CONSTRUCTION OF HOMES IN- CLUSIVE OF ACQUISITION AND DE- VELOPMENT OF LAND

Notice of Proposed Rule Making

JANUARY 9, 1964.

Resolved that, pursuant to Part 508 of the general regulations of the Federal Home Loan Bank Board (12 CFR Part 508) and § 542.1 of the rules and regulations for the Federal Savings and Loan System (12 CFR 542.1) it is hereby proposed that § 545.6-14 of the rules and regulations for the Federal Savings and Loan System (12 CFR 545.6-14) be amended by an amendment, the substance of which is as follows:

Amend § 545.6-14 of the rules and regulations for the Federal Savings and Loan System to read as follows:

§ 545.6-14 Loans to finance acquisition and development of land; loans to finance construction of homes inclusive of acquisition and development of land.

(a) *General provisions.* Subject to the provisions of this section, a Federal association may, if permitted by the terms of its charter, exercise the authority conferred by the third paragraph of subsection (c) of section 5 of the Home Owners' Loan Act of 1933, as amended, by investing in loans to finance (1) the acquisition and development of land for primarily residential usage and (2) the construction of homes or single-family dwellings, inclusive of acquisition and development of land primarily for the purpose of such construction. Said authority shall be exercised by a Federal association only by the making of loans in accordance with the applicable provisions of this section. Such loan plans, practices, and procedures as are not inconsistent with this section or with other provisions of this part otherwise applicable to the making of loans on the security of first liens are hereby approved by the Board for use by Federal associations in the making of loans under this section.

(b) *Basic limitations.* A Federal association may make loans under this section only when (1) the aggregate amount of its general reserves, surplus, and undivided profits is equal to more than 5 percent of the amount of its withdrawable accounts, (2) the resulting aggregate amount of its investments in loans under this section, exclusive of that portion of loans under subparagraph (2) of paragraph (c) of this section which is for the purpose of financing the con-

struction of homes or single-family dwellings, would not exceed 5 percent of the amount of its withdrawable accounts, (3) the loans are loans on the security of first liens, and (4) the real estate security for each such loan is located within the association's regular lending area.

(c) *Limitations on specific loans—*(1) *Loans to finance acquisition and development of land.* A Federal association may make loans on the security, and for the purpose of financing the acquisition and development, of land for primarily residential usage. No loan shall be made under this subparagraph (1) in an amount equal to more than 70 percent of the value of the real estate security therefor as of the completion of the development thereof into building lots or sites ready for construction thereon. Each such loan shall be repayable within a period of not more than 3 years and the interest thereon shall be payable at least semiannually. No disbursement of any of the proceeds of any loan made under this subparagraph (1) shall be made if such disbursement, together with the aggregate amount of such proceeds previously disbursed by the association and not repaid to it, would exceed an amount equal to the sum of (i) 70 percent of the value of that portion of the security property which is building lots or sites the development of which is completed and, (ii) 60 percent of the value of the remaining security property.

(2) *Loans to finance construction of homes inclusive of acquisition and development of land.* A Federal association may make loans on the security of, and for the purpose of financing the construction of homes or single-family dwellings for sale on, land the acquisition and development of which for primarily residential usage is also a purpose of any such loan. No loan shall be made under this subparagraph (2) in an amount equal to more than 80 percent of the value of the real estate security therefor as of the completion of the construction of homes or single-family dwellings thereon. Each loan made under this subparagraph (2) shall be repayable in full within a period of not more than 6 years after the date of the loan instruments, with or without periodic amortization but with interest payable at least semiannually, except that (i) beginning not more than 18 months after the first disbursement of loan proceeds made for the purpose of financing the construction of any home or single-family dwelling, whether or not such construction has been completed, there shall be amortization of principal each month at a rate of not less than 1 percent of that portion of the loan balance that is applicable to such home or single-family dwelling, including the building site, and (ii) beginning not more than four years after the date of the loan instruments, there shall be amortization of principal each month at a rate of not less than 1 percent of that portion of the loan balance which is not applicable to the construction of any home or single-family dwelling and its building site. Upon the sale or release from the

lien of any home or single-family dwelling or of any other portion of the security property, the principal amount of any such loan shall be reduced in an amount at least equal to that portion of the total loan secured by such home or single-family dwelling or other portion of the security property. No disbursement of any of the proceeds of any loan made under this subparagraph (2) shall be made at any time if such disbursement, together with the aggregate amount of such proceeds previously disbursed by the association and not repaid to it, would exceed an amount equal to the sum of (a) 80 percent of the value at such time of homes or single-family dwellings under construction or completed and not sold; (b) 70 percent of the value of that portion of the remaining security property which is building lots or sites the development of which is completed; and (c) 60 percent of the value of the remaining security property. By a construction loan agreement or other suitable instrument applicable to each construction loan made by a Federal association under this subparagraph (2) such association shall reserve to its board of directors full power and the exclusive right, without regard to any other provision of any loan instrument or of any agreement applicable to

such loan, to impose, at any time and from time to time, such limitations as such board of directors may determine on the number of homes and single-family dwellings the construction of which may be in progress at any one time from the proceeds of such loan.

(d) *Participation in making of loans; purchase and sale of participating interests; purchase of loans.* Notwithstanding any other provision of this part, a Federal association may not participate in the making of any loan, may not purchase or sell a participating interest in any loan, and may not purchase any loan, if such loan is of the type that such association may make only under this section.

(e) *Definitions.* The term "development" as used in this section means the installations and improvements necessary to produce from the land building sites so completed, in keeping with applicable governmental requirements and with general practice in the community, that they are ready for the construction of buildings thereon.

(f) *Relation to § 545.6-7.* Loans made under this section shall not be included in the aggregate amount of investments referred to in § 545.6-7 unless such inclusion is required by paragraph (a) of said § 545.6-7.

(Sec. 5, 48 Stat. 132, as amended; 12 U.S.C. 1464. Reorg. Plan No. 3 of 1947, 12 F.R. 4981, 3 CFR, 1947 Supp.)

Resolved Further that all interested persons are hereby given the opportunity to submit written data, views, or arguments on the following subjects and issues: (1) whether said proposed amendment should be adopted as proposed; (2) whether said proposed amendment should be modified and adopted as modified; (3) whether said proposed amendment should be rejected. All such written data, views, or arguments must be received through the mail or otherwise at the office of the Secretary, Federal Home Loan Bank Board, Federal Home Loan Bank Board Building, 101 Indiana Avenue NW., Washington, D.C., 20552, not later than February 14, 1964, to be entitled to be considered, but any received later may be considered in the discretion of the Federal Home Loan Bank Board.

By the Federal Home Loan Bank Board.

[SEAL]

HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-364; Filed, Jan. 14, 1964;
8:47 a.m.]

Notices

DEPARTMENT OF THE TREASURY

Office of the Secretary

[Dept. Circular Public Debt Series—No. 1-64]

4 PERCENT TREASURY BONDS OF 1970

Offering of Bonds

JANUARY 9, 1964.

I. Offering of Bonds. 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for bonds of the United States, designated 4 percent Treasury Bonds of 1970:

(1) at 99.05 percent of their face value in exchange for 3¾ percent Treasury Notes of Series E-1964, dated August 1, 1961, due August 15, 1964;

(2) at 98.35 percent of their face value in exchange for 5 percent Treasury Notes of Series B-1964, dated October 15, 1959, due August 15, 1964;

(3) at 99.05 percent of their face value in exchange for 3¾ percent Treasury Notes of Series F-1964, dated August 15, 1963, due November 15, 1964;

(4) at 98.15 percent of their face value in exchange for 4¾ percent Treasury Notes of Series C-1964, dated February 15, 1960, due November 15, 1964;

(5) at 100.25 percent of their face value in exchange for 2½ percent Treasury Bonds of 1965, dated June 15, 1958, due February 15, 1965; or

(6) at 98.20 percent of their face value in exchange for 4½ percent Treasury Notes of Series A-1965, dated May 15, 1960, due May 15, 1965.

Interest adjustments as of January 22, 1964, and the cash payments on account of the issue prices of the new bonds will be made as set forth in Section IV hereof. Subscriptions are invited up to an amount not to exceed \$4,000,000,000, or thereabouts. If subscriptions exceed this amount they will be received subject to allotment. Delivery of the new bonds will be made on January 29, 1964. The books will be open only on January 13 through January 17, 1964, for the receipt of subscriptions for this issue.

2. In addition to the offering under this circular, holders of the eligible securities are offered the privilege of exchanging all or any part of such securities for 4¼ percent Treasury Bonds of 1975-85, which offering is set forth in Department Circular, Public Debt Series—No. 2-64, issued simultaneously with this circular.

3. Nonrecognition of gain or loss for Federal income tax purposes: Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86-346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the eligible securities

enumerated in paragraph one of this section solely for the 4 percent Treasury Bonds of 1970. Section 1031(b) of the Code, however, requires recognition of any gain realized on the exchange to the extent that money is received by the security holder in connection with the exchange. To the extent not recognized at the time of the exchange, gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. Description of bonds. 1. The bonds now offered will be an addition to and will form a part of the series of 4 percent Treasury Bonds of 1970 issued pursuant to Department Circular, Public Debt Series—No. 12-63, dated June 7, 1963, will be freely interchangeable therewith, and are identical in all respects therewith except that interest on the bonds to be issued under this circular will accrue from January 22, 1964. Subject to the provision for the accrual of interest from January 22, 1964, on the bonds now offered, the bonds are described in the following quotation from Department Circular No. 12-63:

1. The bonds will be dated June 20, 1963, and will bear interest from that date at the rate of 4 percent per annum, payable on a semiannual basis on February 15 and August 15, 1963, and thereafter on February 15 and August 15 in each year until the principal amount becomes payable. They will mature August 15, 1970, and will not be subject to call for redemption prior to maturity.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys. They will not be acceptable in payment of taxes.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C., 20220. Banking institutions generally may submit subscriptions for account of customers, provided the names of the customers are set forth in such subscriptions, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Sub-

scriptions will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks and Government Investment Accounts. Subscriptions from all others must be accompanied by the deposit of any of the eligible securities enumerated in paragraph one of Section I hereof, in the face amount of not less than 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Registered securities submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in Section V hereof.

2. All subscribers requesting registered bonds will be required to furnish appropriate identifying numbers as required on tax returns and other documents submitted to the Internal Revenue Service, i.e., an individual's social security number or an employer identification number.

3. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced and allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment for the face amount of bonds allotted hereunder and the cash payments due from subscribers (paragraphs 4 and 6 below) must be made on or before January 29, 1964, or on later allotment. Payment for the face amount of bonds allotted may be made only in a like face amount of securities of the six issues enumerated in paragraph one of Section I hereof. Payment will not be deemed to have been completed where registered bonds are requested if the appropriate identifying number, as required by paragraph 2 of Section III hereof, has not been furnished; provided, however, if a subscriber has applied for but is unable to furnish the identifying number by the payment date only because it has not been issued, he may elect to receive, pending the furnishing of the identifying number, interim receipts and in this case payment will be deemed to have been completed. In every case where full payment is not completed, the payment with application up to 10 percent of the bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Cash payments due to subscribers (paragraphs 2, 3, 5 and 7 below) will be made in the case of

bearer securities following their acceptance and in the case of registered securities following discharge of registration. In the case of registered securities, the payment will be made by check drawn in accordance with the assignments on the securities surrendered or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

2. $3\frac{3}{4}$ percent notes of Series E-1964: Coupons dated February 15 and August 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$16.30435 per \$1,000) plus the payment (\$9.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000) on the bonds to be issued will be charged, and the difference (\$2.22520 per \$1,000) will be paid to subscribers.

3. 5 percent notes of Series B-1964: Coupons dated February 15 and August 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$21.73913 per \$1,000) plus the payment (\$16.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000) on the bonds to be issued will be charged, and the difference (\$14.65998 per \$1,000) will be paid to subscribers.

4. $3\frac{3}{4}$ percent notes of Series F-1964: Coupons dated May 15 and November 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$7.00549 per \$1,000) plus the payment (\$9.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000) on the bonds to be issued will be charged, and the difference (\$7.07366 per \$1,000) must be paid by subscribers.

5. $4\frac{7}{8}$ percent notes of Series C-1964: Coupons dated May 15 and November 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$9.10714 per \$1,000) plus the payment (\$18.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000) on the bonds to be issued will be charged, and the difference (\$4.02799 per \$1,000) will be paid to subscribers.

6. $2\frac{7}{8}$ percent bonds of 1965: Coupons dated February 15, 1964, and all subsequent coupons, must be attached to the bonds in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$11.41304 per \$1,000) will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000), on the bonds to be issued plus the payment (\$2.50 per \$1,000) due the United

States on account of the issue price of the new bonds will be charged, and the difference (\$14.66611 per \$1,000) must be paid by subscribers.

7. $4\frac{5}{8}$ percent notes of Series A-1965: Coupons dated May 15, 1964, and all subsequent coupons, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$8.64011 per \$1,000) plus the payment (\$18.00 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from June 20, 1963, to January 22, 1964 (\$23.57915 per \$1,000) on the bonds to be issued will be charged, and the difference (\$3.06096 per \$1,000) will be paid to subscribers.

V. *Assignment of registered securities.*
1. After allotment Treasury notes and bonds in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered with the subscriptions to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C., 20220. The securities must be delivered at the expense and risk of the holder. If the new bonds are desired registered in the same name as the securities surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1970"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1970 in the name of -----"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 4 percent Treasury Bonds of 1970 in coupon form to be delivered to -----". Detached assignment forms may be used for the convenience of subscribers.

VI. *General provisions.* 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

DOUGLAS DILLON,
Secretary of the Treasury.

[F.R. Doc. 64-356; Filed, Jan. 4, 1964;
8:46 a.m.]

[Dept. Circular Public Debt Series—No. 2-64]

4½ PERCENT TREASURY BONDS OF 1975-85

Offering of Bonds

JANUARY 9, 1964.

I. *Offering of bonds.* 1. The Secretary of the Treasury, pursuant to the authority of the Second Liberty Bond Act, as amended, invites subscriptions from the people of the United States for bonds of the United States, designated 4½ percent Treasury Bonds of 1975-85:

(1) at 99.95 percent of their face value in exchange for $3\frac{3}{4}$ percent Treasury Notes of Series E-1964, dated August 1, 1961, due August 15, 1964;

(2) at 99.25 percent of their face value in exchange for 5 percent Treasury Notes of Series B-1964, dated October 15, 1959, due August 15, 1964;

(3) at 99.95 percent of their face value in exchange for $3\frac{3}{4}$ percent Treasury Notes of Series F-1964, dated August 15, 1963, due November 15, 1964;

(4) at 99.05 percent of their face value in exchange for 4½ percent Treasury Notes of Series C-1964, dated February 15, 1960, due November 15, 1964;

(5) at 101.15 percent of their face value in exchange for 2½ percent Treasury Bonds of 1965, dated June 15, 1958, due February 15, 1965; or

(6) at 99.10 percent of their face value in exchange for 4½ percent Treasury Notes of Series A-1965, dated May 15, 1960, due May 15, 1965.

Interest adjustments as of January 22, 1964, and the cash payments on account of the issue prices of the new bonds will be made as set forth in Section IV hereof. Subscriptions are invited up to an amount not to exceed \$750,000,000, or thereabouts. If subscriptions exceed this amount they will be received subject to allotment. Delivery of the new bonds will be made on January 29, 1964. The books will be open only on January 13 through January 17, 1964, for the receipt of subscriptions for this issue.

2. In addition to the offering under this circular, holders of the eligible securities are offered the privilege of exchanging all or any part of such securities for 4 percent Treasury Bonds of 1970 (additional issue), which offering is set forth in Department Circular, Public Debt Series—No. 1-64, issued simultaneously with this circular.

3. Nonrecognition of gain or loss for Federal income tax purpose: Pursuant to the provisions of section 1037(a) of the Internal Revenue Code of 1954 as added by Public Law 86-346 (approved September 22, 1959), the Secretary of the Treasury hereby declares that no gain or loss shall be recognized for Federal income tax purposes upon the exchange with the United States of the eligible securities enumerated in paragraph one of this section solely for the 4½ percent Treasury Bonds of 1975-85. Section 1031(b) of the Code, however, requires recognition of any gain realized on the exchange to the extent that money is received by the security holder in con-

nection with the exchange. To the extent not recognized at the time of the exchange, gain or loss, if any, upon the obligations surrendered in exchange will be taken into account upon the disposition or redemption of the new obligations.

II. Description of bonds. 1. The bonds now offered will be in addition to and will form a part of the series of 4½ percent Treasury Bonds of 1975-85 issued pursuant to Department Circular No. 1040, dated April 4, 1960, will be freely interchangeable therewith, and are identical in all respects therewith except that interest on the bonds to be issued under this circular will accrue from January 22, 1964. Subject to the provision for the accrual of interest from January 22, 1964, on the bonds now offered, the bonds are described in the following quotation from Department Circular No. 1040:

1. The bonds will be dated April 5, 1960, and will bear interest from that date at the rate of 4½ percent per annum, payable on a semiannual basis on November 15, 1960, and thereafter on May 15 and November 15 in each year until the principal amount becomes payable. They will mature May 15, 1985, but may be redeemed at the option of the United States on and after May 15, 1975, in whole or in part, at par and accrued interest, on any interest day or days, on 4 months' notice of redemption given in such manner as the Secretary of the Treasury shall prescribe. In case of partial redemption the bonds to be redeemed will be determined by such method as may be prescribed by the Secretary of the Treasury. From the date of redemption designated in any such notice, interest on the bonds called for redemption shall cease.

2. The income derived from the bonds is subject to all taxes imposed under the Internal Revenue Code of 1954. The bonds are subject to estate, inheritance, gift or other excise taxes, whether Federal or State, but are exempt from all taxation now or hereafter imposed on the principal or interest thereof by any State, or any of the possessions of the United States, or by any local taxing authority.

3. The bonds will be acceptable to secure deposits of public moneys.

4. Bearer bonds with interest coupons attached, and bonds registered as to principal and interest, will be issued in denominations of \$500, \$1,000, \$5,000, \$10,000, \$100,000 and \$1,000,000. Provision will be made for the interchange of bonds of different denominations and of coupon and registered bonds, and for the transfer of registered bonds, under rules and regulations prescribed by the Secretary of the Treasury.

5. Any bonds issued hereunder which upon the death of the owner constitute part of his estate, will be redeemed at the option of the duly constituted representatives of the deceased owner's estate, at par and accrued interest to date of payment:¹ *Provided:*

(a) That the bonds were actually owned by the decedent at the time of his death; and

(b) That the Secretary of the Treasury be authorized to apply the entire proceeds of redemption to the payment of Federal estate taxes.

Registered bonds submitted for redemption hereunder must be duly assigned to "The Secretary of the Treasury for redemption, the proceeds to be paid to the District Director of Internal Revenue at _____ for

credit on Federal estate taxes due from estate of _____." Owing to the periodic closing of the transfer books and the impossibility of stopping payment of interest to the registered owner during the closed period, registered bonds received after the closing of the books for payment during such closed period will be paid only at par with a deduction of interest from the date of payment to the next interest payment date;² bonds received during the closed period for payment at a date after the books reopen will be paid at par plus accrued interest from the reopening of the books to the date of payment. In either case checks for the full six months' interest due on the last day of the closed period will be forwarded to the owner in due course. All bonds submitted must be accompanied by Form PD 1782,³ properly completed, signed and certified, and by proof of the representatives' authority in the form of a court certificate or a certified copy of the representatives' letters of appointment issued by the court. The certificate, or the certification to the letters, must be under the seal of the court, and except in the case of a corporate representative, must contain a statement that the appointment is in full force and be dated within six months prior to the submission of the bonds, unless the certificate or letters show that the appointment was made within one year immediately prior to such submission. Upon payment of the bonds appropriate memorandum receipt will be forwarded to the representatives, which will be followed in due course by formal receipt from the District Director of Internal Revenue.

6. The bonds will be subject to the general regulations of the Treasury Department, now or hereafter prescribed, governing United States bonds.

III. Subscription and allotment. 1. Subscriptions will be received at the Federal Reserve Banks and Branches and at the Office of the Treasurer of the United States, Washington, D.C., 20220. Banking institutions generally may submit subscriptions for account of customers, provided the names of the customers are set forth in such subscriptions, but only the Federal Reserve Banks and the Treasury Department are authorized to act as official agencies. Subscriptions will be received without deposit from banking institutions for their own account, Federally-insured savings and loan associations, States, political subdivisions or instrumentalities thereof, public pension and retirement and other public funds, international organizations in which the United States holds membership, foreign central banks and foreign States, Federal Reserve Banks and Government Investment Accounts. Subscriptions from all others must be accompanied by the deposit of any of the eligible securities enumerated in paragraph one of Section I hereof, in the face amount of not less than 10 percent of the amount of bonds applied for, not subject to withdrawal until after allotment. Registered securities submitted as deposits should not be assigned. After allotment detached assignment forms may be used as provided in Section V hereof.

2. All subscribers requesting registered bonds will be required to furnish appropriate identifying numbers as required on

tax returns and other documents submitted to the Internal Revenue Service, i.e., an individual's social security number or an employer identification number.

3. The Secretary of the Treasury reserves the right to reject or reduce any subscription, to allot less than the amount of bonds applied for, and to make different percentage allotments to various classes of subscribers; and any action he may take in these respects shall be final. The basis of the allotment will be publicly announced and allotment notices will be sent out promptly upon allotment.

IV. Payment. 1. Payment for the face amount of bonds allotted hereunder and the cash payments due from subscribers (paragraphs 4 and 6 below) must be made on or before January 29, 1964, or on later allotment. Payment for the face amount of bonds allotted may be made only in a like face amount of securities of the six issues enumerated in paragraph one of Section I hereof. Payment will not be deemed to have been completed where registered bonds are requested if the appropriate identifying number, as required by paragraph 2 of Section III hereof, has not been furnished; provided, however, if a subscriber has applied for but is unable to furnish the identifying number by the payment date only because it has not been issued, he may elect to receive, pending the furnishing of the identifying number, interim receipts and in this case payment will be deemed to have been completed. In every case where full payment is not completed, the payment with application up to 10 percent of the bonds allotted shall, upon declaration made by the Secretary of the Treasury in his discretion, be forfeited to the United States. Cash payments due to subscribers (paragraph 2, 3, 5 and 7 below) will be made in the case of bearer securities following their acceptance and in the case of registered securities following discharge of registration. In the case of registered securities, the payment will be made by check drawn in accordance with the assignments on the securities surrendered or by credit in any account maintained by a banking institution with the Federal Reserve Bank of its District.

2. 3¾ percent notes of Series E-1964: Coupons dated February 15 and August 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$16.30435 per \$1,000) plus the payment (\$0.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued will be charged, and the difference (\$8.86479 per \$1,000) will be paid to subscribers.

3. 5 percent notes of Series B-1964: Coupons dated February 15 and August 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$21.73913 per \$1,000) plus the payment (\$7.50 per \$1,000) due to the subscriber on account of the is-

¹ An exact half-year's interest is computed for each full half-year period irrespective of the actual number of days in the half year. For a fractional part of any half year, computation is on the basis of the actual number of days in such half year.

² The transfer books are closed from Apr. 16 to May 15, and from Oct. 16 to Nov. 15 (both dates inclusive) in each year.

³ Copies of Form PD 1782 may be obtained from any Federal Reserve Bank or from the Treasury Department, Washington 25, D.C.

sue price of the bonds will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued will be charged, and the difference (\$21.29957 per \$1,000) will be paid to subscribers.

4. 3½ percent notes of Series F-1964: Coupons dated May 15 and November 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) plus the payment (\$0.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued will be charged, and the difference (\$0.43407 per \$1,000) must be paid by subscribers.

5. 4½ percent notes of Series C-1964: Coupons dated May 15 and November 15, 1964, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$9.10714 per \$1,000) plus the payment (\$9.50 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued will be charged, and the difference (\$10.66758 per \$1,000) will be paid to subscribers.

6. 2½ percent bonds of 1965: Coupons dated February 15, 1964, and all subsequent coupons, must be attached to the bonds in bearer form when surrendered. Accrued interest from August 15, 1963, to January 22, 1964 (\$11.41304 per \$1,000) will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued plus the payment (\$11.50 per \$1,000) due the United States on account of the issue price of the new bonds will be charged, and the difference (\$8.02652 per \$1,000) must be paid by subscribers.

7. 4½ percent notes of Series A-1965: Coupons dated May 15, 1964, and all subsequent coupons, must be attached to the notes in bearer form when surrendered. Accrued interest from November 15, 1963, to January 22, 1964 (\$8.64011 per \$1,000) plus the payment (\$9.00 per \$1,000) due to the subscriber on account of the issue price of the bonds will be credited, accrued interest from November 15, 1963, to January 22, 1964 (\$7.93956 per \$1,000) on the bonds to be issued will be charged, and the difference (\$9.70055 per \$1,000) will be paid to subscribers.

V. Assignment of registered securities.

1. After allotment Treasury notes and bonds in registered form tendered in payment for bonds offered hereunder should be assigned by the registered payees or assignees thereof, in accordance with the general regulations of the Treasury Department governing assignments for transfer or exchange, in one of the forms hereafter set forth, and thereafter should be surrendered with the subscriptions to a Federal Reserve Bank or Branch or to the Office of the Treasurer of the United States, Washington, D.C., 20220. The securities must be delivered at the expense and risk of the holder. If the new bonds are desired

registered in the same name as the securities surrendered, the assignment should be to "The Secretary of the Treasury for exchange for 4¼ percent Treasury Bonds of 1975-85"; if the new bonds are desired registered in another name, the assignment should be to "The Secretary of the Treasury for exchange for 4¼ percent Treasury Bonds of 1975-85 in the name of -----"; if new bonds in coupon form are desired, the assignment should be to "The Secretary of the Treasury for exchange for 4¼ percent Treasury Bonds of 1975-85 in coupon form to be delivered to -----". Detached assignment forms may be used for the convenience of subscribers.

VI. General Provisions. 1. As fiscal agents of the United States, Federal Reserve Banks are authorized and requested to receive subscriptions, to make allotments on the basis and up to the amounts indicated by the Secretary of the Treasury to the Federal Reserve Banks of the respective Districts, to issue allotment notices, to receive payment for bonds allotted, to make delivery of bonds on full-paid subscriptions allotted, and they may issue interim receipts pending delivery of the definitive bonds.

2. The Secretary of the Treasury may at any time, or from time to time, prescribe supplemental or amendatory rules and regulations governing the offering, which will be communicated promptly to the Federal Reserve Banks.

[SEAL]

DOUGLAS DILLON,
Secretary of the Treasury.

[F.R. Doc. 64-357; Filed, Jan. 14, 1964;
8:46 a.m.]

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[Order No. 690, Amdt. No. 2]

ISSUANCE OF PATENTS

Delegation of Authority

JANUARY 9, 1964.

Effective immediately, the following persons are also authorized to issue patents or their equivalent in the name of the United States for grants of land under the authority of the Government, except patents and other conveyances which require the approval or signature of the President of the United States: Alaska State Director, Nevada State Director.

H. R. HOCKMUTH,
Associate Director.

[F.R. Doc. 64-351; Filed, Jan. 14, 1964;
8:46 a.m.]

ALASKA

Small Tract Classification Order No. 10, Cancellation

JANUARY 7, 1964.

1. Pursuant to the authority redelegated to me from Bureau Order 684, dated August 28, 1961 (26 F.R. 6215), as amended, by the Alaska State Director in Section 3, Delegation of Authority (28 F.R. 294) dated January 9, 1963, I

hereby cancel all of Tract C of Small Tract Classification Order No. 10 dated April 24, 1961. The subject classification lies near Chena Hot Springs, in T. 3 N., R. 8 E., F.M.

2. This cancellation will take effect immediately.

PEDRO DENTON,
Acting Chief, Branch of
Lands and Minerals Operations.

[F.R. Doc. 64-352; Filed, Jan. 14, 1964;
8:46 a.m.]

[Wyoming 0289764]

WYOMING

Order Providing for Opening of Public Land

JANUARY 9, 1964.

1. In exchange of lands made under the provisions of section 8 of the Act of June 28, 1934 (48 Stat. 1269), as amended June 26, 1936 (49 Stat. 1976; 43 U.S.C. 315g), the following described lands have been reconveyed to the United States:

SIXTH PRINCIPAL MERIDIAN

T. 39 N., R. 89 W.,
Sec. 31, lots 2, 3, 4, NE¼NE¼, S½NE¼,
E½SW¼, SE¼ 32, W½NW¼.

The area described aggregates 489.17 acres.

2. The lands are rolling sagebrush-type grazing lands located in north-eastern Fremont County in west central Wyoming. Vegetation consists of native western grasses and sagebrush. There is no timber on the land. The soils are light colored desert-like sandy clays and clay loams, and a stock dam provides water for livestock on the tract.

3. No application for these lands will be allowed under the homestead, desert land, small tract, or any other non-mineral public land law unless the lands have already been classified as valuable, or suitable for such type of application, or shall be so classified upon consideration of a petition-application. Any petition-application that is filed will be considered on its merits. The lands will not be subject to occupancy or disposition until they have been classified.

4. Subject to any existing valid rights and the requirements of applicable law, the lands described in paragraph 1 hereof are hereby opened to filing applications, selections, and locations in accordance with the following:

a. Petition-applications and selections under the non-mineral public land laws may be presented to the Assistant State Director mentioned below, beginning on the date of this order. Such applications and selections will be considered as filed on the hour and respective dates shown for the various classes enumerated in the following paragraphs:

(1) Petition-applications by persons having prior existing valid settlement rights, preference rights conferred by existing laws, or equitable claims subject to allowance and confirmation will be adjudicated on the facts presented in support of each claim or right. All applications presented by persons other than those referred to in this paragraph

will be subject to the applications and claims mentioned in this paragraph.

(2) All valid petition-applications and selections under the nonmineral public land laws presented prior to 10:00 a.m., February 18, 1964, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims. Detailed rules and regulations governing petition-applications which may be filed pursuant to this notice can be found in Title 43 of the Code of Federal Regulations.

6. Inquiries concerning the lands should be addressed to the Assistant State Director, Bureau of Land Management, P.O. Box 929, Cheyenne, Wyoming.

BURTON W. SILCOCK,
Acting State Director.

[F.R. Doc. 64-353; Filed, Jan. 14, 1964;
8:46 a.m.]

CALIFORNIA

**Small Tract Classification Order
No. C6-5**

JANUARY 2, 1964.

1. Pursuant to authority delegated to me by the California State Director, Bureau of Land Management, under Part 1, redelegation of authority, dated March 27, 1962 (27 F.R. 3297) I hereby classify the following described land, totaling 3.05 acres in Riverside County, California, as suitable for sale under the Small Tract Act of June 1, 1938 (52 Stat., 609, 43 U.S.C. 682a), as amended.

SAN BERNARDINO MERIDIAN

T. 3 S., R. 3 E.,
Sec. 24, lot 14, 0.16 acre.
Sec. 24, lot 16, 2.89 acres.
Total: 3.05 acres.

Appraised Value—\$6,200.00.

2. Classification of the above described lands by this order segregates them from all appropriations, including locations under the mining laws, except as to applications under the mineral leasing laws.

3. The lands are covered by a Small Tract application LA 0118966 by one entitled to preference under 43 CFR 257.5. The statutory preference applicant will be offered the subject land by direct sale at the appraised value of \$6,200. Should the statutory preference applicant not accept the offer, then the lands will become subject to sale at public auction when so provided by an order to be issued by an authorized officer opening the lands to bid under public auction procedures, Small Tract offering.

4. The subject lands are located five miles northwest of Palm Springs adjacent to Highway 111. The lands are flat, safe from most flood hazards, have no utilities but offer commercial potential. Zoning is M-3.

No. 10—4

5. The subject land is described by lot numbers shown on an official plat of survey filed in the Riverside Office, California, on October 26, 1956. A copy of this official plat may be purchased for \$1.00 from the Bureau of Land Management, Survey Records, Room 4025, 650 Capitol Avenue, Sacramento 14, California.

6. Persons who have previously acquired a tract under the Small Tract Act are not qualified to secure an additional tract unless they can make a showing satisfactory to the Bureau of Land Management that the acquisition of another tract is warranted in the circumstances.

7. All inquiries concerning the subject lands should be addressed to the Manager, Riverside Office, Bureau of Land Management, 1414 8th Street, P.O. Box 723, Riverside, California.

KEITH H. CONIGALL,
Acting District Manager.

[F.R. Doc. 64-343; Filed, Jan. 14, 1964;
8:45 a.m.]

[Montana 063128]

MONTANA

**Notice of Proposed Withdrawal and
Reservation of Lands**

JANUARY 7, 1964.

The Forest Service, United States Department of Agriculture has filed an application, Serial Number Montana 063128 for the withdrawal of the lands described below, from administration under the Taylor Grazing Act only, as this land together with minerals conveyed to the United States under a private exchange has not been opened to entry under the public land laws.

The applicant desires that the land be added to the Helena National Forest to promote the efficient management of lands and national resource conservation. The land is within the exterior boundaries of the Helena National Forest and when added to that forest will be open to the forms of application permitted on national forest lands.

For a period of thirty days from the date of publication of this notice, all persons who wish to submit comments, suggestions, or objections in connection with the proposed withdrawal may present their views in writing to the undersigned officer of the Bureau of Land Management, Department of the Interior, 1245 North 29th Street, Billings, Montana, 59101.

The authorized officer of the Bureau of Land Management will undertake such investigations as are necessary to determine the existing and potential demand for the lands and their resources. He will also undertake negotiations with the applicant agency with the view of adjusting the application to reduce the area to the minimum essential to meet the applicant's needs, to provide for the maximum concurrent utilization of the lands for purposes other than the applicant's, to eliminate lands needed for purposes more essential than the applicant's, and to reach agreement on the concurrent management of the lands and their resources.

He will also prepare a report for consideration by the Secretary of the Interior who will determine whether or not the lands will be withdrawn as requested by the Forest Service.

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

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

The lands involved in the application are:

PRINCIPAL MERIDIAN, MONTANA

T. 3 N., R. 4 E.,
Sec. 18, Lot 1 and NE ¼ NW ¼.

The area described totals 74.41 acres.

KENNETH J. SIRE,
Acting Land Office Manager.

[F.R. Doc. 64-344; Filed, Jan. 14, 1964;
8:45 a.m.]

ATOMIC ENERGY COMMISSION

[Docket No. 50-151]

**BOARD OF TRUSTEES OF UNIVERSITY
OF ILLINOIS**

**Notice of Issuance of Facility License
Amendment**

Please take notice that the Atomic Energy Commission has issued, effective as of the date of issuance, Amendment No. 4, set forth below, to Facility License No. R-69. The license authorized The Board of Trustees of The University of Illinois to operate its TRIGA Mark II nuclear reactor, located in Urbana, Illinois. The amendment authorized the licensee to operate the reactor to drive the subcritical assembly in both steady-state and pulsed operation, as described in the licensee's application for license amendment dated September 17, 1963, and supplemental letter dated October 16, 1963.

The Commission has found that:

(1) Operation of the reactor in accordance with the license as amended will not present undue hazard to the health and safety of the public and will not be inimical to the common defense and security;

(2) The application for amendment complies with the requirements of the Atomic Energy Act of 1954, as amended, and the Commission's regulations set forth in Title 10, Chapter I, CFR;

(3) Prior public notice of proposed issuance of this amendment is not required since the amendment does not involve significant hazard considerations different from those previously evaluated.

Within fifteen (15) days from the date of publication of this notice in the FEDERAL REGISTER, the applicant may file a request for a hearing, and any person whose interest may be affected by this proceeding may file a petition for leave to intervene. Requests for a hearing and petitions to intervene shall be filed in accordance with the provisions of the Commission's regulation (10 CFR Part 2). If a request for a hearing or a petition for leave to intervene is filed within the time prescribed in this notice, the

Commission will issue a notice of hearing or an appropriate order.

For further details with respect to this amendment, see (1) the licensee's application for license amendment dated September 17, 1963 and supplemental letter dated October 16, 1963 and (2) a related hazards analysis prepared by the Test and Power Reactor Safety Branch of the Division of Licensing and Regulation, both of which are available for public inspection at the Commission's Public Document Room, 1717 H Street NW., Washington, D.C. A copy of item (2) above may be obtained at the Commission's Public Document Room or upon request, addressed to the Atomic Energy Commission, Washington 25, D.C., Attention: Director, Division of Licensing and Regulation.

Dated at Bethesda, Md., this 7th day of January 1964.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor
Safety Branch, Division of Licensing
and Regulation.

[License No. R-69; Amdt. 4]

License No. R-69, as amended, issued to The Board of Trustees of The University of Illinois, is hereby amended in the following respects:

1. In addition to the activities previously authorized by the Commission in License No. R-69, as amended, The Board of Trustees of The University of Illinois is authorized to operate the TRIGA Mark II nuclear reactor to drive the sub-critical assembly in both steady-state and pulsed operation, as described in the application for license amendment dated September 17, 1963, and supplemental letter dated October 16, 1963. Operation of the reactor shall be performed in accordance with the procedures and subject to the limitations contained in License No. R-69, as amended, and in the application for license amendment dated September 17, 1963 and supplemental letter dated October 16, 1963.

2. A new paragraph 3. D. is added as follows:

"D. Pursuant to the Act and Title 10, CFR, Chapter I, Part 40, "Licensing of Source Material", to use the uranium covered by Source Material License No. SUB 520 in the manner described by the application for license amendment dated September 17, 1963 and the supplemental letter thereto dated October 16, 1963."

This amendment is effective as of the date of issuance.

For the Atomic Energy Commission.

SAUL LEVINE,
Chief, Test and Power Reactor
Safety Branch, Division of Licensing
and Regulation.

JANUARY 7, 1964.

[F.R. Doc. 64-335; Filed, Jan. 14, 1964;
8:45 a.m.]

DEPARTMENT OF AGRICULTURE

Commodity Credit Corporation

SALES OF CERTAIN COMMODITIES

January Sales List

Notice to buyers. Pursuant to the policy of Commodity Credit Corporation

issued October 12, 1954 (19 F.R. 6669), and subject to the conditions stated therein as well as herein, the commodities listed below are available for sale and, where noted, for redemption of payment-in-kind certificates on the price basis set forth.

The prices at which Commodity Credit Corporation commodity holdings are available for sale during January 1964 were announced today by the U.S. Department of Agriculture. The following commodities are available: Butter, cheddar cheese, nonfat dry milk, cotton (upland and extra long staple), wheat, corn, oats, barley, rye, rice, grain sorghum, peanuts, and flax.

Dry edible beans and soybeans have been withdrawn from the list for January.

The CCC Monthly Sales List, which varies from month to month as additional commodities become available or commodities formerly available are dropped, is designed to aid in moving CCC's inventories into domestic or export use through regular commercial channels.

If it becomes necessary during the month to amend this list in any material way—such as by the removal or addition of a commodity in which there is general interest or by a significant change in price or method of sale—an announcement of the change will be sent to all persons currently receiving the list by mail from Washington. To be put on this mailing list, address: Director, Procurement and Sales Division, Agricultural Stabilization and Conservation Service, U.S. Department of Agriculture, Washington, D.C., 20250.

Interest rates per annum under the CCC Export Credit Sales Program for January 1964 are 4 percent for periods up to and including 12 months, and 4½ percent for periods from over 12 months up to a maximum of 36 months. All commodities currently offered for sale by CCC, plus tobacco from CCC loan stocks are available for export sale under the CCC Export Credit Sales Program.

The following CCC-owned commodities are available for programing under Title IV, Public Law 480, private trade agreements: Wheat, corn, barley, rye, rice, grain sorghum, upland and extra long staple cotton, tobacco from CCC loan stocks, butter, cheese, and nonfat dry milk. In addition, other surplus agricultural commodities are also eligible for Title IV programing. A list of all commodities available under this program, and current information on interest rates and other phases of the program are being sent separately to recipients of the CCC Monthly Sales List.

The following commodities are currently available for barter: Nonfat dry milk, butter, cheddar cheese, cotton, tobacco, wheat, corn, barley, and grain sorghum. This list is subject to change from time to time.

The CCC will entertain offers from responsible buyers for the purchase of any commodity on the current list. Offers accepted by CCC will be subject to the terms and conditions prescribed by the Corporation. These terms include payment by cash or irrevocable letter of credit before delivery of the commodity,

and the conditions require removal of the commodity from CCC stocks within a reasonable period of time. Where conditions of sale for export differ from those for domestic sale, proof of exportation is also required, and the buyer is responsible for obtaining any required U.S. Government export permit or license. Purchases from CCC shall not constitute any assurance that any such permit or license will be granted by the issuing authority.

Applicable announcements containing all terms and conditions of sale will be furnished upon request. For easy reference a number of these announcements are identified by code number in the following list. Interested persons are invited to communicate with the Agricultural Stabilization and Conservation Service, USDA, Washington, D.C., 20250, with respect to all commodities or—for specified commodities—with the designated ASCS Commodity Office.

Commodity Credit Corporation reserves the right to amend, from time to time, any of its announcements. Such amendments shall be applicable to and be made a part of the sale contracts thereafter entered into.

CCC reserves the right to reject any or all offers placed with it for the purchase of commodities pursuant to such announcements.

If CCC does not have adequate information as to the financial responsibility of a prospective buyer to meet all contract obligations that might arise by acceptance of an offer or if CCC deems such buyer's financial responsibility to be inadequate, CCC reserves the right (i) to refuse to consider the offer, (ii) to accept the offer only after submission by the buyer of a certified or cashier's check, bond, letter of credit or other security acceptable to CCC assuring that the buyer will discharge the responsibility under the contract, or (iii) to accept the offer upon condition that the buyer promptly submit to CCC such of the aforementioned security as CCC may direct. If a prospective buyer is in doubt as to whether CCC is acquainted with his financial responsibility he should communicate with the ASCS office at which the offer is to be placed to determine whether a financial statement or advance financial arrangement will be necessary in his case.

Disposals and other handling of inventory items often result in small quantities at given locations or in quantities not up to specifications. These lots are offered by the appropriate ASCS office promptly upon appearance and therefore, generally, they do not appear in the Monthly Sales List.

On sales for which the buyer is required to submit proof to CCC of exportation the buyer shall be regularly engaged in the business of buying or selling commodities and for this purpose shall maintain a bona fide business office in the United States, its territories or possessions and have a person, principal, or resident agent upon whom service of judicial process may be had.

Prospective buyers for export should note that generally, sales to United States Government agencies, with only minor

exceptions will constitute domestic unrestricted use of the commodity.

Commodity Credit Corporation reserves the right, before making any sales, to define or limit export areas.

Notice to exporters. The Department of Commerce, Bureau of International Commerce, pursuant to regulations under the Export Control Act of 1949, prohibits the exportation or re-exportation by anyone of any commodities (except absorbent cotton and sterilized gauze and bandages with respect to Cuba only) under this program to Cuba, the Soviet Bloc, or Communist-controlled area of the Far East including Communist China, North Korea and the Communist-controlled area of Vietnam, except under validated license issued by the U.S. Department of Commerce, Bureau of International Commerce.

These regulations generally require that exporters, in or in connection with their contracts with foreign purchasers, where the contract involves \$10,000 or more and exportation is to be made to a Group R country, obtain from the foreign purchaser a written acknowledgment of his understanding of (1) U.S. Commerce Department prohibitions (Comprehensive Export Schedule, 15 CFR §§ 371.4 and 371.8) against sales or resale for re-export of said commodities, or any part thereof, without express Commerce Department authorization to the Soviet Bloc, Communist China, North Korea or the Communist-controlled area of Vietnam or to Cuba, and (2) the sanction of denial of future U.S. export privileges that may be imposed for violation of the Commerce Department regulations. Exporters who have a continuing and regular relationship with a foreign purchaser may obtain a blanket acknowledgment from such purchaser covering all transactions involving surplus agricultural commodities and manufactures thereof purchased from CCC or subsidized for export by the Secretary of Agriculture or CCC. Where commodities are to be exported by a party other than the original purchaser of the commodities from the CCC the original purchaser should inform the exporter in writing of the requirements for obtaining the signed acknowledgment from the foreign purchaser.

For all exportations, one of the destination control statements specified in Commerce Department Regulations (Comprehensive Export Schedule, 15 CFR § 379.10(c)) is required to be placed on all copies of the shipper's export declaration, all copies of the bill of lading, and all copies of the commercial invoices. For additional information as to which destination control statement to use, the exporter should communicate with the Bureau of International Commerce or one of the field offices of the Department of Commerce.

Exporters should consult the applicable Commerce Department regulations for more detailed information if desired and for any changes that may be made therein.

| Commodity | Sales price or method of sale | | | | | | | | | | | | | | | | | | | | |
|---|---|---|---------------------|---|--|-------|---------------|----------|--|--|--|--|---------------------|----|---|-------------------------|--------|--|--|-----------------------|------|
| Dairy products..... | Sales are in carlots only in-store at storage location of products. Submission of offers: Submit offers to the Minneapolis ASCS Commodity Office. | | | | | | | | | | | | | | | | | | | | |
| Butter..... | Domestic, unrestricted use: Announced prices, under LD-29, as amended: 62.0 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Gulf of Mexico. 61.25 cents per pound—Washington, Oregon, and California. All other States 61.0 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitations to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under LD-35: Any butter offered but not sold under the invitation to bid issued pursuant to LD-33 will be offered for sale through the following Wednesday at prices announced by press release in Washington each Thursday. | | | | | | | | | | | | | | | | | | | | |
| Cheddar cheese (standard moisture basis). | Domestic, unrestricted use: Announced prices under LD-2f, as amended: 40.75 cents per pound—New York, Pennsylvania, New Jersey, New England, and other States bordering the Atlantic Ocean and Pacific Ocean and the Gulf of Mexico. All other States 39.75 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices under LD-35: Any cheese offered but not sold under the invitation to bid issued pursuant to LD-33 will be offered for sale through the following Wednesday at prices announced by press release in Washington each Thursday. | | | | | | | | | | | | | | | | | | | | |
| Nonfat dry milk..... | Domestic, unrestricted use: Announced prices, under LD-2v, as amended: Spray process, U.S. Extra Grade, 16.40 cents per pound. Export: Competitive bid under LD-33, as amended, pursuant to invitation to bid to be issued by Minneapolis ASCS Commodity Office. Announced prices, under LD-35: Any nonfat dry milk offered but not sold under the invitation to bid issued pursuant to LD-33 will be offered for sale through the following Monday at prices announced by press releases in Washington each Tuesday. | | | | | | | | | | | | | | | | | | | | |
| Cotton, upland..... | Domestic, unrestricted use: Competitive bid under the terms and conditions of Announcement NO-C-16, as amended (Sale of Upland Cotton for Unrestricted Use). Under this announcement, upland cotton acquired under price support programs will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the market price for such cotton, as determined by CCC. Export, CCC Sales for export: Competitive bid under the terms and conditions of Announcements CN-EX-18 Cotton Export Program—Sales (1963-64 Marketing Year), as amended, and NO-C-22 Sale of Upland Cotton (Cotton Export Program—1963-64 Marketing Year), as amended, and NO-C-24 Sale of Irregular Upland Cotton for Export. Export, CCC Barter and Credit Sales: Competitive bid under the terms and conditions of Announcements CN-EX-21 (Acquisition of Upland Cotton for Export Under Barter and Credit Sales Programs) and NO-C-22, as amended, (Sale of Upland Cotton (Cotton Export Program—1963-64 Marketing Year)). | | | | | | | | | | | | | | | | | | | | |
| Cotton, extra long staple..... | Domestic or export, unrestricted use: Competitive bid under the terms and conditions of Announcements NO-C-6 (Revised July 22, 1960), as amended, and NO-C-10, as amended. Under these announcements domestic grown extra long staple cotton will be sold at the highest price offered but in no event at less than the higher of (a) 115 percent of the current support price for such cotton plus reasonable carrying charges, or (b) the domestic market price as determined by CCC. Export, CCC Sales for export: Competitive bid under the terms and conditions of Announcements CN-EX-20 (Foreign-Grown Extra Long Staple Cotton Export Program) and NO-C-23 (Sale of Foreign-Grown Extra Long Staple Cotton). Sales of cotton will be made by the New Orleans ASCS Commodity Office and catalogs for upland cotton and extra long staple cotton showing quantities, qualities, and locations may be obtained for a nominal fee from that office. | | | | | | | | | | | | | | | | | | | | |
| Barley, bulk..... | Domestic and export, unrestricted use: A. Redemption of domestic payment-in-kind certificate: Such CCC dispositions of barley, as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which barley shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1963 price-support loan rate for the class, grade and quality of the barley plus the amount shown in C below applicable to the type of carrier involved. B. General sales: 1. Storable: Such CCC dispositions of storable barley, as CCC may designate as general sales, will be made during the month at market price but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1963 price support rate (published price support loan rate plus 14 cents per bushel) for the class, grade, and quality of the barley plus the amount shown in C below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added. Examples of these formula minimum prices are shown in C below. CCC will normally make general sales of barley when dispositions of such barley are not being made against domestic payment-in-kind certificates. 2. Nonstorable: Such dispositions of nonstorable barley as CCC may designate as general sales will be made at not less than market price, as determined by CCC. C. Markups and Agricultural Act of 1949 formula price examples (per bushel). | | | | | | | | | | | | | | | | | | | | |
| | <table border="1"> <thead> <tr> <th colspan="2">Markup in cents received by</th> <th colspan="2">Example of in-store ² formula minimum prices for No. 2 or better barley (exrail or barge in dollars)</th> </tr> <tr> <th>Truck</th> <th>Rail or barge</th> <th colspan="2">Terminal</th> </tr> <tr> <th></th> <th></th> <th></th> <th>General sales price</th> </tr> </thead> <tbody> <tr> <td>11</td> <td>6</td> <td>Minneapolis, Minn.</td> <td>\$1.27</td> </tr> <tr> <td></td> <td></td> <td>Kansas City, Mo.</td> <td>1.29</td> </tr> </tbody> </table> | Markup in cents received by | | Example of in-store ² formula minimum prices for No. 2 or better barley (exrail or barge in dollars) | | Truck | Rail or barge | Terminal | | | | | General sales price | 11 | 6 | Minneapolis, Minn. | \$1.27 | | | Kansas City, Mo. | 1.29 |
| Markup in cents received by | | Example of in-store ² formula minimum prices for No. 2 or better barley (exrail or barge in dollars) | | | | | | | | | | | | | | | | | | | |
| Truck | Rail or barge | Terminal | | | | | | | | | | | | | | | | | | | |
| | | | General sales price | | | | | | | | | | | | | | | | | | |
| 11 | 6 | Minneapolis, Minn. | \$1.27 | | | | | | | | | | | | | | | | | | |
| | | Kansas City, Mo. | 1.29 | | | | | | | | | | | | | | | | | | |
| | D. Availability information: For information on CCC barley sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of barley from other locations, contact the Evanston, Kansas City, Minneapolis or Portland ASCS grain office listed at end of table. | | | | | | | | | | | | | | | | | | | | |

See footnotes at end of table.

| Commodity | Sales price or method of sale | | | | | | | | |
|--|---|-----------------------------|------------------------|----------|---------------------|--|--|--|------------------------|
| Corn, bulk | <p>Domestic and export—unrestricted use:</p> <p>A. Redemption of domestic payment-in-kind certificates: Such CCC certificates of corn, as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which corn shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be applicable for such support loan rate for the class and quality of the corn, plus the amount shown in C below applicable for the storage point involved.</p> <p>B. General Sales:</p> <ol style="list-style-type: none"> Storable: Such CCC dispositions of storable corn, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1963 price support rate (published price support loan rate plus 18 cents per bushel) for the class, grade, and quality of the corn, plus the amount shown in C below, applicable to the storage point involved. Examples of these formula minimum prices are shown in C below. For corn in store at other than the point of production the freight from point of production to the present point of storage will also be added. CCC will normally make general sales of corn when dispositions of such corn are not being made against domestic payment-in-kind certificates. Nonstorable: Such dispositions of nonstorable corn as CCC may designate as general sales will be made at not less than market price, as determined by CCC. <p>C. Markups and Agricultural Act of 1949 formula price examples (per bushel).</p> <table border="1" data-bbox="604 145 756 414"> <thead> <tr> <th>Markup in cents in-store at</th> <th>Other points</th> <th>Terminal</th> <th>General sales price</th> </tr> </thead> <tbody> <tr> <td>Example of in-store yellow corn (14 percent Mt. & 2 percent F.M.) (exrral or barge in dollars)</td> <td></td> <td></td> <td>\$1.37 3/4 1.56 1/2</td> </tr> </tbody> </table> | Markup in cents in-store at | Other points | Terminal | General sales price | Example of in-store yellow corn (14 percent Mt. & 2 percent F.M.) (exrral or barge in dollars) | | | \$1.37 3/4 1.56 1/2 |
| Markup in cents in-store at | Other points | Terminal | General sales price | | | | | | |
| Example of in-store yellow corn (14 percent Mt. & 2 percent F.M.) (exrral or barge in dollars) | | | \$1.37 3/4 1.56 1/2 | | | | | | |

| Commodity | Sales price or method of sale | | | | | | |
|--|---|-----------------------------|----------|---------------------|--|--|--------|
| Barley, bulk (continued) | <p>Export announcement sales:</p> <p>(1) Under Announcement GR-368 (Revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC barter, credit and other designated sales. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for the sales under these announcements. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable price support rate plus the adjustment referred to in subparagraph C above. Sale is made at the applicable export market price as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales prices.</p> <p>A. Availability: Evanson and Kansas City ASCS offices. Stocks at West Coast seaboard terminals and stocks at Duluth or Minneapolis will be available through the Portland and Minneapolis ASCS grain offices, respectively.</p> <p>D. Redemption of domestic payment-in-kind certificates: Such CCC dispositions of grain sorghum, as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1963 price support loan rate for the class, grade and quality of the grain sorghum, plus the amount shown in C below applicable to the type of carrier involved.</p> <p>B. General Sales:</p> <ol style="list-style-type: none"> Storable: Such CCC dispositions of storable grain sorghum, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1963 price support rate (published price support loan rate plus 29 cents per hundredweight) for the class, grade and quality of the grain sorghum, plus the amount shown in C below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added. Examples of these formula minimum prices are shown in C below. CCC will normally make general sales of grain sorghum when dispositions of such grain sorghum are not being made against domestic payment-in-kind certificates. Nonstorable: Such dispositions of nonstorable grain sorghum as CCC may designate as general sales will be made at not less than market price, as determined by CCC. <p>C. Markups and Agricultural Act of 1949 formula price examples (per hundredweight).</p> <table border="1" data-bbox="831 1056 982 1346"> <thead> <tr> <th>Markup in cents received by</th> <th>Terminal</th> <th>General sales price</th> </tr> </thead> <tbody> <tr> <td>Examples of in-store better grain sorghum (exrral or barge in dollars)</td> <td></td> <td>\$2.59</td> </tr> </tbody> </table> | Markup in cents received by | Terminal | General sales price | Examples of in-store better grain sorghum (exrral or barge in dollars) | | \$2.59 |
| Markup in cents received by | Terminal | General sales price | | | | | |
| Examples of in-store better grain sorghum (exrral or barge in dollars) | | \$2.59 | | | | | |
| Grain sorghum, bulk | <p>Export announcement sales:</p> <p>(1) Under Announcement GR-368 (Revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC barter, credit and other designated sales. CCC reserves the right to determine the class, grade, quality, and quantity to be made available for the sales under these announcements. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable price support rate plus the adjustment referred to in subparagraph C above. Sale is made at the applicable export market price as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales prices.</p> <p>A. Availability: Evanson and Kansas City ASCS offices. Stocks at West Coast seaboard terminals and stocks at Duluth or Minneapolis will be available through the Portland and Minneapolis ASCS grain offices, respectively.</p> <p>D. Redemption of domestic payment-in-kind certificates: Such CCC dispositions of grain sorghum, as CCC may designate, will be in redemption of certificates or rights represented by pooled certificates under a feed grain program. The minimum price at which grain sorghum shall be valued for such dispositions shall be market price, but not less than the payment-in-kind formula price for such redemptions. Such formula price shall be the applicable 1963 price support loan rate for the class, grade and quality of the grain sorghum, plus the amount shown in C below applicable to the type of carrier involved.</p> <p>B. General Sales:</p> <ol style="list-style-type: none"> Storable: Such CCC dispositions of storable grain sorghum, as CCC may designate as general sales, will be made during the month at market price, but not less than the Agricultural Act of 1949 formula minimum price for such sales which is 105 percent of the applicable 1963 price support rate (published price support loan rate plus 29 cents per hundredweight) for the class, grade and quality of the grain sorghum, plus the amount shown in C below applicable to the type of carrier involved. If delivery is outside the area of production, applicable freight will be added. Examples of these formula minimum prices are shown in C below. CCC will normally make general sales of grain sorghum when dispositions of such grain sorghum are not being made against domestic payment-in-kind certificates. Nonstorable: Such dispositions of nonstorable grain sorghum as CCC may designate as general sales will be made at not less than market price, as determined by CCC. <p>C. Markups and Agricultural Act of 1949 formula price examples (per hundredweight).</p> <table border="1" data-bbox="831 1056 982 1346"> <thead> <tr> <th>Markup in cents received by</th> <th>Terminal</th> <th>General sales price</th> </tr> </thead> <tbody> <tr> <td>Examples of in-store better grain sorghum (exrral or barge in dollars)</td> <td></td> <td>\$2.59</td> </tr> </tbody> </table> | Markup in cents received by | Terminal | General sales price | Examples of in-store better grain sorghum (exrral or barge in dollars) | | \$2.59 |
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| Examples of in-store better grain sorghum (exrral or barge in dollars) | | \$2.59 | | | | | |

D. Availability information: For information on CCC corn sales and payments-in-kind from bin sites, contact ASCS State or county offices. For information on the disposition of corn from other locations, contact the Evanson, Kansas City, Minneapolis or Portland ASCS grain office listed at end of table.

Export announcement sales: GR-212 (Revision 2, Jan. 9, 1961) for application to arrangements for barter, approved CCC credit and other designated sales. (2) Under Announcement GR-368 (Revised Aug. 31, 1959), as amended, for feed grain export payment-in-kind program. CCC reserves the right to determine the class, grade, quality and quantity to be made available for sale under the above announcements. CCC stocks of corn at West Coast seaboard terminals are available for sale under these export announcements except such corn shall not be eligible for Title I, P. L. 480 purchase authorization or for barter. The statutory minimum price referred to in the price adjustment provisions of these export sales announcements is 105 percent of the applicable price support rate plus the adjustment market price, as determined by CCC; export payment-in-kind rates are deducted from credit and barter sales prices.

A. Available: Evanson, Kansas City, Minneapolis, and Portland ASCS grain offices.

| Commodity | Sales price or method of sale | | | | | | | | | | |
|-----------|-------------------------------|--|--------------------------------|----------------|----------|-----------------|-------|----------|---------|-------------------------------------|--------------------------------|
| | Oats, bulk. | <p>Domestic and export,¹ unrestricted use: Storable: Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1963 price support rate² for the class, grade, and quality of the oats plus the amount shown below applicable to the storage point involved. For oats in-store at other than the point of production, the freight from point of production to the present point of storage will also be added.</p> <p>Per bushel markup received by</p> <table border="1"> <thead> <tr> <th>Truck</th> <th>Rail or barge</th> <th>Terminal</th> <th>Grade and class</th> <th>Price</th> </tr> </thead> <tbody> <tr> <td>Cents 12</td> <td>Cents 6</td> <td>Chicago, Ill. Minneapolis, Minn.</td> <td>No. 2 (or better) XHWO-----</td> <td>\$0.80 .78½</td> </tr> </tbody> </table> <p>Examples of per bushel formula minimum prices basis in-store</p> <p>Available: At bin sites through ASCS county offices. At other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices. Nonstorable (as available): At not less than the market price as determined by CCC. At bin sites through ASCS county offices. At other locations through the ASCS grain offices listed at end of table.</p> <p>Export: (1) Under Announcement GR-388 (Rev. Aug. 31, 1959) as amended for feed grain export payment-in-kind programs. (2) Under Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to approved CCC credit and other designated sales. Oats will not be sold for application to Title I, or Title IV, P.L. 480 purchase authorizations or for barter. Sale is at export market price, as determined by CCC; export payment-in-kind rates are deducted from credit sales prices. Available: Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices. Domestic, unrestricted use: Storable: The highest of (a) market price as determined by CCC, (b) a minimum price for such wheat determined by CCC, or, (c) the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1963 price support loan rate³ for the class, grade and quality of the wheat plus the amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to such formula price.</p> | Truck | Rail or barge | Terminal | Grade and class | Price | Cents 12 | Cents 6 | Chicago, Ill. Minneapolis, Minn. | No. 2 (or better) XHWO----- |
| Truck | Rail or barge | Terminal | Grade and class | Price | | | | | | | |
| Cents 12 | Cents 6 | Chicago, Ill. Minneapolis, Minn. | No. 2 (or better) XHWO----- | \$0.80 .78½ | | | | | | | |

| Commodity | Sales price or method of sale | | | | | | | | | | |
|-----------|-------------------------------|---|--|---------------|----------|-----------------|-------|----------|---------|--------------------|--|
| | Eye, bulk. | <p>Domestic and export,¹ unrestricted use: Storable: Market price, as determined by CCC, but not less than the Agricultural Act of 1949 formula price which is 105 percent of the applicable 1963 price support rate² for the class, grade, and quality of the grain plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to the above.</p> <p>Per bushel markup received by</p> <table border="1"> <thead> <tr> <th>Truck</th> <th>Rail or barge</th> <th>Terminal</th> <th>Class and grade</th> <th>Price</th> </tr> </thead> <tbody> <tr> <td>Cents 12</td> <td>Cents 6</td> <td>Minneapolis, Minn.</td> <td>No. 2 or better (or No. 3 on TW only).</td> <td>\$1.42</td> </tr> </tbody> </table> <p>Examples of per-bushel formula minimum price (ex-rail or barge)</p> <p>Available: At bin sites through ASCS county offices. At other locations through the Evanston, Kansas City, Minneapolis, or Portland ASCS grain offices. Nonstorable (as available): At not less than market price as determined by CCC through the ASCS grain offices listed at end of table.</p> <p>Export: (1) Under Announcement GR-388 (Revised Aug. 31, 1959) as amended, for feed grain export payment-in-kind program. (2) Under Announcement GR-212 (Revision 2, Jan. 9, 1961), for application to arrangements for approved CCC credit and other designated sales. Sale is made at the applicable export market price, as determined by CCC; export payment-in-kind rates are deducted from credit sales prices. Available: Evanston, Kansas City, and Portland ASCS offices; also Minneapolis ASCS grain office for rye stored in terminals in Minneapolis. Domestic, unrestricted use: Storable: Market price basis in store,² but not less than the applicable 1963 support price for the class, grade, and quality of the grain plus 14½ cents per bushel, and plus the respective amount shown below applicable to the type of carrier involved. If delivery is outside the area of production applicable freight will be added to the above.</p> | Truck | Rail or barge | Terminal | Class and grade | Price | Cents 12 | Cents 6 | Minneapolis, Minn. | No. 2 or better (or No. 3 on TW only). |
| Truck | Rail or barge | Terminal | Class and grade | Price | | | | | | | |
| Cents 12 | Cents 6 | Minneapolis, Minn. | No. 2 or better (or No. 3 on TW only). | \$1.42 | | | | | | | |

See footnotes at end of table.

| Commodity | Sales price or method of sale |
|--|---|
| Wheat, bulk (continued)..... | Export—Continued Available: Evanston, Kansas City, Minneapolis, and Portland ASCS grain offices. (At Portland ASCS office, Hard Red Winter wheat with 12.0 percent or less protein will be available for barter or Title I, P.L. 480 transactions for export to Korea, Okinawa, and Formosa only.) |
| Peanuts, shelled or unshelled (Farmers Stock) as available | Domestic for crushing or export; Competitive bid under CCC Peanut Announcement 1 (Revised Jan. 4, 1962), as amended. |
| Rice, rough (as available)..... | Domestic, unrestricted use: Market price but not less than 1963 loan rate plus 5 percent, plus 28 cents per hundredweight, basis in store. Export: As milled or brown under Announcement GR-369, Revision II, Rice Export Program—Payment-in-Kind, and under GR-379, Revision I, for approved credit sales. Price, quantities, and varieties of rough rice available from Kansas City ASCS Commodity Office. |

¹ Such dispositions shall be for domestic unrestricted use or for export.

² The delivery basis for these examples is "in-store", and market prices will be on the same basis. The formula price delivery basis for bin site sales will be f.o.b.

³ To compute, multiply applicable support price by 1.05, round product up to nearest whole cent and add amount shown above and any applicable freight.

⁴ On sales made on a protein basis, the loan rate shall be increased by the applicable market or loan bulletin protein premium for the protein content of the wheat, whichever is higher. On sales made on a sedimentation basis, the loan rate shall be increased by the applicable loan bulletin sedimentation premium for the sedimentation value of the wheat. On sales made on a combined sedimentation and protein basis, the loan rate shall be adjusted by the applicable loan bulletin sedimentation and protein premiums and discounts for the respective sedimentation value and protein contents of the wheat.

⁵ Woodford County, Ill., origin.

⁶ Redwood County, Minn., origin.

USDA AGRICULTURAL STABILIZATION AND CONSERVATION SERVICE OFFICES

GRAIN OFFICES

Evanston ASCS Commodity Office, 2201 Howard Street, Evanston, Ill., 60202. Telephone: Long distance—University 9-0600 (Evanston Exchange). Local—Rogers Park 1-5000 (Chicago, Ill.).

Connecticut, Delaware, Florida, Georgia, Illinois, Indiana, Iowa, Kentucky, Maine, Maryland, Massachusetts, Michigan, New Hampshire, New Jersey, New York, North Carolina, Ohio, Pennsylvania, Rhode Island, South Carolina, Tennessee, Virginia, Vermont, and West Virginia.

Branch Office—Minneapolis ASCS Branch Office, 310 Grain Exchange Building, Minneapolis, Minn., 55415. Telephone: 334-2051.

Minnesota, Montana, North Dakota, South Dakota, and Wisconsin.

Kansas City ASCS Commodity Office, 8930 Ward Parkway (P.O. Box 205), Kansas City, Mo., 64141. Telephone: Emerson 1-0860.

Alabama, Arkansas, Colorado, Kansas, Louisiana, Mississippi, Missouri, Nebraska, New Mexico, Oklahoma, Texas, and Wyoming.

Branch Office—Portland ASCS Branch Office, 1218 Southwest Washington Street, Portland, Oreg., 97205. Telephone: Capitol 6-3361.

Alaska, Hawaii, Idaho, Nevada, Oregon, Utah, and Washington, and Arizona and California (Export sales only).

Branch Office—Berkeley ASCS Branch Office, 2020 Milvia Street, Berkeley, Calif., 94704. Telephone: Thornwall 1-5121.

Arizona and California (Domestic sales only).

PROCESSED COMMODITIES OFFICE (ALL STATES)

Minneapolis ASCS Commodity Office, 6400 France Avenue, South Minneapolis, Minn., 55410. Telephone: 334-3200.

COTTON OFFICES (ALL STATES)

New Orleans ASCS Commodity Office, Wirth Building, 120 Marais Street, New Orleans, La., 70112. Telephone: 529-2411.

Cotton Products and Export Operations Office, 80 Lafayette Street, New York, N.Y., 10013. Telephone: Rector 2-8000.

Representative of General Sales Manager, New York Area: Joseph Reidinger, 80 Lafayette Street, New York, N.Y., 10013. Telephone: Rector 2-8000.

Representative of General Sales Manager, West Coast Area: Callan B. Duffy, Balboa Building, 593 Market Street, San Francisco 5, Calif. Telephone: Sutter 1-3179.

(Sec. 4, 62 Stat. 1070, as amended; 15 U.S.C. 714b. Interpret or apply sec. 407, 63 Stat. 1066; sec. 105(c), 63 Stat. 1051, as amended by 76 Stat. 612; secs. 303, 306, and 307, 76 Stat. 614-617; 7 U.S.C. 1427; and 1441 (note).)

Signed at Washington, D.C., on January 9, 1964.

H. D. GODFREY,
Executive Vice President,
Commodity Credit Corporation.

[F.R. Doc. 64-333; Filed, Jan. 14, 1964; 8:45 a.m.]

Office of the Secretary

ASSISTANT SECRETARIES ET AL.

Amendment of Delegation of Authority and Assignment of Functions

Pursuant to the authority vested in me by Reorganization Plan No. 2 of 1953, paragraph b of the delegation of authority dated November 18, 1953 (18 F.R. 7498), as amended, is amended to read as follows:

b. Each of the Assistant Secretaries, the Administrative Assistant Secretary, the Director of Agricultural Economics and the Director of Science and Education shall exercise general direction and supervision of agencies of the Department of Agriculture, as set forth herein, and shall perform such other functions as the Secretary of Agriculture may from time to time assign.

(1) The Under Secretary of Agriculture shall exercise general direction and supervision of the following agencies:

Agricultural Stabilization and Conservation Service (including Commodity Credit Corporation functions assigned in accordance with Commodity Credit Corporation bylaws).

Federal Crop Insurance Corporation.

(2) The Assistant Secretary for International Affairs shall exercise general direction and supervision of the following agencies:

Foreign Agricultural Service.
International Agricultural Development Service.

(3) The Assistant Secretary for Marketing and Consumer Services shall

exercise general direction and supervision of the following agencies:

Agricultural Marketing Service.
Commodity Exchange Authority.

(4) The Assistant Secretary for Rural Development and Conservation shall exercise general direction and supervision of the following agencies:

Office of Rural Areas Development.
Farmer Cooperative Service.
Farmers Home Administration.
Forest Service.
Rural Electrification Administration.
Soil Conservation Service.

(5) The Director of Agricultural Economics shall exercise general direction and supervision of the following agencies, and also shall be responsible for coordinating all statistical and related economic analysis work of the Department:

Economic Research Service.
Statistical Reporting Service.

(6) The Director of Science and Education shall exercise general direction and supervision of the following agencies and shall be responsible for the coordination of research activities throughout the Department:

Agricultural Research Service.
Cooperative State Research Service.
Federal Extension Service.
National Agricultural Library.

(7) The Administrative Assistant Secretary shall exercise direction and supervision of the following agencies and offices:

Office of Budget and Finance.
Office of Hearing Examiners.
Office of Information.
Office of Management Appraisal and Systems Development.
Office of Personnel.
Office of Plant and Operations.
Administrative aspects of functions of the Judicial Officer.
Office of Management Services.

With respect to the functions affected by this assignment and any additional functions which the Secretary of Agriculture may assign to him, the Administrative Assistant Secretary is authorized to perform all duties and to exercise all the power and functions which are now, or which may hereafter be, vested in the Secretary of Agriculture.

Done at Washington, D.C., January 10, 1964.

ORVILLE L. FREEMAN,
Secretary.

[F.R. Doc. 64-385; Filed, Jan. 14, 1964; 8:49 a.m.]

DEPARTMENT OF COMMERCE

Maritime Administration

[Docket No. S-162]

MOORE-McCORMACK LINES, INC.

Notice of Application and of Hearing

Notice is hereby given of the application of Moore-McCormack Lines, Inc., for written permission of the Maritime

Administrator, under section 805(a) of the Merchant Marine Act, 1936, as amended, 46 U.S.C. 1223, to permit its owned vessel, the "SS Robin Kirk", which is under time charter to States Marine Lines, Inc., for a period of about three to five months from September 11, 1963, to load lumber and/or lumber products, commencing about January 24, 1964, for carriage on one eastbound voyage from U.S. North Pacific ports to U.S. Atlantic ports.

This application may be inspected by interested parties in the Hearing Examiners' Office, Maritime Subsidy Board/Maritime Administration.

A hearing on the application has been set for January 22, 1964, at 10:00 a.m., in Room 4519, General Accounting Office Building, 441 G Street NW., Washington 25, D.C. Any person, firm, or corporation having any interest (within the meaning of section 805(a)) in such application and desiring to be heard on issues pertinent to section 805(a) must, before the close of business on January 21, 1964, notify the Secretary, Maritime Subsidy Board/Maritime Administration in writing, in triplicate, and file petition for leave to intervene which shall state clearly and concisely the grounds of interest, and the alleged facts relied on for relief. Notwithstanding anything in Rule 5(n) of the Rules of Practice and Procedure, Maritime Subsidy Board/Maritime Administration, petitions for leave to intervene received after the close of business on January 21, 1964, will not be granted in this proceeding.

By order of the Maritime Administrator.

Dated: January 13, 1964.

JAMES S. DAWSON, Jr.,
Secretary.

[F.R. Doc. 64-409; Filed, Jan. 14, 1964;
8:49 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 14337]

NORTH CENTRAL AIRLINES, INC.

"Use It or Lose It" Investigation of Regina, Saskatchewan, Canada; Notice of Hearing

Notice is hereby given pursuant to the provisions of the Federal Aviation Act of 1958, as amended, that a public hearing in the above-entitled proceeding is assigned to be held on January 22, 1964 at 2 p.m., e.s.t., in Room 911, Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Without limiting the scope of the issues to be considered, particular attention will be directed to the questions whether the Board should issue an order making final its tentative findings and conclusions that the public convenience and necessity require that the certificate of North Central Airlines, Inc. for Route 86F should be amended so as to delete Regina, Saskatchewan, Canada from said certificate, and that there are no

unusual or compelling circumstances, such as extreme isolation or national defense, which would preclude such deletion.

For information concerning the issues involved, the hearing procedure and other details in this proceeding, interested persons are referred to the Board's order to show cause E-19326, adopted on February 27, 1963, the prehearing conference report, the notice to all parties dated September 26, 1963 amending the prehearing conference report, and all other documents contained in the docket of this proceeding on file in the Docket Section of the Civil Aeronautics Board located in the Universal Building, 1825 Connecticut Avenue NW., Washington, D.C.

Dated at Washington, D.C., January 9, 1964.

[SEAL]

BARRON FREDRICKS,
Hearing Examiner.

[F.R. Doc. 64-367; Filed, Jan. 14, 1964;
8:47 a.m.]

FEDERAL MARITIME COMMISSION

PERSIAN GULF OUTWARD FREIGHT CONFERENCE

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 7700-7 between the member lines of The Persian Gulf Outward Freight Conference operating in the trade from U.S. Atlantic and Gulf ports and ports in Eastern Canada to ports in the Persian Gulf and adjacent waters in the range west of Karachi and North-east Aden (excluding both Aden and Karachi), modifies the approved basic agreement, as amended, by adding a provision for the initial handling of members' complaints.

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 20 days after publication of this notice in the FEDERAL REGISTER, written statements with reference to the agreement and their position as to approval, disapproval, or modification, together with a request for hearing, should such hearing be desired.

Dated: January 9, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-365; Filed, Jan. 14, 1964;
8:47 a.m.]

TRANS-PACIFIC PASSENGER CONFERENCE

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 131-237 between the members of the Trans-Pacific Passenger Conference provides for modification of Agreement No. 131 by cancellation of By-Law H-4, which provides for Theatrical Shows and Motion Pictures entertainment on ships.

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

Dated: January 10, 1964.

By order of the Federal Maritime Commission.

THOMAS LISI,
Secretary.

[F.R. Doc. 64-366; Filed, Jan. 14, 1964;
8:47 a.m.]

FEDERAL POWER COMMISSION

[Docket No. CP64-93]

ALABAMA-TENNESSEE NATURAL GAS CO.

Notice of Application

JANUARY 8, 1964.

Take notice that on October 16, 1963, as amended on October 31 and November 7, 1963, Alabama-Tennessee Natural Gas Company (Applicant), P.O. Box 918, Florence, Alabama, filed in Docket No. CP64-93 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the modification and operation of certain existing facilities and the sale and delivery, for a period of one year, of natural gas to Muscle Shoals Natural Gas Corporation (Muscle Shoals), an existing customer, for resale by the latter to the U.S. Army Muscle Shoals Phosphate Development Works, Muscle Shoals, Alabama, all as more fully set forth in the application, as amended, on file with the Commission and open to public inspection.

The existing facilities to be used for the proposed sale are approximately two miles of 3- and 4-inch pipeline and metering and regulating equipment au-

thorized by the Commission's order of November 7, 1951, in Docket No. G-1774. Said facilities were used until July 1, 1957, for deliveries to a phosphate plant of the U.S. Army Corps in Muscle Shoals. Applicant proposes herein to modify the existing meter station at an estimated cost of \$4,100, which cost will be financed from cash on hand.

Applicant proposes to sell to Muscle Shoals, under Applicant's FPC Gas Rate Schedules G-1 and I-1, up to 600 Mcf per day of additional firm and up to 600 Mcf per day of interruptible natural gas.

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.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before February 3, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-337; Filed, Jan. 14, 1964;
8:45 a.m.]

[Docket No. CP64-79]

ARKANSAS LOUISIANA GAS CO.

Notice of Application

JANUARY 8, 1964.

Take notice that on September 30, 1963, Arkansas Louisiana Gas Company (Applicant), Slattery Building, Shreveport, Louisiana, filed in Docket No. CP 64-79 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1964, and the operation of miscellaneous field facilities to enable Applicant to take into its certificated main transmission pipeline system natural gas which will be produced or purchased from producers thereof in the general area of Applicant's existing system, at a total cost not to exceed a maximum of \$4,169,900, with no single project to exceed a cost of \$500,000, all as more fully set forth in the application

which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its existing pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

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.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 27, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-338; Filed, Jan. 14, 1964;
8:45 a.m.]

[Docket No. CP64-112]

NORTHERN NATURAL GAS CO.

Notice of Application

JANUARY 8, 1964.

Take notice that on November 1, 1963, Northern Natural Gas Company (Applicant) of 2223 Dodge Street, Omaha 1, Nebraska, filed in Docket No. CP64-112 application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of three sections of 30-inch loop lines at the following locations: 7.7 miles north of Beaver, Oklahoma; 6.4 miles north of Bushton, Kansas; 9.5 miles north of Oakland, Iowa making a total of 23.6 miles.

Applicant states that the purpose of the proposed facilities is to increase its system capacity by 20,031 Mcf per day to meet the increased requirements of its present customers during the 1964-65 heating season.

The estimated total cost of the proposed facilities is \$2,624,000 to be financed from cash on hand, reserve accruals and retained earnings.

Applicant states that it has approximately 12.7 trillion cubic feet of gas reserves, stated as of December 31, 1962. Based on estimated withdrawals, these reserves represent a reserve life index of 20.1 years and are adequate to enable Northern to meet the peak and average day requirements of its system through the year 1973.

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, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 31, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-339; Filed, Jan. 14, 1964;
8:45 a.m.]

[Project No. 2426]

STATE OF CALIFORNIA, DEPARTMENT OF WATER RESOURCES

Notice of Application for Preliminary Permit

JANUARY 8, 1964.

Public notice is hereby given that application has been filed under the Federal Power Act (16 U.S.C. 791a-825r) by State of California, Department of Water Resources (correspondence to: Alfred R. Golze, Chief Engineer, State of California, Department of Water Resources, P.O. Box 388, Sacramento 2, California) for a preliminary permit for proposed Project No. 2426, to be located on Sacramento-San Joaquin Delta system, in the Counties of Kern, Los Angeles, San Bernardino, Riverside, Contra Costa, Alameda, Stanislaus, Merced, Fresno, Kings, and San Luis Obispo, California, in the region of Castaic, Palmdale, Little-rock, Pearblossom, Hesperia, San Bernardino, Colton, Riverside, Sunnymead, Perris, Tracy, Los Banos, Kettleman City, and San Luis Obispo, California. The proposed project will affect lands of the United States within Angeles and San Bernardino National Forests and other lands of the United States.

The proposed project, to be known as the California Aqueduct Project, will in-

clude the following facilities: North San Joaquin Division—Aqueduct features from Italian Slough in the vicinity of Tracy to San Luis Forebay on San Luis Creek; nine 34,500 and two 11,300 horsepower pumps; South San Joaquin Division—Aqueduct features from Kettleman City to Tehachapi Pumping Plant; three pumping plants; Buena Vista containing eight pumps; Wheeler Ridge I and II each containing eight pumps; Tehachapi Division—Aqueduct features from Tehachapi Pumping Plant to the surge tank of the Cottonwood Power Plant; eight pumps totaling 674,000 horsepower; Antelope Division—Aqueduct features from the surge tank of Cottonwood Power Plant to the junction of the East and West Branch Aqueducts near Fairmont Reservoir; Cottonwood Power Plant would develop 30,000 kilowatts under a static head of 208 feet; West Branch Division—Aqueduct features from Fairmont Junction to Castaic Reservoir; pumping plant would have a static lift of 271 feet; three power plants: Elizabeth Power Plant No. 1 would develop 58,000 kilowatts under a static head of 700 feet; Elizabeth Power Plant No. 2 would develop 36,000 kilowatts under a static head of 425 feet; Elizabeth Power Plant No. 3 would develop 50,000 kilowatts under a static head of 590 feet; Castaic Dam on Castaic Creek would be 325 feet high creating a reservoir of 350,000 acre-feet; East Branch Division—Aqueduct features from Fairmont Junctions to Perris Reservoir; pumping plant containing four pumps operating under a static head of 535 feet; Cedar Springs Dam on West Fork of Mojave River would be 280 feet high creating a reservoir of 200,000 acre-feet; Devil Canyon Power Plant No. 1 would develop 97,000 kilowatts under a static head of 1,115 feet; Devil Canyon Power Plant No. 2 would develop 51,000 kilowatts under a static head of 647 feet; Perris Dam would be 120 feet high creating a reservoir of 100,000 acre-feet; Coastal Aqueduct Division—Aqueduct features from a turnout near Kettleman City to a terminal structure on Santa Marie River near San Luis Obispo-Santa Barbara County Line; Pumping Plant C-3 containing two 6,850 horsepower pumps operating under a static head of 211 feet; Pumping Plant C-4 containing two 2,530 horsepower pumps operating under a static head of 342 feet; Pumping Plant C-5 containing two 2,770 horsepower pumps operating under a static head of 374 feet; Pumping Plant C-6 containing two 5,610 horsepower pumps operating under a static head of 754 feet; San Luis Obispo Power Plant would develop 8,000 kilowatts under a static head of 993 feet; Summary—The pumping plants would develop 5,748 feet of static head of which 4,678 feet of static head would be regained by power plants developing 330,000 kilowatts. Alternate Route—Oso—Pyramid Route is being considered as an alternate route to the Elizabeth Lake Canyon Route for the West Branch Aqueduct. Changes involved would be in the Antelope and West Branch Divisions. An-

telope Division (Alternate)—Aqueduct features from Tehachapi Afterbay to the junction of the East and West Branch Aqueducts; Cottonwood Power Plant would develop 19,000 kilowatts under a static head of 152 feet; West Branch Division (Alternate)—Aqueduct features from Tehachapi Afterbay to Castaic Reservoir; Oso Pumping Plant would require an installation of 28,000 kilowatts for a static lift of 233 feet; Pyramid Power Plant would develop 65,000 kilowatts under a static head of 774 feet; Castaic Power Plant would develop 82,000 kilowatts under a static head of 1,040 feet; Apple Canyon Reservoir of 3,000 acre-feet would be created by a dam 213 feet high; Pyramid Dam on Peru Creek would be 342 feet high creating a reservoir of 143,000 acre-feet; Summary (Alternate)—The pumping plants would develop approximately the same 5,748 feet of static head of which 4,721 feet of static head would be regained by power plants developing 322,000 kilowatts. Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure of the Commission (18 CFR 1.8 or 1.10). The last day upon which protests or petitions may be filed is March 13, 1964. The application is on file with the Commission for public inspection.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-340; Filed, Jan. 14, 1964; 8:45 a.m.]

[Docket No. CP63-321]

MAURY CITY, TENNESSEE

Notice of Application

JANUARY 8, 1964.

Take notice that on November 27, 1963, the Town of Maury City, Tennessee (Applicant) filed a new application amending one filed on May 23, 1963, in Docket No. CP63-321, pursuant to section 7(a) of the Natural Gas Act for an order directing Texas Gas Transmission Corporation (Texas Gas) to establish physical connection of its transportation facilities with the facilities proposed to be constructed by Applicant and to sell and deliver to Applicant its daily and annual requirements in Mcf at 14.72 psia as follows:

| Year | Peak Day | Annual |
|----------|----------|--------|
| 1st..... | 268 | 22,357 |
| 2d..... | 334 | 27,781 |
| 3d..... | 371 | 30,958 |

Applicant proposes to construct and operate the necessary connecting line and the regulating and distribution facilities. The estimated total cost is \$190,000.

Applicant further states that financial arrangements have been made to raise the funds necessary to meet the costs of construction.

Protests, petitions to intervene or requests for hearing 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 31, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-341; Filed, Jan. 14, 1964; 8:45 a.m.]

[Docket No. CP64-102]

VALLEY GAS TRANSMISSION, INC.

Notice of Application

JANUARY 8, 1964.

Take notice that on November 1, 1963, Valley Gas Transmission, Inc. (Applicant), 1500 Americana Building, Houston 2, Texas, filed in Docket No. CP64-102 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction during the calendar year 1964 and the operation of miscellaneous field facilities to enable Applicant to take into its certificated main pipeline system natural gas which will be produced or purchased from producers thereof in the general area of Applicant's existing system at a total cost not to exceed a maximum of \$500,000, with no single project to exceed a cost of \$50,000, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

The purpose of this "budget-type" application is to augment Applicant's ability to act with reasonable dispatch in contracting for and connecting to its pipeline system new supplies of natural gas in various producing areas generally coextensive with said system.

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.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and

procedure (18 CFR 1.8 or 1.10) on or before January 27, 1964.

JOSEPH H. GUTRIDE,
Secretary.

[F.R. Doc. 64-342; Filed, Jan. 14, 1964;
8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15263]

BELLEVILLE ACE CAB CO.

Order To Show Cause

In the matter of Charles Merritts d/b as Belleville Ace Cab Company, Belleville, Illinois, Docket No. 15263; order to show cause why there should not be revoked the license for radio station KSH-427 in the Taxicab Radio Service.

The Commission, by the Chief, Safety and Special Radio Services Bureau, under delegated authority, having under consideration the matter of certain alleged violations of the Commission's rules in connection with the operation of the above-captioned station;

It appearing, that, pursuant to § 1.89, formerly § 1.76 of the Commission's rules, written notice of violation of the Commission's rules was served upon the above-named licensee at his address of record as follows: Official Notice of Violation dated September 20, 1963, alleging violation of §§ 16.152 (a) and (b), 16.156 (b), 16.157 and 16.160(c) (now §§ 93.152 (a) and (b), 93.156(b), 93.157 and 93.160 (c)) of the Commission's rules.

It further appearing, that said licensee did not reply to such communication or to follow-up letters dated October 8, 1963, and December 5, 1963, also mailed to the licensee at his address of record; and

It further appearing, that, in view of the foregoing, the licensee has repeatedly violated § 1.89 of the Commission's rules; and

It further appearing, that the violations of § 1.89 of the Commission's rules and the related facts create apparent liability by the respondent to a monetary forfeiture of \$100 under section 510 of the Communications Act of 1934, as amended, and § 1.80 of the Commission's rules; and also subject the license of the above-captioned station to revocation under the provisions of section 312 of the Communications Act of 1934, as amended; but further proceedings in this Docket should be limited to action looking toward a determination as to whether an order of revocation should be issued;

It is ordered, This 9th day of January 1964, pursuant to section 312 (a) (4) and (c) of the Communications Act of 1934, as amended, and § 0.331(b) (8) of the Commission's rules, that the said licensee show cause why the license for the above-captioned radio station should not be revoked, and appear and give evidence in respect thereto at a hearing to be held at a time and place to be specified by subsequent order; and

It is further ordered, That the Secretary send a copy of this Order by Certi-

fied Mail—Return Receipt Requested to the said licensee at his last known address of Third and "C" Streets, Belleville, Illinois.

Released: January 9, 1964.

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

[F.R. Doc. 64-377; Filed, Jan. 14, 1964;
8:47 a.m.]

[Docket Nos. 14973-14975; FCC 64M-3]

CALHIO BROADCASTERS ET AL.

Order Continuing Hearing

In re applications of Thomas B. Friedman tr/as Calhio Broadcasters, Seven Hills, Ohio, Docket No. 14973, File No. BP-13946; Salem Broadcasting Company, Salem, Ohio, Docket No. 14974, File No. BP-13950; Tele-Sonics, Inc., Parma, Ohio, Docket No. 14975, File No. BP-14992; for construction permits.

The Hearing Examiner having under consideration another joint motion of applicants filed December 27, 1963, requesting that certain procedural dates heretofore established by Memorandum Opinion and Order (FCC 63M-1211) released November 4, 1963, be extended;

It appearing, that there are certain interlocutory matters now pending before the Review Board which apparently will not be acted upon in the immediate near future;

It further appearing, that good cause exists why said motion should be granted and there are no objections thereto;

Accordingly, it is ordered, This 3d day of January 1964, that the motion is granted and that the exchange of exhibits shall be accomplished on or before March 6, 1964 in lieu of January 6, 1964.

It is further ordered, That the hearing herein, now scheduled for January 27, 1964, be and the same is hereby rescheduled for March 30, 1964, 10:00 a.m., in the Commission's Offices, Washington, D.C., in lieu of January 27, 1964.

Released: January 3, 1964.

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

[F.R. Doc. 64-378; Filed, Jan. 14, 1964;
8:47 a.m.]

[Docket No. 15231; FCC 64M-26]

CENTRAL CONNECTICUT BROADCASTING CO. AND CONNECTICUT-NEW YORK BROADCASTERS, INC.

Order Continuing Prehearing Conference

In re applications of the Central Connecticut Broadcasting Company (Assignor), Connecticut-New York Broadcasters, Inc. (Assignee), Docket No. 15231, File Nos. BAL-4587, BALRE-901; for assignment of license of WHAY, New Britain, Connecticut (including auxiliary stations KE-9648 and KCI-469).

At the oral request of counsel for Connecticut-New York Broadcasters, Inc. (Assignee): It is ordered, This 8th day of January 1964, that the prehearing conference herein presently scheduled for 9:00 a.m., January 16, 1964, is continued to 9:00 a.m., February 7, 1964.

Released: January 9, 1964.

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

[F.R. Doc. 64-379; Filed, Jan. 14, 1964;
8:47 a.m.]

[Docket Nos. 15234, 15235; FCC 64M-28]

CITADEL BROADCASTERS OF DU PAGE AND CITADEL BROADCASTERS

Order Scheduling Prehearing Conference

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 8th day of January 1964, that a prehearing conference in the above-entitled proceeding will be held in the Offices of the Commission, Washington, D.C., commencing at 9:00 a.m., January 17, 1964.

Released: January 9, 1964.

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

[F.R. Doc. 64-380; Filed, Jan. 14, 1964;
8:47 a.m.]

[Docket No. 15260, 15261; FCC 64M-24]

COOSA VALLEY RADIO CO. AND ROME BROADCASTING CORP.

Order Scheduling Hearing

In re applications of Coosa Valley Radio Company, Rome, Georgia, Docket No. 15260, File No. BPH-4108; Rome Broadcasting Corporation, Rome, Georgia, Docket No. 15261, File No. BPH-4136; for construction permits.

It is ordered, This 8th day of January 1964, that Walther W. Guenther will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on March 16, 1964, in Washington, D.C.; and, It is further ordered, That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., February 13, 1964.

Released: January 8, 1964.

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

[F.R. Doc. 64-381; Filed, Jan. 14, 1964;
8:47 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 811-889]

SAMSON CONVERTIBLE SECURITIES AND CAPITAL FUND

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

JANUARY 9, 1963.

Notice is hereby given that an application has been filed pursuant to section 8(f) of the Investment Company Act of 1940 ("Act") for an order of the Commission declaring that Samson Convertible Securities and Capital Fund, Inc., 680 Fifth Avenue, New York 19, New York ("Applicant"), a Delaware corporation and an open-end, non-diversified management company, has ceased to be an investment company. All persons are referred to the application on file with the Commission for a complete statement of the representations made therein which are summarized below.

Pursuant to a plan of reorganization dated May 9, 1963 and approved by shareholders of the Applicant at a special meeting held on June 27, 1963, all the assets of the Applicant have been sold in exchange for shares of Samson Fund, Inc. On June 28, 1963 the Commission issued an order (Investment Company Act Release No. 3731) exempting the transaction from the provisions of section 17(a) of the Act. A certificate of dissolution was filed with the Secretary of the State of Delaware on July 11, 1963. As of December 18, 1963 certificates for 395 shares or 6% of the previously outstanding stock remained in the hands of seven shareholders. Manufacturers Hanover Trust Company, as agent for Samson Fund, Inc., is holding 1,367 shares of Samson Fund, Inc. to be issued only in exchange for the 395 shares of Samson Convertible Securities and Capital Fund, Inc.

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

Notice is further given that any interested person may, not later than January 24, 1964, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission shall order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Applicant. Proof of such service (by affidavit or in case of

an attorney at law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the showing contained in said application, unless an order for hearing upon said application shall be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 64-349; Filed, Jan. 14, 1964; 8:46 a.m.]

INTERAGENCY TEXTILE ADMINISTRATIVE COMMITTEE

CERTAIN COTTON TEXTILES PRODUCED OR MANUFACTURED IN PAKISTAN

Limitation on Entry or Withdrawal From Warehouse

JANUARY 10, 1964.

Under Article 3 and Annex B of the Long Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962, the United States may request the Government of Pakistan to restrain the level of exports to the United States of cotton textiles in Category 9, produced or manufactured in Pakistan, for an additional twelve-month period beginning March 1, 1964. Restraints on the exportation of such goods are currently in effect for the twelve-month period March 1, 1963, through February 29, 1964 (28 F.R. 5685 of June 11, 1963).

The level of restraint for entry of these goods during the current period has already been exhausted and certain additional goods have been denied entry because they are in excess of the restraint level. The purpose of this notice is to advise importers and other interested parties that an opportunity will be given to importers whose goods were denied entry prior to January 31, 1964, to enter such goods at the beginning of any period commencing on March 1, 1964, before accepting entries at any port for goods which were imported on or after January 31, 1964.

In the event that the renewal of restraint should be made, on March 2, 1964, and for the next following two days, the Bureau of Customs, acting pursuant to regulations to be issued by the Chairman of the President's Cabinet Textile Advisory Committee and Secretary of Commerce, will accept an entry for consumption, or withdrawal from warehouse for consumption, for only those cotton textiles in Category 9, produced or manufactured in Pakistan, which were imported into the United States prior to January 31, 1964. Thereafter, entries, or withdrawals from warehouse for consumption, of cotton textiles in Category 9, produced or manufactured in Pakis-

tan, may be filed and the Bureau of Customs will authorize entry to the extent of any unfilled balance in the then existing level of restraint.

JAMES S. LOVE, JR.,
Chairman, Interagency Textile Administrative Committee,
and Deputy to the Secretary of Commerce for Textile Programs.

[F.R. Doc. 64-370; Filed, Jan. 14, 1964; 8:47 a.m.]

CERTAIN COTTON TEXTILES AND COTTON TEXTILE PRODUCTS UNDER THE LONG-TERM ARRANGEMENT REGARDING INTERNATIONAL TRADE IN COTTON TEXTILES

Announcement of ITAC Actions and Restraint Levels

JANUARY 10, 1964.

The purpose of this notice is to announce certain actions taken by the United States Government in furtherance of the objectives of, and under the terms of, the Long-Term Arrangement Regarding International Trade in Cotton Textiles, done at Geneva on February 9, 1962.

1. Bilateral agreements. Pursuant to Article 4 of the Long-Term Arrangement, the United States has entered into discussions with the Governments of Portugal and the Philippines concerning bilateral arrangements on trade in cotton textiles.

2. Completed restraint actions. On December 27, 1963, the Interagency Textile Administrative Committee announced that discussions had been completed with exporting countries under Article 3 of the Long-Term Arrangement with regard to the following restraints:

| Country | Category | Restraint level | Effective date |
|--------------|----------|--------------------|----------------|
| Korea..... | 46 | 4,000 dozen..... | Aug. 30, 1963 |
| | 60 | 3,000 dozen..... | Do. |
| | 63 | 15,000 pounds..... | Do. |
| Portugal.... | 43 | 10,000 dozen..... | Apr. 1, 1963 |

¹ (T.S.U.S.A. Nos. 380.3990 and 382.3366 only.)

3. Renewal of restraint actions. On December 27, 1963, the Interagency Textile Administrative Committee announced that, under Article 3 and Annex B of the Long-Term Arrangement, the United States had renewed certain restraints for an additional twelve-month period as follows:

| Country | Category | Restraint level | Effective date of renewal |
|-------------|----------|---------------------|---------------------------|
| Korea*..... | 9 | 1,740,000 sq. yds. | Jan. 1, 1964 |
| | 26 | 10,000,000 sq. yds. | Do. |
| | 45 | 20,000 dozen... | Do. |
| | 51 | 40,000 dozen... | Do. |
| Mexico..... | 54 | 25,000 dozen... | Do. |
| | 1 | 1,100,000 pounds. | Oct. 1, 1963 |

*The Korean restraints have been renewed at the levels in effect for the period Jan. 1, 1963, through Dec. 31, 1963, pending further discussions with the Government of Korea.

4. New actions. On December 27, 1963, the Interagency Textile Administrative Committee announced that, under Article 3 of the Long-Term Arrangement, discussions were in progress for the restraint of certain exports of cotton textiles and cotton textile products which are causing or threatening to cause disruption in the United States market as follows:

| Country | Category |
|---------------------|-----------|
| Argentina | 1 |
| Brazil | 9 |
| Mexico | 22 |
| Pakistan | 22 |
| Philippines | (1) |
| Trinidad and Tobago | 26 and 61 |

¹39, 45, 52, 59 and 63 (T.S.U.S.A. Nos. 380.0363 and 382.0377 only).

JAMES S. LOVE, Jr.,
Chairman, Interagency Textile
Administrative Committee,
and Deputy to the Secretary
of Commerce for Textile Pro-
grams.

[F.R. Doc. 64-371; Filed, Jan. 14, 1964;
8:47 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 589]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 10, 1964.

Section A. The following publications are governed by the new § 1.247 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of December 3, 1963, which became effective January 1, 1964.

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

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

APPLICATIONS ASSIGNED FOR ORAL HEARING SECTION A; MOTOR CARRIERS OF PROPERTY

No. MC 42487 (Sub-No. 592), filed January 8, 1964. Applicant: CONSOLIDATED FREIGHTWAYS CORPORATION OF DELAWARE, 175 Linfield Drive, Menlo Park, Calif. Applicant's attorney: W. J. Hickey (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products*, in bulk, in tank vehicles, from the pipeline station of the Continental Oil Company, located approximately 9½ miles South of Sheridan, Wyo., on U.S. Highway 87, to points in Montana, North Dakota and South Dakota.

NOTE: Common control may be involved.

HEARING: January 30, 1964, at the Yellowstone County Courthouse, Billings, Mont., before Examiner Isadore Freidson.

No. MC 110420 (Sub-No. 358), filed January 6, 1964. Applicant: QUALITY CARRIERS, INC., P.O. Box 339, Burlington, Wis. Applicant's attorney: Charles W. 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: *Fluorspar*, dry, in bulk, from points in Crittenden County, Ky., to points in Alabama, Arkansas, Georgia, Florida, Mississippi, Missouri, New York, North Carolina, Ohio, Oklahoma, Pennsylvania, South Carolina, Tennessee, Texas, Virginia, West Virginia, Illinois, Indiana, Kansas, Kentucky, and Louisiana, and *empty containers*, on return.

HEARING: January 23, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Examiner W. Elliott Nefflen.

No. MC 112497 (Sub-No. 218), filed January 6, 1964. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. Applicant's attorney: E. Stephen Heisley, Transportation Building, Washington, D.C., 20006. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Chemicals*, in bulk, in tank and hopper type vehicles, from points in Mobile County, Ala. (except Mobile and the commercial zone thereof), to points in Alabama, Arkansas, Florida, Georgia, Louisiana, Mississippi, and Tennessee.

NOTE: Common control may be involved.

HEARING: February 10, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner David Waters.

No. MC 117119 (Sub-No. 134), filed January 6, 1964. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Deerfield, Ill., to points in Washington, Oregon, Idaho, Montana, Wyoming, Utah, Colorado, Nebraska, South Dakota, North Dakota, and Minnesota.

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

No. MC 124048 (Sub-No. 19), filed January 7, 1964. Applicant: SCHWERMAN TRUCKING CO. OF INDIANA, INC., 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (same address as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fertilizers*, in bulk, from Plymouth, Ind., to points in Michigan.

NOTE: Applicant is also authorized to conduct operations as a contract carrier in Permit MC 113833 and Subs thereunder; therefore dual operations may be involved. It is further noted that common control may be involved.

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

No. MC 124123 (Sub-No. 16), filed January 8, 1964. Applicant: SCHWERMAN TRUCKING CO. OF ILL., INC., 620 South 29th Street, Milwaukee 46, Wis. Applicant's attorney: James R. Ziperski (address same as applicant). Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, 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.

SECTION B; MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 139) (AMENDMENT), filed November 4, 1963, published in FEDERAL REGISTER issue December 18, 1963, republished as amended, this issue. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston 21, Tex. Applicant's attorney: Ewell H. Muse, Jr., Perry Brooks Building, Austin, Tex., 78701. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except liquefied petroleum gases) in bulk, in tank vehicles, from points in Jefferson and Orange Counties, Tex., to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee, and *returned and rejected shipments*, on return.

NOTE: The purpose of this republication is to broaden the territorial scope of the application, by eliminating the exception "except points within 150 miles of Henderson, Texas."

HEARING: Remains as assigned, February 5, 1964, at the Texas State Hotel, Houston, Tex., before Examiner Richard A. White.

No. MC 4405 (Sub-No. 412) (AMENDMENT), filed October 23, 1963, published in FEDERAL REGISTER issue December 18, 1963, republished as amended, this issue. Applicant: DEALERS TRANSIT, INC., 13101 South Torrence Avenue, Chicago 33, Ill. Applicant's attorney: James W. Wrape, 2111 Sterick Building, Memphis, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *New trucks and chassis, parts and equipment*, in initial movements, in driveway service, from Kansas City, Mo., to points in the United States (except Alabama, Illinois, Indiana, Kentucky, Michigan, Minnesota, Ohio, Oklahoma, Pennsylvania, Texas, and Wisconsin).

NOTE: Common control may be involved. It is further noted that the purpose of this republication is to eliminate the states of Oklahoma and Texas as destination areas.

HEARING: Remains as assigned February 4, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner William J. O'Brien, Jr.

No. MC 20491 (Sub-No. 3), filed November 18, 1963. Applicant: SOL COHEN & SONS, INC., 1208 Channing Road, Far Rockaway, N.Y. Applicant's attorney: Arthur J. Piken, 160-16 Jamaica Avenue, Jamaica 32, N.Y. Authority sought to operate as a *common carrier*, by motor

vehicle, over irregular routes, transporting: *Camp baggage, and personal effects*, between New York, N.Y., and points in Nassau, Suffolk, Westchester, and Rockland Counties, N.Y., points in Fairfield County, Conn., and points in Hudson, Bergen, Union, Essex, Passaic, Morris, Somerset and Monmouth Counties, N.J., on the one hand, and, on the other, points in Delaware, Suffolk, Dutchess, Greene, Orange, Rockland, and Ulster Counties, N.Y., New London County, Conn., Hillsboro County, N.H., Worcester County, Mass., and Pike County, Pa., and (2) between points in Ocean County, N.J., on the one hand, and, on the other, points in Sullivan County, N.Y., Middlesex and Litchfield Counties, Conn., Berkshire County, Mass., Wayne County, Pa., and Grafton County, N.H.

HEARING: February 27, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner James A. McKiel.

No. MC 20861 (Sub-No. 1), filed November 15, 1963. Applicant: FROZEN FOOD BUYERS' SERVICE, INC., 22 Beechwood Street, Dorchester, Mass. Applicant's attorney: William Levenson, 185 Devonshire Street, Boston 10, Mass. 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*, from Boston, Watertown, and Worcester, Mass., to Hartford, East Hartford, West Hartford, New Haven, West Haven, Bridgeport, Wallingford, Torrington, New London, Norwich, Wethersfield, New Britain, Fairfield, Waterbury, and Hampden, Conn., and merchandise damaged in transit, on return.

HEARING: February 20, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 134.

No. MC 29977 (Sub-No. 7), filed October 24, 1963. Applicant: GROCERY TRANSFER CORPORATION, Box 307, White River Junction, Vt. Applicant's attorney: Thomas W. Lynch, Middlebury, Vt. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Condensed milk*, in bulk, from Arcade, N.Y., to Woburn, Mass.

HEARING: February 24, 1964, at the Federal Building, Albany, N.Y., before Examiner Gordon M. Callow.

No. MC 31389 (Sub-No. 55), filed August 12, 1963. Applicant: McLEAN TRUCKING COMPANY, a corporation, P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McNerny, 1000 16th Street NW., Washington, D.C.

Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, agricultural commodities, household goods, as defined by the Commission, commodities in bulk, and those requiring special equipment). Serving the Nuclear Decontamination Burial Site located approximately 12 miles from Morehead, Ky., as an off-route point in connection with applicant's regular route

operations between Louisville, Ky., and Huntington, W. Va., over U.S. Highway 60.

NOTE: Common control may be involved.

HEARING: February 17, 1964, at 1:00 p.m., at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 105.

No. MC 32166 (Sub-No. 3), filed August 26, 1963. Applicant: P. H. BRONAUUGH, doing business as BRONAUUGH MOTOR EXPRESS, P.O. Box 67, Henry Clay Station, Lexington, Ky. Applicant's attorney: Robert M. Pearce, 221 1/2 St. Clair Street, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), between Richmond, Ky., and the site of the Richmond Water and Gas Company Pumping Station near College Hill (Madison County), Ky., from Richmond over Kentucky Highway 52 to junction Kentucky Highway 977 (near Waco, Ky.), thence over Kentucky Highway 977 and access road to the site of the Richmond Water and Gas Company Pumping Station, and return over the same route, serving all intermediate points and the off-route points within 3 miles of the described route.

HEARING: February 25, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 105.

No. MC 42329 (Sub-No. 160), filed August 22, 1963. Applicant: HAYES FREIGHT LINES, INC., P.O. Box 213, Winston-Salem, N.C. Applicant's attorney: Francis W. McNerny, 1000 16th Street NW., Washington 36, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except currency, bullion, articles of value, livestock, loose bulk commodities and commodities requiring special equipment), serving the plant site of the Princeton Company located approximately four (4) miles southeast of Princeton, Ky., as an off-route point in connection with its existing regular route operations between Elizabethtown, Ky. (over U.S. Highway 62) and Smithland, Ky.

NOTE: Common control may be involved.

HEARING: February 18, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 105.

No. MC 43656 (Sub-No. 7), filed September 16, 1963. Applicant: KENNETH DIMON, doing business as DIMON & BACORN, 214 Washington Street, Elmira, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Meat and packinghouse products*, as defined in Appendix I of *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, 766, requiring refrigerated equipment, from Elmira, N.Y., to points in Bradford, Columbia, Clinton, Lackawanna, Lycoming, Montour, Potter, Sullivan, Susque-

hanna, Tioga, and Wyoming Counties, Pa., and points in Allegany, Broome, Cayuga, Chemung, Chenango, Cortland, Livingston, Madison, Onondaga, Ontario, Schuyler, Seneca, Steuben, Tioga, Tompkins, Wayne, and Yates Counties, N.Y., restricted to traffic having a prior movement by rail or truck, and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodities, on return.

HEARING: February 20, 1964, at the U.S. Courtrooms, Binghamton, N.Y., before Examiner Gordon M. Callow.

No. MC 45657 (Sub-No. 39), filed September 18, 1963. Applicant: PICWALSH FREIGHT CO., a corporation, 731 Campbell Avenue, St. Louis 15, Mo. 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: *General commodities* (except those of unusual value, Classes A and B explosives, livestock, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving Mitchell, Ill., as an intermediate point on applicant's presently authorized regular-route between Chicago, Ill., and St. Louis, Mo.

NOTE: Applicant states that Mitchell, Ill. is located at the junction of Illinois Highway 3 and Bypass U.S. Highway 66 near Granite City, Ill. The proposed service at Mitchell will be restricted against the transportation of traffic originating at or destined to said point. Also the proposed service at Mitchell will be confined to traffic having an immediately prior or subsequent movement on rail cars.

HEARING: February 21, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 149.

No. MC 48022 (Sub-No. 6), filed October 10, 1963. Applicant: INLAND EXPRESS, INC., Maple and Walker Streets, Marlboro, Mass. Applicant's attorney: Francis E. Barrett, Jr., 182 Forbes Building, Forbes Road (at South Shore Plaza), Braintree 84, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading), between the junction of U.S. Highway 20 and Massachusetts Highway 146 near Worcester, Mass., and Providence, R.I., from junction U.S. Highway 20 and Massachusetts Highway 146 thence over Massachusetts Highway 146 to the Massachusetts-Rhode Island State line, thence over Rhode Island Highway 146 to Providence, and return over the same route, serving no intermediate points, as an alternate regular route for operating convenience only in connection with applicant's authorized regular route operations.

NOTE: Common control may be involved.

HEARING: February 21, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 18.

No. MC 56553 (Sub-No. 13), filed August 1, 1963. Applicant: PULASKI HIGHWAY EXPRESS, INC., 640 Hamilton Avenue, Nashville, Tenn. Applicant's attorneys: James C. Havron and Walter Harwood, Nashville Bank and Trust Building, Nashville, Tenn., 37201. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Pulaski and Memphis, Tenn., from Pulaski over U.S. Highway 64 to Memphis, and return over the same route, serving the intermediate point of Lawrenceburg, Tenn., and all intermediate points between Lawrenceburg and Pulaski, Tenn.; (2) between Nashville and Ardmore, Tenn., from Nashville over U.S. Highway 31-A to Lewisburg, thence over U.S. Highway 431 to Fayetteville, Tenn., thence over Tennessee Highway 110 to Ardmore, and return over the same route, serving all intermediate points (except those between Nashville and Lewisburg); (3) between Waynesboro and Collinwood, Tenn., from Waynesboro over Tennessee Highway 13 to Collinwood, and return over the same route, serving all intermediate points; (4) between Pulaski and Fayetteville, Tenn., from Pulaski over U.S. Highway 64 to Fayetteville, and return over the same route, serving no intermediate points; (5) between Lewisburg and Columbia, Tenn., from Lewisburg over Tennessee Highway 50 to Columbia, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations; (6) between Lawrenceburg, Tenn., and the Tennessee-Alabama State line, from Lawrenceburg over U.S. Highway 43 to the Tennessee-Alabama State line, and return over the same route, serving all intermediate points and the off-route point of Iron City, Tenn.; (7) between Nashville, Tenn., and junction Tennessee Highway 100 and U.S. Highway 64 near Whiteville, Tenn., from Nashville over Tennessee Highway 100 to junction U.S. Highway 64, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations; (8) between Lawrenceburg and Columbia, Tenn., from Lawrenceburg over U.S. Highway 43 to Columbia, and return over the same route, serving no intermediate points, as an alternate route for operating convenience only, in connection with applicant's authorized regular route operations; (9) between Nashville and Fayetteville, Tenn., from Nashville over U.S. Highway 41 to Murfreesboro, Tenn., thence over U.S. Highway 231 to Fayetteville and return over the same route, with closed doors between Shelbyville and Nashville, Tenn.; (10) between Nashville, Tenn., and Bowling Green, Ky., from Nashville over U.S. Highway 31-W to Bowling Green, and return over the same route, serving no intermediate points.

NOTE: Applicant states that Routes (1) through (9) are all embraced within its present intrastate authority in MC 56553 (Sub-Nos. 1, 2, 3, 7, 8, 9 and 11) (BMC 75), and in MC 56553 (Sub-No. 12), (BOR 99). Conversion of these routes to interstate authority is sought by this application. Each route is to be operated in connection with applicant's other routes so as to authorize through transportation over all routes set out, and intermediate points, except where otherwise specified.

HEARING: February 26, 1964, at the Dinkler-Andrew Jackson Hotel, Nashville, Tenn., before Examiner Edith H. Cockrill.

No. MC 59264 (Sub-No. 32), filed November 19, 1963. Applicant: SMITH & SOLOMON TRUCKING COMPANY, a corporation, How Lane, New Brunswick, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Commodities and equipment used in the manufacture, sale and shipment of cleaning products*, between Frederick, Md., on the one hand, and, on the other, Baltimore, Md., Washington, D.C., and New York, N.Y., and points in Westchester and Nassau Counties, N.Y., points in Bergen, Burlington, Camden, Monmouth, Essex, Hudson, Mercer, Middlesex, Morris, Passaic, Somerset, and Union Counties, N.J., points in Bucks and Philadelphia Counties, Pa., and points within fifteen (15) miles of Philadelphia, Pa.

HEARING: February 20, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Wm. N. Culbertson.

No. MC 61396 (Sub-No. 104), filed December 26, 1963. Applicant: HERMAN BROS. INC., 2501 North 11th Street, Omaha, Nebr. 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 returned 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 72770 (Sub-No. 5), filed December 9, 1963. Applicant: OLEAN HAULING CORP., 99 North Main Street, Franklinville, N.Y. Applicant's attorney: Albert J. Tener, Bank of Jamestown Building, Jamestown, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Boats, boat parts, boat trailers, boat accessories, blocking and shoring materials and advertising materials relating thereto* when moved in mixed shipments with boats, from Sturgis, Mich., Sherman, Tex., Bristol, R.I., and Penn Yan, Marathon, and Athens, N.Y. to all points in the United States except Alaska and Hawaii, and damaged, refused and rejected commodities, on return.

NOTE: Common control may be involved.

HEARING: March 4, 1964, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Gordon M. Callow.

No. MC 76177 (Sub-No. 292), filed June 25, 1963. Applicant: BAGGETT TRANSPORTATION COMPANY, a corporation, 2 South 32d Street, Birmingham 5, Ala. Applicant's attorney: Harold G. Hernly, 711 14th Street NW, Washington 5, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, explosives and blasting supplies, livestock, household goods as defined by the Commission, commodities in bulk and those requiring special equipment), (1) between Atlanta, Ga., and Union Springs, Ala.; from Atlanta over U.S. Highway 29 to Union Springs and return over the same route, serving all intermediate points between Lanett, Ala., and Union Springs, including Lanett, (2) between Montgomery, Ala., and Tuskegee, Ala.; from Montgomery over U.S. Highway 80 to Tuskegee, and return over the same route, serving all intermediate points, and (3) between Sylacauga, Ala., and Columbus, Ga.; from Sylacauga over U.S. Highway 280 to Columbus, and return over the same route, serving all intermediate points.

NOTE: Common control may be involved.

HEARING: February 17, 1964, at the Georgia Public Service Commission, 244 Washington Street SW., Atlanta, Ga., and February 24, 1964, at the Alabama Public Service Commission, Montgomery, Ala., before Joint Board No. 157. This assignment is for applicant's presentation only. A further hearing is contemplated for protestant's presentation at a time and place to be determined by the Joint Board at the conclusion of applicant's presentation.

No. MC 76436 (Sub-No. 15), filed December 9, 1963. Applicant: SKAGGS TRANSFER, INC., 938 South 13th Street, Louisville, Ky. Applicant's attorney: Clarence Evans, 710 Third National Bank Building, Nashville, Tenn. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except household goods as defined by the Commission, articles of unusual value, commodities in bulk, commodities injurious or contaminating to other lading and commodities which require special equipment), (1) between Munfordville and Hardyville, Ky., from Munfordville over Kentucky Highway 88 to Hardyville, and return over the same route, (2) between Munfordville and Bowling Green, Ky., from Munfordville over U.S. Highway 31W to Bowling Green, and return over the same route, (3) between Horse Cave, Ky., and junction U.S. Highway 31E and Kentucky Highway 218, from Horse Cave over Kentucky Highway 218 to junction U.S. Highway 31E, and return over the same route, (4) between Brownsville, Ky., and junction U.S. Highway 31E and Kentucky Highway 70, from Brownsville over Kentucky Highway 70 (including that segment lying in Mammoth Cave National Park) to junction U.S. Highway 31E, and return over the same route, (5) between Glasgow, Ky., and junction Kentucky Highway 90 and U.S. Highway 31W, from Glasgow over Kentucky Highway 90 to junction U.S. Highway 31W,

and return over the same route, (6) between Park City and Bonayr, Ky., from Park City over Kentucky Highway 255 to Bonayr, and return over the same route, (7) between Hays and Brownsville, Ky., from Hays over Kentucky Highway 259 to Brownsville, and return over the same route, (8) between Scottsville and Rhoda, Ky., from Scottsville over Kentucky Highway 101 to Rhoda, and return over the same route, and (9) between Auburn and Middleton, Ky., from Auburn over Kentucky Highway 103 to Middleton, and return over the same route. Applicant proposes to serve all intermediate points on the above proposed routes (1) through (9).

NOTE: Authority is also sought to transport the same commodities over the following alternate routes: (a) Between Louisville and Munfordville, Ky., from Louisville over U.S. Highway 31W to Munfordville, and return over the same route, serving no intermediate points, for operating convenience only, to be used in connection with applicant's authorized regular-route operations, and (b) between junction Kentucky Highway 61 and U.S. Highway 31E (approximately five (5) miles northwest of Buffalo, Ky.) and junction U.S. Highway 31E and Kentucky Highway 470 (approximately six (6) miles northwest of Buffalo, Ky.), from junction Kentucky Highway 61 and U.S. Highway 31E, thence over U.S. Highway 31E to junction Kentucky Highway 470, and return over the same route, serving no intermediate points, for operating convenience only, to be used in connection with applicant's authorized regular-route operations. Applicant states if the above authority is granted, with reference to its alternate routes, the following routes presently held as alternate routes, should be cancelled: (a) Between Louisville and Bowling Green, Ky., from Louisville over U.S. Highway 31W to Bowling Green, and return over the same route, and (b) between junction Kentucky Highway 218 and U.S. Highway 31W, at Horse Cave, Ky., and junction Kentucky Highway 218 and U.S. Highway 31E, near Seymour, Ky., from junction Kentucky Highway 218 and U.S. Highway 31W, thence over Kentucky Highway 218 to junction U.S. Highway 31E, and return over the same route, serving no intermediate points in (a) and (b), for operating convenience only, presently used in connection with applicant's authorized regular-route operations.

HEARING: February 27, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 155.

No. MC 89520 (Sub-No. 12) (AMENDMENT), filed July 23, 1963, published in FEDERAL REGISTER issue August 28, 1963, amended December 23, 1963, and republished as amended this issue. Applicant: C. J. VAN BEEKUM, INC., 2223 Seventh Street, Lubbock, Tex. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, blasting agents, materials and supplies* except in bulk, in tank vehicles, between Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., and points in Oklahoma and Louisiana, and (2) *ingredients, materials and supplies* used in the manufacture and sale of explosives, blasting agents, materials and supplies except in

bulk, in tank vehicles, from points in Oklahoma and Louisiana, to Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla.

NOTE: Applicant is also authorized to conduct operations as a common carrier in MC 117149; therefore, dual operations may be involved. The purpose of this republication is to add the restrictive phrase "except in bulk, in tank vehicles" to the commodity description in (1) and (2), and to show (1) as a "between" movement, rather than a "from and to," as previously published.

HEARING: January 27, 1964, at Room 401, U.S. Court and Custom House Building, 1114 Market Street, St. Louis, Mo., before Examiner William J. O'Brien, Jr.

No. MC 95955 (Sub-No. 7), filed October 2, 1963. Applicant: REDDY TRUCKING CO., INC., Bridgeville Road (P.O. Box 501), Monticello, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods, as defined by the Commission, and commodities requiring special equipment), (A) between Monticello, N.Y., and Newburgh, N.Y., from Monticello over New York Highway 42 to Woodbourne, thence over New York Highway 52 to Newburgh, and return over the same route, serving all intermediate points and the off-route points of Lock Sheldrake, Hurleyville, Woodbridge and Napanoch, N.Y., (B) between Monticello and Newburgh, N.Y.; from Monticello over New York Highway 17 to Bloomingburg, thence over New York Highway 17K to Newburgh, and return over the same route, serving all intermediate points and the off-route points of Circleville and Maybrook, N.Y., (C) between Monticello and Newburgh, N.Y.; from Monticello over New York Highway 17 to Harriman, N.Y., thence over New York Highway 32 to Newburgh, serving points on parallel U.S. Highway 6 between Middletown and Harriman, and the off-route points of Blooming Grove, Campbell Hall, Otisville, Salisbury Mills and Washingtonville, N.Y., (D) between Monticello and Ellenville, N.Y.; from Monticello over New York Highway 17 to Wurtsboro, N.Y., thence over U.S. Highway 209 to Ellenville, and return over the same route, serving all intermediate points, (E) between Monticello and Warwick, N.Y.; from Monticello over irregular route to Port Jervis, N.Y., thence over U.S. Highway 6 to Goshen, N.Y., thence over New York Highway 207 to Warwick, and return over the same route, serving all intermediate points and the off-route points of Johnson, Pine Island, Edenville, Greenwood Lake, and Sugar Loaf, N.Y., (F) between Newburgh and Haverstraw, N.Y., over U.S. Highway 9W, and return over the same route, serving all intermediate points, and (G) between Walden and New Paltz, N.Y., over New York Highway 208, and return over the same route, serving all intermediate points and the off-route points of Clintondale and Gardiner, N.Y.

NOTE: Applicant requests by the instant application to change the restriction as it

appears on the top of Sheet No. 3, in Certificate No. MC 95955 that reads: "Restriction: The service authorized immediately above is restricted to the transportation of shipments originating at, or destined to, points in the described areas of Delaware, Orange and Sullivan Counties, N.Y." to read "Restriction: The service authorized immediately above is restricted to the transportation of shipments originating at, or destined to, points in the areas of Delaware, Orange, Sullivan, and Ulster Counties, N.Y., that are described herein".

HEARING: February 19, 1964, at the U.S. Courtrooms, Binghamton, N.Y., before Examiner Gordon M. Callow.

No. MC 97261 (Sub-No. 2), filed September 26, 1963. Applicant: S. B. LANE, doing business as LANE TRANSFER COMPANY, Box 213, Farmington, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, (except Classes A and B explosives, commodities in bulk, household goods as defined by the Commission, commodities requiring special equipment or handling, and those which are injurious or contaminating to other lading), between points in Fulton, Peoria, and Tazewell Counties, Ill.

HEARING: February 21, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 149.

No. MC 98107 (Sub-No. 1), filed November 29, 1963. Applicant: MURRAY'S TRUCKING SERVICE, INC., 150 Myrtle Avenue, Buffalo, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities*, from carriers warehouse in Buffalo, N.Y., to points in Cattaraugus, Genesee, Chautauque, Erie, Orleans, Niagara, and Wyoming Counties, N.Y.

HEARING: March 4, 1964, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Gordon M. Callow.

No. MC 98428 (Sub-No. 1), filed October 16, 1963. Applicant: CECILE B. CRANTS, doing business as CRANTS MOTOR EXPRESS, 351 Delaware Avenue, Painted Post, N.Y. Applicant's attorney: Harry Treinin, Loan Association Building, Corning, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities*, (1) between Painted Post and Elmira, N.Y.; from Painted Post over New York Highway 17, to Elmira, and return over the same route, serving all intermediate points, and (2) between Big Flats and Elmira, N.Y.: From Big Flats over New York Highway 17E to Elmira, and return over the same route, serving all intermediate points and the off-route point of Corning, N.Y.

HEARING: February 21, 1964, at the U.S. Courtrooms, Binghamton, N.Y., before Examiner Gordon M. Callow.

No. MC 101271 (Sub-No. 18), filed October 1, 1963. Applicant: BIRD & CUTSHAW TRUCKING COMPANY, INC., Myers Street, Greeneville, Tenn. Applicant's attorney: Jimmy Gray Cutshaw, 103 East Depot, Greeneville, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over ir-

regular routes, transporting: (1) *Mixed fertilizer, raw materials for direct fertilizer application, nitrogen fertilizer products in bulk and in bags, and mixed shipments of twine* (twine shipments not to exceed 800 pounds per load), from Greeneville, Tenn., to points in Virginia, Kentucky, and North Carolina; (2) *nitrogen fertilizer products*, from Norfolk, Va., Wilmington, N.C., Charleston, S.C., Savannah, Ga., Pensacola, Fla., Mobile, Ala., and New Orleans, La., to Greeneville, Tenn., and points in Virginia, Kentucky, and North Carolina; and (3) *machinery, materials, and supplies used in diary products plants, knocked down carton containers, new ten gallon cans, labels, popsicle sticks, flavoring in cans, sugar emulsifiers, stabilizers, milk pails, cleansers, detergents; dairy and dairy plant machinery and parts thereof, including strainers, strainer pads, homogenizers, water pumps, milk pumps, ammonia pumps, sterilizers, electric motors, coolers, pasteurizers, vats and tanks; empty containers for evaporated milk in cases; dairy products; condensed milk, ice cream milk, whole milk, and butter fat in filled 10 gallon cans, (excepting canned, condensed, and evaporated milk), (a) from Abingdon, Va., and Greeneville, Tenn., to points in North Carolina, and (b) from Greeneville, Tenn., to points in Virginia.*

NOTE: Applicant states that he will transport exempt agricultural commodities, on return.

HEARING: February 21, 1964, at the U.S. Courtrooms, Knoxville, Tenn., before Examiner Edith H. Cockrill.

No. MC 105678 (Sub-No. 18) (AMENDMENT), filed July 23, 1963, published FEDERAL REGISTER issue August 28, 1963, republished as amended, FEDERAL REGISTER issue December 18, 1963, amended January 2, 1964, and republished as amended this issue. Applicant: SECO TRUCKING CO., a corporation, 219 North Jackson Avenue, Mason City, Iowa. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, blasting agents, materials and supplies except in bulk, in tank vehicles, between Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., and points in Minnesota, Wisconsin, Michigan, Kansas, Arkansas, Indiana, Ohio, Illinois, Pennsylvania, Missouri, Iowa, North Dakota, South Dakota, and Nebraska, and (2) ingredients, materials, and supplies used in the manufacture and sale of explosives, blasting agents, materials, and supplies except in bulk, in tank vehicles, from points in Minnesota, Wisconsin, Michigan, Kansas, Arkansas, Indiana, Ohio, Pennsylvania, Illinois, and Iowa, to Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla.*

NOTE: The purpose of this republication is to add the restrictive phrase "except in bulk, in tank vehicles," to the commodity

description in (1) and (2), to show (1) as a "between" movement, rather than a "from and to," as previously published, to add Illinois to the territorial description in (1), and to indicate new hearing information as set forth below.

HEARING: January 27, 1964, at Room 401, U.S. Court and Custom House Building, 1114 Market Street, St. Louis, Mo., before Examiner William J. O'Brien, Jr.

No. MC 106657 (Sub-No. 22), filed December 31, 1963. Applicant: MACHINERY & MATERIALS CORPORATION, 3200 Gibson Transfer Road, Hammond, Ind. Applicant's attorney: David Axelrod, 39 South La Salle Street, Chicago 3, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Sand*, in bulk, (1) from Oregon, Ill., to points in Rock County, Wis., and Davenport, Clinton, and Fairchild, 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 107475 (Sub-No. 54), filed October 28, 1963. Applicant: DANCE FREIGHT LINES, INC., 286 New Circle Road, Lexington, Ky. Applicant's attorney: Harry McChesney, Jr., Seventh Floor, McClure Building, Frankfort, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), serving the site of the Richmond (Ky.) Water & Gas Co. pumping station, located on the west bank of the Kentucky River approximately one-fourth mile upstream (south) from U.S. Lock No. 11 and one-half mile east of College Hill (Madison County), Ky., as an off-route point in connection with applicant's authorized regular-route operations between Cincinnati, Ohio, and Columbus, Ga.

HEARING: February 25, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 105.

No. MC 107515 (Sub-No. 465), filed December 20, 1963. Applicant: REFRIGERATED TRANSPORT CO., INC., 290 University Avenue SW., Atlanta, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217 Standard Federal Building, Atlanta, Ga. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Prattville, N.Y., to points in Kentucky, Virginia, Georgia, Tennessee, Alabama, Mississippi, Louisiana, North Carolina, South Carolina, and Florida.

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

No. MC 109637 (Sub-No. 242), filed August 28, 1963. Applicant: SOUTHERN TANK LINES, INC., 4107 Bells Lane, Louisville, Ky., 40211. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Drugs, medicines, and toilet preparations*, (2) *cleaning, washing and*

scouring compounds, and (3) *liquid starch*, in bulk, in tank vehicles, from Jeffersonville, Ind., to Franklin, Ky.

HEARING: February 21, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 155.

No. MC 109708 (Sub-No. 32), filed September 9, 1963. Applicant: ERVIN J. KRAMER, doing business as MARYLAND TANK TRANSPORTATION CO., 401 Highland Street, Frederick, Md. Applicant's attorney: Wilmer B. Hill, Transportation Building, Washington, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Grape juice, and wine*, in bulk, in tank vehicles, from points in New York, Ohio, and Pennsylvania, to points in Connecticut, Massachusetts, Rhode Island, New York, New Jersey, Pennsylvania, Delaware, Maryland, Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Alabama, Tennessee, Kentucky, Ohio, Indiana, Illinois, and the District of Columbia.

HEARING: March 2, 1964, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Gordon M. Callow.

No. MC 110949 (Sub-No. 1), filed October 28, 1963. Applicant: RETAIL STORES DELIVERY, INC., 144 Second Street, Cambridge, Mass. Applicant's attorney: Herbert Burstein, 160 Broadway, New York 38, N.Y. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Such merchandise as is dealt in by department stores*, between Boston, Mass., and points in Massachusetts.

NOTE: Applicant states the proposed operation will be under a continuing contract with Popular Merchandise, Inc. 128 Dayton Avenue, Passaic, N.J. Common control may be involved.

HEARING: February 21, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 231.

No. MC 111401 (Sub-No. 147), filed December 20, 1963. Applicant: GROENDYKE TRANSPORT, INC., 2510 Rock Island Boulevard, P.O. Box 362, Enid, Okla. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Petroleum and petroleum products* (except liquefied petroleum gasses), in bulk, in tank vehicles, from points in Jefferson and Orange Counties, Tex. (except those points within 150 miles of Henderson, Tex.), to points in Alabama, Florida, Georgia, Kentucky, Mississippi, North Carolina, South Carolina, and Tennessee.

HEARING: February 5, 1964, at the Texas State Hotel, Houston, Tex., before Examiner Richard A. White.

No. MC 111812 (Sub-No. 235), filed December 26, 1963. Applicant: MIDWEST COAST TRANSPORT, INC., P.O. Box 747, Wilson Terminal Building, Sioux Falls, S. Dak., 57101. 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: *Petroleum and petroleum products*, as described in Ap-

pendix XIII, Ex-Parte MC-45, in containers, from Stoneham, Karns City, Warren, North Warren, Petrolia, and Franklin, Pa., to points in New York, Connecticut, Rhode Island, Massachusetts, Vermont, New Hampshire, and Maine.

NOTE: Common control may be involved.

HEARING: February 5, 1964, at the New Federal Building, Pittsburgh, Pa., before Examiner H. Reece Harrison.

No. MC 111740 (Sub-No. 16), filed December 30, 1963. Applicant: OIL TRANSPORT COMPANY, East Highway 80, P.O. Box 2031, Abilene, Tex. Applicant's attorney: Jerry Prestridge P.O. Box 1148, Austin, Tex., 78763. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Anhydrous ammonia*, in bulk, in tank vehicles, from Sheerin, Tex., and points within 5 miles thereof, to points in Nebraska.

HEARING: January 24, 1964, in Room 612, Post Office Building, Oklahoma City, Okla., before Examiner Richard A. White.

No. MC 112254 (Sub-No. 3), filed October 2, 1963. Applicant: ROY L. ESTES, doing business as ROY ESTES TRUCKING COMPANY, 533 Jackson Street, Kingsport, Tenn. Applicant's attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn., 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cinder blocks, clay and clay products, shale and shale products, concrete and concrete products and mortar mixes*, (1) from Kingsport, Tenn., to points in Alleghany, Bedford, Botetourt, Buchanan, Bland, Carroll, Craig, Dickenson, Floyd, Franklin, Giles, Grayson, Henry, Lee, Montgomery, Patrick, Pittsylvania, Pulaski, Roanoke, Russell, Scott, Smyth, Tazewell, Washington, Wise, and Wythe Counties, Va.; (2) from Kingsport and Johnson City, Tenn., and Marion, Va., to points in Bell, Breathitt, Clay, Floyd, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Leslie, Letcher, McCreary, Magoffin, Martin, Owsley, Perry, Pike, Rockcastle, and Whitley Counties, Ky., and points in Fayette, Logan, McDowell, Mercer, Mingo, Raleigh, Summers, and Wyoming Counties, W. Va.; (3) between Kingsport and Johnson City, Tenn., on the one hand, and, on the other, Richmond, Va.; and (4) between Kingsport and Johnson City, Tenn., on the one hand, and on the other, Louisville, Ky.

NOTE: Applicant is also authorized to operate as a *common carrier* in MC 114982; therefore, dual operations may be involved. The proposed operations are to be limited to a transportation service to be performed under a continuing contract, or contracts, with General Shale Products Corporation, Johnson City, Tenn. Applicant states that damaged, defective and refused shipments will be transported on return in (1) and (2) above. Applicant also states that in (1) and (2) above duplication of authority may be involved and that any duplicate authority will be surrendered.

HEARING: February 20, 1964, at the U.S. Courtrooms, Knoxville, Tenn., before Examiner Edith H. Cockrill.

No. MC 112497 (Sub-No. 217), filed December 16, 1963. Applicant: HEARIN TANK LINES, INC., 6440 Rawlins Street, Baton Rouge, La. 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: *Chemicals*, in bulk, in tank vehicles (except liquefied petroleum gases), from Geismar, La., and points within 5 miles thereof, to points in Alabama, Arizona, Arkansas, Florida, Georgia, Kentucky, Mississippi, Missouri, New Mexico, Oklahoma, Tennessee (except Kingsport), and Texas (except that no resins, paints, paint materials and products and blends thereof shall be transported to Garland, Tex.), and *rejected shipments*, on return.

NOTE: Common control may be involved.

HEARING: February 6, 1964, at the Texas State Hotel, Houston, Tex., before Examiner Richard W. White.

No. MC 112592 (Sub-No. 2), filed October 2, 1963. Applicant: BRICK DELIVERY COMPANY, a corporation, 413 East Market Street, Kingsport, Tenn. Applicant's attorney: Clifford E. Sanders, 321 East Center Street, Kingsport, Tenn., 37660. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Cinder blocks, clay and clay products, shale and shale products, concrete and concrete products, and mortar mixes*, (1) from Kingsport, Tenn., to points in Alleghany, Bedford, Botetourt, Craig, Floyd, Franklin, Henry, Patrick, Pittsylvania, and Roanoke Counties, Va., (2) from Kingsport and Johnson City, Tenn., to points in Bell, Breathitt, Clay, Floyd, Harlan, Jackson, Johnson, Knott, Knox, Laurel, Leslie, Letcher, McCreary, Magoffin, Martin, Owsley, Perry, Pike, Rockcastle, and Whitley Counties, Ky., and points in Fayette, Logan, McDowell, Mercer, Mingo, Raleigh, Summers, and Wyoming Counties, W. Va., (3) from Kingsport, Tenn., to points in Alexander, Alleghany, Ashe, Avery, Buncombe, Burke, Cabarrus, Caldwell, Catawba, Cherokee, Clay, Cleveland, Davidson, Davie, Forsyth, Gaston, Guilford, Haywood, Henderson, Iredell, Jackson, Lincoln, McDowell, Macon, Madison, Mecklenburg, Mitchell, Polk, Randolph, Rockingham, Rowan, Rutherford, Stokes, Surry, Transylvania, Watauga, Wilkes, Yadkin, and Yancey Counties, N.C., (4) between Kingsport and Johnson City, Tenn., on the one hand, and, on the other, Richmond, Va., and (5) between Kingsport and Johnson City, Tenn., on the one hand, and, on the other, Louisville, Ky.

NOTE: Applicant states it proposes to transport in (1), (2), and (3) above, *damaged, defective and refused shipments*, on return. It is further stated that the proposed operations will be limited to a transportation service to be performed under a continuing contract, or contracts, with General Shale Products Corporation, Johnson City, Tenn.

HEARING: February 20, 1964, at the U.S. Courtrooms, Knoxville, Tenn., before Examiner Edith H. Cockrill.

No. MC 113267 (Sub-No. 110), filed October 17, 1963. Applicant: CENTRAL & SOUTHERN TRUCK LINES, INC., 312 West Morris Street, Caseyville, Ill. Applicant's representative: Fred H. Figge, 312 West Morris Street, Caseyville, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen meats, meat products, and dairy products*, from Port Wentworth, Ga., Charleston, S.C., and Norfolk, Va., to points in Alabama, Arkansas, Florida, Georgia, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Michigan, Minnesota, Mississippi, Missouri, Nebraska, North Carolina, Ohio, Oklahoma, South Carolina, Tennessee, Texas, Virginia, and Wisconsin.

NOTE: Common control may be involved.

HEARING: March 4, 1964, at the Claridge Hotel, Memphis, Tenn., before Examiner Edith H. Cockrill.

No. MC 113336 (Sub-No. 63), filed November 18, 1963. Applicant: PETROLEUM TRANSIT COMPANY, INC., P.O. Box 921, Lumberton, N.C. Applicant's attorney: Edward G. Villalon, 1111 E Street NW., Washington 4, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Nitrogen solutions*, in bulk, in tank vehicles, from Wilmington, N.C. and points within 10 miles thereof, to points in Georgia and Maryland.

NOTE: Common control may be involved.

HEARING: February 18, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner C. Evans Brooks.

No. MC 113388 (Sub-No. 56), filed November 20, 1963. Applicant: LESTER C. NEWTON TRUCKING CO., P.O. Box 265, Bridgeville, Del. Applicant's attorney William J. Augello, Jr., 2 West 45th Street, New York, N.Y., 10036. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Mercer County, N.J., to points in South Carolina, Georgia, and Florida.

HEARING: February 25, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner James A. McKiel.

No. MC 114699 (Sub-No. 21), filed November 18, 1963. Applicant: TANK LINES, INCORPORATED, P.O. Box 6415 North Dabney Road, Richmond, Va. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Edible and inedible animal oils*, in bulk, in tank vehicles, from Richmond, Va., to points in Georgia and South Carolina, and *rejected shipments*, on return.

HEARING: February 18, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Richard H. Roberts.

No. MC 115180 (Sub-No. 6), filed December 30, 1963. Applicant: ONLEY REFRIGERATED TRANSPORTATION, INC., 408 West 14th Street, New York, N.Y. Applicant's representative: George A. Olsen, 69 Tonnele Avenue, Jersey City 6, N.J. 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, and points in West Virginia and Wisconsin.

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

No. MC 115311 (Sub-No. 43) (AMENDMENT), filed December 31, 1963, published in FEDERAL REGISTER issue January 8, 1964, republished as amended, this issue. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 894, Americus, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217, Standard Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Fly ash*, in bulk, and in packages, from Wilsonville, Ala., to points in Louisiana, Arkansas, Alabama, and Texas, and *exempt commodities* on return.

NOTE: The purpose of this republication is to add the state of Texas.

HEARING: Remains as assigned January 17, 1964, at the U.S. Courtrooms, Montgomery, Ala., before Examiner Allen W. Hagerly.

No. MC 115887 (Sub-No. 4) (REPUBLICATION), filed August 20, 1963. Applicant: J. M. INGE TRUCKING COMPANY, INC., Richmond, Va. Applicant's attorney: John C. Goddin, State-Planters Bank Building, Richmond, Va. By application filed August 20, 1963, applicant seeks a permit authorizing operation, in interstate or foreign commerce, as a contract carrier by motor vehicle, (a) of meats, meat products, and meat by-products, as described in Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in vehicles equipped with mechanical refrigeration, from Richmond, Va., to Beckley, Charleston, and Huntington, W. Va., and (b) of empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, and damaged, and refused or rejected shipments, on return, over irregular routes. The application was referred to Examiner Hinely for hearing and the recommendation of an appropriate order thereon. Hearing was held on November 14, 1963, at Washington, D.C. At the hearing applicant requested that the commodity description in the application be amended to include, in addition to the above-stated commodities "dairy products." A Report and Recommended Order, served November 26, 1963, effective December 26, 1963, finds that operation by applicant, in interstate or foreign commerce, as a *contract carrier* by motor vehicle, over irregular routes, (a) of *meats, meat products, meat by-products, and dairy products*, as described in Sections A and B of Appendix I to the report in *Descriptions in Motor Carrier Certificates*, 61 M.C.C. 209, in vehicles equipped with mechanical refrigeration, from Richmond, Va., to Beckley, Charleston, and Huntington, W. Va., and (b) of *damaged*

or returned shipments of the commodities specified in (a) above from Beckley, Charleston, and Huntington, to Richmond under a continuing contract or contracts with Hygrade Food Products Corporation, of Detroit, Mich., and Richmond, Va., E. M. Todd Company, Inc., of Richmond, Va., and Avoset Company, of Oakland, Calif., and Richmond, Va., will be consistent with the public interest and the national transportation policy, subject, however, to the condition that prior to the issuance of any permit herein, a proper notice of the authority granted will be published in the FEDERAL REGISTER in order to allow a 30-day period during which any interested person, who may be affected by the broadened scope of the application as amended, file an appropriate pleading.

No. MC 116602 (Sub-No. 1), filed October 9, 1963. Applicant: JAMES F. HERLIHY, doing business as HERLIHY TRUCKING COMPANY, Rural Delivery No. 2, Binghamton, N.Y. Applicant's attorney: Donald C. Carmien, 300 Press Building, Binghamton, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* transported by air freight and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, (1) between Broome County Airport (Broome County, N.Y.), on the one hand, and, on the other, Newark Airport (Newark, N.J.), Idlewild International Airport (Queens County, N.Y.), Philadelphia International Airport (Philadelphia, Pa.), Avoca Airport (Luzerne County, Pa.), and Hancock Field Onondaga County, N.Y., and (2) between Avoca Airport (Luzerne County, Pa.), on the one hand, and, on the other, Newark Airport (Newark, N.J.), Broome County Airport (Broome County, N.Y.), Idlewild International Airport (Queens County, N.Y.), Philadelphia International Airport (Philadelphia, Pa.), and Hancock Field (Onondaga County, N.Y.).

NOTE: Applicant states the above described commodities will be subject to an immediately prior or subsequent movement by air.

HEARING: February 20, 1964, at the U.S. Courtrooms, Binghamton, N.Y., before Examiner Gordon M. Callow.

No. MC 116937 (Sub-No. 17), filed October 23, 1963. Applicant: ROBERT H. CARR AND SONS, INC., R.F.D. No. 2, Malvern, Pa. Applicant's attorney: Edward M. Alfano, 2 West 45th Street, New York 36, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Corn syrup and blends*, in bulk, in tank vehicles, from Canton, Ohio, to points in Michigan, Ohio, Pennsylvania, and New York.

HEARING: February 20, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Jerry F. Laughlin.

No. MC 117119 (Sub-No. 132), filed December 30, 1963. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., Elm Springs, Ark. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate

as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Dairy products, powdered milk containing animal or vegetable fats and ingredients, milk products, dessert preparations, milk and cream substitutes, beverage preparations, flour mixes, cake mixes and pancake mixes*, from points in Minnesota and Wisconsin, to points in Arizona, California, Nevada, New Mexico, Colorado, Kansas, Utah, Wyoming, Montana, Idaho, Washington, and Oregon.

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

No. MC 117119 (Sub-No. 133), filed December 30, 1963. Applicant: WILLIS SHAW FROZEN EXPRESS, INC., ELM SPRINGS, ARK. Applicant's attorney: John H. Joyce, 26 North College, Fayetteville, Ark. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: (1) *Frozen foods*, including fruit and vegetable concentrates, in mixed shipments with canned goods, (2) *frozen foods*, including fruit and vegetable concentrates, in mixed shipments with commodities exempt from economic regulations pursuant to the provisions of sections 203(b)(6) of the Interstate Commerce Act, and (3) *canned goods*, including fruit and vegetable concentrates, in mixed shipments with commodities exempt from economic regulations pursuant to the provisions of section 203(b)(6) of the Interstate Commerce Act, from points in Arizona and California to points in Wyoming, Colorado, Iowa, Nebraska, Missouri, Kansas, Oklahoma, Arkansas, Louisiana, Mississippi, Tennessee, Kentucky, Georgia, Florida, and Alabama.

HEARING: February 6, 1964, at the Federal Building, Los Angeles, Calif., before Examiner Bernard J. Hasson, Jr.

No. MC 117509 (Sub-No. 11) (AMENDMENT), filed July 23, 1963, published in FEDERAL REGISTER issue August 28, 1963, amended December 23, 1963, and republished as amended this issue. Applicant: BEN R. SCHILLI, doing business as SCHILLI TRANSPORTATION, 8944 Granbury Circle, St. Louis 23, Mo. Applicant's attorney: Thomas F. Kilroy, 1815 H Street NW., Washington 6, D.C. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Explosives, blasting agents, materials, and supplies* except in bulk, in tank vehicles, between Atlas, Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla., and points in Kentucky, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, and (2) *ingredients, materials, and supplies* used in the manufacture or sale of explosives, blasting agents, materials, and supplies except in bulk, in tank vehicles, from point in Kentucky, Virginia, West Virginia, Tennessee, North Carolina, South Carolina, Mississippi, Alabama, Georgia, and Florida, to Atlas,

Mo., and the magazines of Atlas Chemical Industries, Inc., located at or near Baxter Springs, Kans., and Pitcher, Okla.

NOTE: The purpose of this republication is to add the restrictive phrase "except in bulk, in tank vehicles," to the commodity description in (1) and (2), and to show (1) as a "between" movement, rather than a "from and to," as previously published.

HEARING: January 27, 1964, at Room 401, U.S. Court and Custom House Building, 1114 Market Street, St. Louis, Mo., before Examiner William J. O'Brien, Jr.

No. MC 119422 (Sub-No. 19), filed October 7, 1963. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Joseph H. Goldenhersh, 406 Missouri Avenue, East St. Louis, Ill., 62201. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Cement*, between points in Illinois.

NOTE: Applicant states the proposed operations will involve shipments having prior movement by rail or water.

HEARING: February 20, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 149.

No. MC 119422 (Sub-No. 20) (CORRECTION), filed October 13, 1963, published FEDERAL REGISTER issue December 26, 1963, corrected December 30, 1963, and republished as corrected this issue. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln Streets, East St. Louis, Ill. Applicant's attorney: Joseph H. Goldenhersh, 406 Missouri Avenue, East St. Louis, 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.

NOTE: The purpose of the republication is to correctly show the attorney that is representing the applicant, in lieu of the attorney erroneously shown in previous publication.

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

No. MC 119422 (Sub-No. 21), filed November 22, 1963. Applicant: EE-JAY MOTOR TRANSPORTS, INC., 15th and Lincoln, East St. Louis, Ill. Applicant's attorney: Joseph H. Goldenhersh, 406 Missouri Avenue, East St. Louis, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal and poultry feeds*, from points in St. Clair County, Ill., to points in Indiana, and empty containers or other such incidental facilities (not specified) used in transporting the above described commodities, on return.

HEARING: February 18, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 21.

No. MC 119777 (Sub-No. 16), filed August 26, 1963. Applicant: LIGON SPECIALIZED HAULER, INC., P.O. Box 31, Madisonville, Ky. Applicant's attorney: Robert M. Pearce, 221 St. Clair Street,

Frankfort, Ky. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mining machinery and equipment and parts and accessories for mining equipment and machinery* between Canonsburg, Pa., and Madisonville, Ky.

HEARING: February 20, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 150.

No. MC 123393 (Sub-No. 28), filed December 30, 1963. Applicant: BILYEU REFRIGERATED TRANSPORT CORPORATION, 1914 East Baline 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 and frozen imported meat, and meat products*, from New York, N.Y., including points in the New York Commercial Zone, and Philadelphia, Pa., to points in Michigan, Indiana, Kentucky, Tennessee, Missouri, Iowa, Wisconsin, Minnesota, Illinois, Kansas, and Oklahoma, and only empty containers or other such incidental facilities (not specified) used in transporting the commodities specified above, on return.

NOTE: Common control may be involved.

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

No. MC 123634 (Sub-No. 2), filed November 6, 1963. Applicant: S. KLEIN TRUCKING CORP., 6 Union Square, New York City, 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: *General department store merchandise and returned, refused and rejected shipments and empty containers or other such incidental facilities* (not specified) used in transporting the above commodities, between the warehouse, storage facilities and store locations of S. Klein Department Stores, Inc., its subsidiary corporations and concessionaires located at stores or warehouses in New York City, Yonkers, East Farmingdale, Commack, and West Hempstead, N.Y., Newark, Woodbridge, and Wayne, N.J., Philadelphia and points in Marple Township, Pa., Greenbelt, Md., Boston, Mass., and Alexandria, Va.

NOTE: Applicant states it is presently authorized to transport the same commodities between the sites of S. Klein Department Stores, Inc. warehouses, storage facilities and stores, subsidiary corporations and concessionaires located at New York, East Farmingdale, Yonkers, Commack and West Hempstead, N.Y., Newark, Woodbridge and Wayne, N.J., Philadelphia and points in Marple Township, Pa., Greenbelt, Md., and Boston, Mass. Applicant does not seek duplicating authority but seeks the authority to transport the aforementioned commodities between the aforementioned points and Alexandria, Va. Applicant concurrently will request dismissal of that portion of the application requesting authority to serve the territory heretofore granted under MC 123634 Sub 1 upon a grant of authority herein so as to avoid any duplication of operating authority.

HEARING: February 26, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner James A. McKiel.

No. MC 124078 (Sub-No. 95), filed January 8, 1964. Applicant: SCHWERMANN 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 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.

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

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

No. MC 124211 (Sub-No. 18), filed October 7, 1963. Applicant: HILT TRUCK LINE, INC., 1813 Yolande, Lincoln, Nebr., Box 824. Applicant's attorney: J. Max Harding, Box 2028, Lincoln, Nebr. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Beverages, carbonated and non-carbonated* from Omaha, Nebr., to points in Arkansas, Colorado, Illinois, Indiana, Iowa, Kansas, Kentucky, Michigan, Minnesota, Missouri, Montana, Nebraska, North Dakota, Oklahoma, South Dakota, Tennessee, Texas, Wisconsin, and Wyoming, (2) *new empty containers* from origin points in destination states specified above to Omaha, Nebr., and (3) *malt beverages* from Peoria, Ill., to points in Colorado, Minnesota, Montana, Nebraska, North Dakota, South Dakota, and Wyoming.

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

No. MC 124898 (Sub-No. 3), filed November 19, 1963. Applicant: FRANK P. McNALLY, INC., 242 Nevins Street, Brooklyn 17, N.Y. Applicant's representative: Charles H. Trayford, 220 East 42d Street, New York 17, N.Y. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *General commodities*, between McGuire Air Force Base at Wrightstown, N.J., and Dover Air Force Base at Dover, Del., on the one hand, and, on the other, Idlewild Airport, New York, N.Y.

NOTE: Applicant states the above proposed operations are a substituted motor for air transportation and will involve the transportation of contour-packed pallets ready for loading into airplanes and transported on special flat-bed trailers equipped with rollers for side loading and unloading. It is further noted that the proposed operations will be performed under a continuing contract with Seaboard World Airlines, Inc., Idlewild Airport, New York, N.Y.

HEARING: February 24, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner James A. McKiel.

No. MC 125018 (Sub-No. 1), filed November 27, 1963. Applicant: TENNES-

SEE TRUCK LINES, INC., Rural Delivery No. 2, Dandridge, Tenn. Applicant's attorneys: Jerome Ackerman, Union Trust Building, Washington 5, D.C. and Joseph A. McAfee, Park National Bank Building, Knoxville 11, Tenn. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: (1) *Canned goods and animal foods*, from the site of Bush Brothers & Company's plants located in Chestnut Hill, Tenn., and Augusta, Wis., and from the site of Bush Brothers & Company subsidiary or affiliated plants: Blytheville Canning Company, Inc., located at Blytheville, Ark., Shiocton Kraut, Inc., located at Shiocton, Wis., New Era Canning Company, located at New Era, Mich., and Bush Brothers of North Carolina, located at Hendersonville, N.C., and from the site of Bush Brothers & Company's warehouses located in Anderson, Coker, Greene, Hancock, Jefferson, Sevier and Knox Counties, Tenn., to points in Virginia, West Virginia, North Carolina, South Carolina, Georgia, Florida, Maryland, Alabama, Mississippi, Tennessee, Kentucky, Illinois, Indiana, Ohio, Pennsylvania, Michigan, Wisconsin, Minnesota, New York, Iowa, Missouri, Arkansas, Louisiana, Texas, Oklahoma, Kansas, Nebraska, Colorado, Delaware, North Dakota, South Dakota, New Jersey, and the District of Columbia, and (2) *canned goods and animal foods, cans, materials, equipment and supplies for the production of cans, seeds, fertilizers; and materials, equipment and supplies used in the growing, production, canning, packaging and distribution of canned goods and animal foods*, from points in the destination states named in (1) above, to the origin points named in (1) above.

NOTE: Applicant states that all of the foregoing transportation service will be performed under a continuing contract or contracts with Bush Brothers & Company and its affiliates. It is further noted the proposed service is principally intended to supplant present movements in private carriage.

HEARING: February 18, 1964, at the U.S. Courtrooms, Knoxville, Tenn., before Examiner Edith H. Cockrill.

No. MC 125136 (Sub-No. 1), filed December 26, 1963. Applicant: W. T. MARSHALL, 1285 Nickey Avenue, Decatur, Ill. Applicant's attorney: Mack Stephenson, First National Bank Building, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Beer*, from St. Louis, Mo., to Beardstown, Lincoln, and Bloomington, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above commodity, on return.

HEARING: February 17, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 135.

No. MC 125167 (Sub-No. 4), filed December 16, 1963. Applicant: RAY MOORE, doing business as MOORE TRUCKING CO., P.O. Box 436, Morehead, Ky. Applicant's attorney: Ben K. Wilmot, Republic Building, Louisville, Ky. Authority sought to operate as a *common carrier*, by motor vehicle, over

irregular routes, transporting: *Mixed fertilizer and the component raw materials thereof*, such as, but not limited to, muriate of potash, sulphate of potash, ammonia nitrate, agrinrite, etc. between Cincinnati, Ohio, and Washington Courthouse, Ohio, and points in Kentucky. Applicant is also authorized to conduct operation as a *contract carrier* in Permit MC 119915.

HEARING: February 21, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 37.

No. MC 125554, filed July 22, 1963. Applicant: JOHN W. HANES, Chenango Forks, N.Y. Applicant's attorney: A. Lawrence Abrams, Security Mutual Building, Binghamton, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Coal*, from points in Lackawanna and Luzerne Counties, Pa. to points in Broome, Delaware, Otsego, Cortland, Tioga, Chenango, and Tompkins Counties, N.Y., and *empty containers or other such incidental facilities* (not specified) used in transporting the above-specified commodity, on return.

HEARING: February 18, 1964, at the U.S. Courtrooms, Binghamton, N.Y., before Examiner Gordon M. Callow.

No. MC 125544 (Sub-No. 1), filed September 30, 1963. Applicant: LESTER M. HAYS, 803 West Mulberry, Carlisle, Ill. Applicant's attorney: Robert T. Lawley, 306-308 Reisch Building, Springfield, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Empty milk cartons*, from Versailles, Ky., to Olney, Quincy, and Carlisle, Ill., and *empty containers or other such incidental facilities* (not specified) used in transporting the above described commodities, on return.

NOTE: Applicant states that the proposed operation will be for the account of Prairie Farms Dairy, Inc.

HEARING: February 19, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 1.

No. MC 125736, filed October 10, 1963. Applicant: JOSEPH J. MCCARTHY AND FRANCIS G. MCCARTHY, a partnership, doing business as MCCARTHY'S ROXBURY AND CITY EXPRESS, 442 Ralph Talbot Street, South Weymouth 90, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *General commodities* (except explosives), between points in Massachusetts.

HEARING: February 24, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 231.

No. MC 125740, filed October 9, 1963. Applicant: HARLAN C. HAMBLY, doing business as HAMBLY TRUCKING, 25 East Walnut Street, Albion, Ill. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Such merchandise as is dealt in by retail and chain grocery and food business houses*, between St. Louis, Mo., on the one hand, and on the other, points on the routes in Illinois and Indiana, as specified below: from St. Louis, over U.S. Highway 460 to junction U.S. Highway 45, near Enfield, Ill., thence over U.S. Highway 45 to Illinois High-

way 1, thence over Illinois Highway 1 to Illinois Highway 141 and 62 to Mount Vernon, Ind., thence over Indiana Highway 69 to U.S. Highway 460 at New Harmon, Ind., thence over U.S. Highway 460 to Illinois Highway 1, at Crossville, Ill., thence over U.S. Highway 1 to Grayville, Ill., thence over Illinois Highway 130 to Albion, Ill., thence from Albion, over Illinois Highway 15 to Mount Vernon, Ill., and thence over U.S. Highway 460 to St. Louis, thence over U.S. Highway 460 to Illinois Highway 161 at Belleville, Ill., and thence east over Illinois Highway 161 to Illinois Highway 51, thence north over Illinois Highway 37 to Salem, Ill., thence east over U.S. Highway 50 to Olney, Ill., thence north over Illinois Highway 130 to Newton, Ill., thence east over U.S. Highway 33 to Robinson, Ill., thence south over Illinois Highway 1 to Lawrenceville, Ill., and Mt. Carmel, Ill., to Illinois Highway 15, thence west over Illinois Highway 15 to Albion, Ill.

HEARING: February 17, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 160.

No. MC 125750, filed October 14, 1963. Applicant: CLARENCE EPPERHART, Route No. 1, Morehead, Ky. Authority sought to operate as a *contract carrier*, by motor vehicle, over regular routes, transporting: *Lumber and pallets*, between Morehead, Ky., and Middletown, Ohio: from Morehead over Kentucky Highway 32 to Flemingsburg, Ky., thence over Kentucky Highway 10 to Maysville, Ky., thence over U.S. Highway 52 to Ripley, Ohio, thence over U.S. Highway 68 to Wilmington, Ohio, thence over Ohio Highway 73 to Middletown, and return over the same route serving the off-route points of Washington Court House, and Jeffersonville, Ohio.

HEARING: February 18, 1964, at the Kentucky Hotel, Walnut Street at Fifth, Louisville, Ky., before Joint Board No. 37.

No. MC 125751, filed October 14, 1963. Applicant: HAROLD D. SMITH, doing business as HAROLD D. SMITH TRUCKING SERVICE, Box 73, Camargo, Ill. Applicant's attorney: Mack Stephenson, First National Bank Building, Springfield, Ill. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Rock, sand, and gravel*, in bulk, in dump trucks, from Montezuma, and Clinton, Ind., and points within 5 miles thereof, to points in Douglas County, Ill.

HEARING: February 18, 1964, at the U.S. Courtrooms and Federal Building, Springfield, Ill., before Joint Board No. 21.

No. MC 125758, filed October 16, 1963. Applicant: STANLEY V. MAJKUT & FRANCIS F. ROGERS, a partnership, doing business as MOBILE AIR TRANSPORT, 9 Kendale Avenue, Schenectady, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *General commodities* when incidental to transportation by air, in a circuitous manner, beginning and ending at the Albany County Airport, N.Y., from the south exit of Albany County Airport, thence east on New York Highway 155 to junction U.S. Highway 9, thence north on U.S. High-

way 9 to junction New York Highway 7, thence east on New York Highway 7 to New York-Vermont State line, thence over Vermont Highway 9 to Bennington, Vt., thence south on U.S. Highway 7 to Williamstown, Mass., thence east on Massachusetts Highway 2 to North Adams, Mass., thence south on Massachusetts Highway 8 to Pittsfield, Mass., thence east on U.S. Highway 20 to Albany, N.Y., thence north on U.S. Highway 9 to junction New York Highway 155, thence west on New York Highway 155 to Albany County Airport, serving all intermediate points and the off-route points of Hoosick Falls, N.Y., and North Bennington, Vt.

HEARING: February 28, 1964, at the Federal Building, Albany, N.Y., before Joint Board No. 318, or, if the Joint Board waives its right to participate before Examiner Gordon M. Callow.

No. MC 125783, filed November 1, 1963. Applicant: HARRY CHARLES FREEMAN, doing business as MILL BASIN HOMING PIGEON TRAINING, 2016 East 72d Street, Brooklyn 34, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Homing pigeons*, from Brooklyn, N.Y. to Perth Amboy, South River, Hightstown, and Burlington, N.J., Wilmington, Del., Fogelsville, Lebanon, Allenport, Crescent, and Wilkingsburg, Pa., and Tappen Lake and Plain City, Ohio, and *empty containers or other such incidental facilities* used in transporting the above described commodity, on return.

HEARING: February 26, 1964, at the Park Sheraton Hotel, New York, N.Y. before Examiner James A. McKiel.

No. MC 125825, filed November 18, 1963. Applicant: RICHARD L. WESTON, 1350 Bald Eagle Avenue, Tyrone, Pa. Applicant's attorney: Henry M. Wick, Jr., 1515 Park Building, Pittsburgh 22, Pa. Authority sought to operate as a *contract carrier*, by motor vehicle, over irregular routes, transporting: *Candy*, from Altoona, Pa., to points in California, Oregon, Washington, Montana, Utah, Nevada, Idaho, Arizona, New Mexico, Colorado and Wyoming, and Texas.

Note: Applicant states that the proposed operation will be restricted to a service to be performed under a continuing contract with Boyer Bros., Inc. of Altoona, Pa.

HEARING: February 19, 1964, at the Offices of the Interstate Commerce Commission, Washington, D.C., before Examiner Harold P. Boss.

MOTOR CARRIERS OF PASSENGERS

No. MC 107 (Sub-No. 4), filed February 28, 1963. Applicant: BORO BUSES COMPANY, a corporation, 37 Globe Court, Red Bank, N.J. Applicant's attorney: William L. Russell, Jr., 73 Broad Street, Red Bank, N.J. 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, (1) between Long Branch, N.J. and Newark, N.J.; from Long Branch over city streets and unnumbered highways through Long Branch, West Long Branch and Oceanport, N.J. to Eaton-

town, N.J., thence over New Jersey Highway 71 to the junction of New Jersey Highway 35, thence over New Jersey Highway 35 to the junction of U.S. Highway 9 at South Amboy, N.J., thence over U.S. Highway 9 to the junction of New Jersey Turnpike at Woodbridge, N.J., thence over New Jersey Turnpike to Newark, and return over the same routes, serving all intermediate points south of the Raritan River, (2) between Oceanport, N.J. and Red Bank, N.J.; from Oceanport over city streets and unnumbered highways through Little Silver, N.J. to Red Bank, and return over the same routes, serving all intermediate points south of the Raritan River, and (3) between West Long Branch, N.J. and Woodbridge, N.J.; from West Long Branch over New Jersey Highway 36 to the junction of Garden State Parkway at New Shrewsbury, N.J., thence over Garden State Parkway to the junction of U.S. Highway 9 at Woodbridge, and return over the same routes, serving all intermediate points south of the Raritan River.

HEARING: February 20, 1964, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 119, or, if the Joint Board waives its right to participate, before Examiner James A. McKiel.

No. MC 172 (Sub-No. 3), filed November 12, 1963. Applicant: ARNOLD E. WADE, 1312 Helderberg Avenue, Schenectady, N.Y. 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*, restricted to traffic originating in the territory indicated, in special and charter operations, from points in that part of New York bounded by a line beginning at Windham, N.Y., and extending through Gilboa to Cooperstown, thence through Sharon Springs to Amsterdam, thence through Hoffmans to Schenectady, and thence through South Berne to point of beginning, to points in Alabama, Arizona, Arkansas, California, Colorado, Florida, Georgia, Idaho, Illinois, Indiana, Iowa, Kansas, Kentucky, Louisiana, Maine, Michigan, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, New York, North Carolina, North Dakota, Ohio, Oklahoma, Oregon, South Carolina, South Dakota, Tennessee, Texas, Utah, Washington, West Virginia, Wisconsin, and Wyoming, and return.

HEARING: February 25, 1964, at the Federal Building, Albany, N.Y., before Examiner Gordon M. Callow.

No. MC 1934 (Sub-No. 12), filed November 8, 1963. Applicant: THE ARROW LINE INC., 70 Florence Street, East Hartford, Conn. 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 Pittsfield, Mass., and Danbury, Conn., from Pittsfield, Mass., over U.S. Highway 20 through Lenox, Mass., to Lee, Mass., thence over Massachusetts Highway 102 to Stockbridge, Mass., thence over

Massachusetts Highway 102 to junction Massachusetts Highway 183, thence over Massachusetts Highway 183 to Housatonic, Mass., thence over Massachusetts Highway 41 to Great Barrington, Mass., thence over U.S. Highway 7 to Danbury, Conn., and return over the same route, serving the intermediate points of Lenox, Lee, Stockbridge, Housatonic, Great Barrington, Sheffield, and Ashley Falls, Mass., and Canaan, Falls Village, West Cornwall, Cornwall Bridge, Kent, Gaylordsville, New Milford, and Brookfield, Conn.

HEARING: March 4, 1964, at the Hartford Statler Hilton, Hartford, Conn., before Joint Board No. 22.

No. MC 1934 (Sub-No. 14), filed December 16, 1963. Applicant: THE ARROW LINE, INC., 70 Florence Street, East Hartford, Conn. Applicant's attorney: Hugh M. Joseloff, 410 Asylum Street, Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trips only, beginning and ending at Holyoke, Chicopee, and Springfield, Mass., and extending to the plant site of Hamilton Standard, Division of United Aircraft Corporation, located at Windsor Locks, Conn.

HEARING: March 5, 1964, at the Hartford Statler Hilton, Hartford, Conn., before Joint Board No. 22.

No. MC 1934 (Sub-No. 15), filed December 16, 1963. Applicant: THE ARROW LINE, INC., 70 Florence Street, East Hartford, Conn. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in round trips only, beginning and ending at Holyoke, Chicopee, and Springfield, Mass., and extending to the plant site of Pratt & Whitney Aircraft, Division of United Aircraft Corporation, located at East Hartford, Conn.

HEARING: March 5, 1964, at the Hartford Statler Hilton, Hartford, Conn., before Joint Board No. 22.

No. MC 29861 (Sub-No. 4), filed November 26, 1963. Applicant: GRAY COACH LINES, LIMITED, 1900 Yonge Street, Toronto, Canada. Applicant's attorney: James E. Wilson, Perpetual Building, Washington 4, D.C. 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 ports of entry on the international boundary between United States and Canada in Maine, New Hampshire, Vermont, New York, Michigan, Wisconsin, Minnesota, North Dakota, Montana, Idaho, and Washington, and extending to points in the United States including Alaska, but excluding Hawaii.

HEARING: March 5, 1964, at the Hotel Buffalo, Washington and Swan Streets, Buffalo, N.Y., before Examiner Gordon M. Callow.

No. MC 47495 (Sub-No. 6), filed December 5, 1963. Applicant: MOUNTAIN VIEW COACH LINES, INC., Coxsackie, N.Y. Applicant's attorney: James H. Glavin, III, 54 Broad Street, Waterford, N.Y. 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, between Hudson, N.Y., and Great Barrington, Mass., from Hudson, N.Y., over New York Highway 23B to junction New York Highway 23 at Claverack, N.Y., thence over New York Highway 23 to Massachusetts State line, thence over Massachusetts Highway 23 to Great Barrington, and return over the same route serving all intermediate points.

NOTE: Applicant states that the proposed operation will be between June 1 and September 30, each year.

HEARING: February 27, 1964, at the Federal Building, Albany, N.Y., before Examiner Gordon M. Callow.

No. MC 72349 (Sub-No. 19), filed October 28, 1963. Applicant: EASTERN MASSACHUSETTS STREET RAILWAY COMPANY, a corporation, 1442 Main Street, Brockton, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers, and their baggage, express, mail, and newspapers*, in the same vehicle with passengers, between Rochester, N.H., and Boston, Mass., from Rochester over New Hampshire Highway 125 to Massachusetts-New Hampshire State line; thence over Massachusetts Highway 125 through Haverhill to junction Massachusetts Highway 28, (also from Haverhill over Massachusetts Highway 110 to Lawrence, thence over Massachusetts Highway 28 to junction Massachusetts Highway 125, thence over Massachusetts Highway 125 to Interstate Highway 93, thence over Interstate Highway 93 to junction Massachusetts Highway 28 in Medford), thence over Massachusetts Highway 28 to junction Massachusetts Highway C28, thence over Massachusetts Highway C28 to Boston, and return over the same route, serving all intermediate points.

HEARING: February 26, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 20.

No. MC 94742 (Sub-No. 17), filed November 18, 1963. Applicant: MICHAUD BUS LINES, INC., 250 Jefferson Avenue, Salem, Mass. Applicant's attorney: Frank Daniels, Eleven Beacon Street, Boston, Mass. 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, from Rochester, N.H., to Boston, Mass.: from Rochester over New Hampshire Highway 125 to New Hampshire State line, thence over Massachusetts Highway 125 to junction Massachusetts Highway 28, thence over Massachusetts Highway 28 to Boston, and return over the same route, serving the intermediate points of Woburn, Reading, Andover, North Andover, and Haverhill, Mass., and Kingston, Epping, and East Barrington, N.H.

HEARING: February 25, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 20.

No. MC 106829 (Sub-No. 1), filed October 28, 1963. Applicant: THOMAS V. BUSHEY, doing business as BUSHEY'S

BUS LINE, 135 Otter River Road, Gardner, Mass. Applicant's attorney: Eugene O. Turcotte, Gardner Savings Bank Building, 31 Parker Street, Gardner, Mass. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, between Winchendon, Mass., and the factory site of New Hampshire Ball Bearings, Inc., located in Petersborough, N.H., from Winchendon over U.S. Highway 202 to the factory site of New Hampshire Ball Bearings, Inc. only, and return over the same route, serving all intermediate points.

HEARING: February 27, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 20.

No. MC 118848 (Sub-No. 4), filed October 14, 1963. Applicant: DOMENICO BUS SERVICE, INC., 764 Boulevard, Bayonne, N.J. Applicant's attorney: Charles J. Williams, 1060 Broad Street, Newark 2, N.J. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, in the same vehicle with passengers, between the Borough of Richmond, N.Y., and the Borough of Manhattan, N.Y., from the Borough of Richmond, N.Y., over the Goethals Bridge to Richmond Street in Elizabeth, N.J., thence over Richmond Street to junction Trenton Avenue, thence over Trenton Avenue to access roads to the New Jersey Turnpike at interchange No. 13, thence over the New Jersey Turnpike to interchange No. 16, thence over interchange exit roads to New Jersey Highway 3 (also known as Depressed Highway, Marginal Highway and Marginal Street), to the Lincoln Tunnel, thence through the Lincoln Tunnel to Manhattan, N.Y., and return over the same route (except that on return, on leaving the New Jersey Turnpike, interchange No. 13, operations will be conducted over the exit road in Elizabeth, N.J., to junction Trenton Avenue, thence over Trenton Avenue, to junction Bayway Avenue, thence over Bayway Avenue to the Goethals Bridge), serving no intermediate points.

NOTE: Common control may be involved.

HEARING: February 17, 1964, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 3, or, if the Joint Board waives its right to participate, before Examiner James A. McKiel.

No. MC 123473 (Sub-No. 3), filed October 23, 1963. Applicant: WEST HUNTERDON TRANSIT CO., INC., Junction of N.J. 69 and U.S. 202, Flemington, N.J. Applicant's attorney: Edward F. Bowes, 1060 Broad Street, Newark, N.J. 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 vehicles with passengers, between points in Bridgewater Township, N.J., and Newark, N.J., from junction U.S. Highway 22 and Interstate Highway 287 in Bridgewater Township, over Interstate Highway 287 to junction U.S. Highway 1 in Edison Township, N.J., thence over U.S. Highway 1 to junction New Jersey Highway 9 in

Woodbridge Township, N.J., thence over New Jersey Highway 9 to the Entrance Ramps of Interchange 11 of the New Jersey Turnpike in Woodbridge, N.J., thence over the Entrance Ramps of Interchange 11 of the New Jersey Turnpike to the New Jersey Turnpike, thence over the New Jersey Turnpike to Interchange No. 14, at Newark, N.J., and return over the same routes, serving no intermediate points, using the New Jersey Turnpike Exit Ramps in Woodbridge, N.J., at Interchange 11.

NOTE: Applicant states the proposed service is requested for operating conveniences only with no pick up or discharge on the proposed routes. Also, applicant proposes to join the proposed routes at Bridgewater Township, N.J., and Newark, N.J., to its existing routes between Frenchtown, N.J., and New York, N.Y., and requests that applicant's existing restriction against service in Bridgewater Township, N.J., and Newark, N.J., be lifted for purposes of joinder only.

HEARING: February 19, 1964, in Room 212, State Office Building, 1100 Raymond Boulevard, Newark, N.J., before Joint Board No. 119, or, if the Joint Board waives its right to participate, before Examiner James A. McKiel.

No. MC 123833 (Sub-No. 10), filed October 14, 1963. Applicant: THAMES VALLEY TRANSPORTATION, INC., 385 Central Avenue, Norwich, Conn. Applicant's attorney: Gregory A. Comerford, 801 National Grange Building, 1616 H Street NW., Washington 6, D.C. Authority sought to operate as a *common carrier*, by motor vehicle, over regular routes, transporting: *Passengers and their baggage*, and *express, mail and newspapers*, in the same vehicle with passengers, and *baggage* of passengers in a separate vehicle, between New London, Conn., and Providence, R.I.; from New London over U.S. Highway 1 to junction Rhode Island Highway 2, thence over Rhode Island Highway 2 to junction Rhode Island Highway 3, thence over Rhode Island Highway 3 to Providence, and return over the same route, serving the intermediate points of Groton, Poquonock Bridge, Mystic, and Pawcatuck, Conn., and Westerly, R.I.

HEARING: March 2, 1964, at the Hartford Statler Hilton, Hartford, Conn., before Joint Board No. 252.

No. MC 125331 (Sub-No. 2), filed November 12, 1963. Applicant: WILDER TRANSPORTATION, INC., 120 East 56th Street, New York 22, N.Y. Applicant's attorney: Arthur Wagner, 32 Broadway, New York 4, N.Y. Authority sought to operate as a *common carrier*, by motor vehicle, over irregular routes, transporting: *Passengers and their baggage*, in the same vehicle, having an immediately prior or immediately subsequent movement by aircraft, between points in Westchester County, N.Y., and La Guardia Field Airport, New York, N.Y., and International Airport, Idlewild, N.Y.

HEARING: February 28, 1964, at the Park Sheraton Hotel, New York, N.Y., before Examiner James A. McKiel.

APPLICATIONS FOR BROKERAGE LICENSES

MOTOR CARRIERS OF PASSENGERS

No. MC 12887, filed November 14, 1963. Applicant: PAUL W. HANSLIN AND

MARGIT S. HANSLIN, doing business as HANSLIN TRAVEL SERVICE, 725 Main Street, Fitchburg, Mass. Applicant's attorney: Mary E. Kelley, 10 Tremont Street, Boston 8, Mass. For a license (BMC 5) to engage in operations, as a broker at Fitchburg, Ayer, Leominster, Worcester, and Gardner, Mass., and Nashua, Keene, and Manchester, N.H., in arranging for transportation, by motor vehicle in interstate or foreign commerce of passengers and their baggage, both as individuals and in groups, beginning and ending at points in Worcester, Franklin, Hampden Counties, and that portion of Middlesex County, Mass., on and west of Massachusetts Highway 111, and Hillsboro and Cheshire Counties, N.H., and extending to points in the United States.

HEARING: February 28, 1964, at the Hotel Essex, Boston, Mass., before Joint Board No. 20.

APPLICATIONS IN WHICH HANDLING WITHOUT ORAL HEARING HAS BEEN ELECTED
MOTOR CARRIERS OF PROPERTY

No. MC 531 (Sub-No. 142), filed December 23, 1963. Applicant: YOUNGER BROTHERS, INC., 4904 Griggs Road, Houston 21, Tex. Applicant's attorney: Ewell H. Muse, Jr., Suite 415 Perry Brooks Building, Austin 1, Tex. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Propylene*, in bulk, in tank vehicles, from West Lake Charles, La., to Cities Service Helex Plant, near Hickok, Kans.

NOTE: Common control may be involved.

No. 77594 (Sub-No. 8), filed December 27, 1963. Applicant: EARL GUILLORY, doing business as OZONE MOTOR LINE, 4552 North Villere Street, New Orleans, La. Applicant sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities*, from Hammond, La., to the intersection of U.S. Highway 61 and Louisiana Highway 964 near Zee, La.; from Hammond, over U.S. Highway 190 to its intersection with U.S. Highway 61, thence over U.S. Highway 61 to its intersection with Louisiana Highway 964 near Zee, La., and return over the same route, serving Baton Rouge as an intermediate point.

NOTE: Applicant states that the proposed service is to be closed doors. It is further noted that no local traffic is to be handled between Baton Rouge proper and points located on U.S. Highway 61 and Louisiana Highways 19 and 67, and no shipments are to be transported between Baton Rouge and New Orleans, La.

No. MC 110157 (Sub-No. 24), filed December 30, 1963. Applicant: LANG TRANSIT COMPANY, a corporation, 38th Street and Quirt Avenue, Lubbock, Tex. Authority sought to operate as a common carrier, by motor vehicle, over regular routes, transporting: *General commodities* (except those of unusual value, Classes A and B explosives, household goods as defined by the Commission, commodities in bulk, and those requiring special equipment), between Bovina, Tex., and Friona, Tex., between intersection of Texas Highways 86 and 214 and Bovina, over Texas Highway 86, and

Friona over Texas Highway 214, for operating convenience only with right of joinder with existing routes over Texas Highways 86 and 214. No duplicate authority is sought.

No. MC 110420 (Sub-No. 356), filed December 29, 1963. Applicant: QUALITY CARRIERS, INC., P.O. Box 339, Burlington, Wis. Applicant's attorney: Charles W. Singer, 33 North La Salle Street, Suite 3800, Chicago, Ill. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Animal fats, vegetable oils, and blends thereof*, in bulk, in tank vehicles, from Waterloo, Iowa, to Worcester, Mass.

NOTE: Common control may be involved.

No. MC 110525 (Sub-No. 630), filed December 26, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank vehicles, from Pittsburgh, Pa., to points in McDowell County, W. Va. (except Wilcoe, Munson, and Gary, W. Va.).

No. MC 110525 (Sub-No. 631), filed December 26, 1963. Applicant: CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa. Applicant's attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Petroleum lubricating oil*, in bulk, in tank vehicles, from McKees Rocks, Pa., to points in Fayette County, W. Va.

No. MC 115311 (Sub-No. 42), filed December 26, 1963. Applicant: J & M TRANSPORTATION CO., INC., P.O. Box 894, Americus, Ga. Applicant's attorney: Paul M. Daniell, Suite 214-217, Standard Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: (1) *Mineral mixtures*, in packages, in mixed shipments with salt and salt products, (a) from Weeks Island, La., to points in Alabama, Florida, Georgia, and Mississippi, and (b) from Rittman, Ohio, and Marysville, Mich., to points in Alabama, Florida, Georgia, Kentucky, North Carolina, South Carolina, Tennessee, and Virginia, (2) *Pepper*, in packages, in mixed shipments with salt and salt products, from Avery Island, La., to points in Mississippi, and exempt commodities, on return in (1) and (2) above.

No. MC 115668 (Sub-No. 6), filed December 26, 1963. Applicant: WYLLIS HERRICK, doing business as W. B. HERRICK, R.F.D. No. 2, Kendallville, Ind. Applicant's representative: Wm. L. Carney, 105 East Jennings Avenue, South Bend, Ind. Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Bakery goods (other than frozen)*, and *containers, boxes and cartons*, (1) between Chicago, Ill., and Detroit, Mich., Dayton, and Toledo, Ohio, (2) between Detroit, Mich., and Dayton, Ohio, and (3) between Chicago, Ill., and Goshen and La Porte, Ind.

No. MC 116300 (Sub-No. 5), filed December 26, 1963. Applicant: NANCE AND COLLUMS, INC., P.O. Drawer J, Fernwood, Miss. Applicant's attorney: Paul M. Daniell, 214 Standard Federal Building, Atlanta, Ga., 30303. Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Mineral mixtures*, in packages, in mixed shipments with salt, from Weeks Island, La., to points in Alabama and Mississippi, and exempt commodities, on return.

No. MC 124034 (Sub-No. 22), filed December 30, 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 carrier, by motor vehicle, over irregular routes, transporting: *Cement*, in packages, from the plant site of the Lone Star Cement Corporation at Hudson, N.Y., to the plant site of the Lone Star Cement Corporation at Nazareth, Pa.

NOTE: Common control may be involved.

No. MC 125908, filed December 27, 1963. Applicant: MAURICE WAGNER, doing business as MAURICE WAGNER DELIVERY SERVICE, 137-21 70th Road, Queens 67, N.Y. Applicant's attorney: Samuel B. Zinder (same address as applicant). Authority sought to operate as a contract carrier, by motor vehicle, over irregular routes, transporting: *Footwear, foot products, drugs used in the care of feet, bandages, surgical dressings, adhesives and medical supplies, and store displays*, under a continuing contract with The Scholl Manufacturing Company, Inc., from points in the New York, N.Y., commercial zone to East Rutherford, N.J., and returned and damaged merchandise, on return.

MOTOR CARRIERS OF PASSENGERS

No. MC 12572 (Sub-No. 1), filed December 26, 1963. Applicant: GEORGE ST. PIERRE, 27 Kent Street, Plainville, Conn. Applicant's attorney: Thomas W. Murrett, 410 Asylum Street, Hartford 3, Conn. For a license (BMC 5) to engage in operations as a broker at Plainville, Conn., in arranging for transportation by motor vehicle, in interstate or foreign commerce of *Passengers and their baggage*, in special and charter operations, between Danbury, Waterbury and Hartford, Conn., on the one hand, and, on the other, points in Maine, New Hampshire, Vermont, Massachusetts, Rhode Island, Connecticut, New York, New Jersey, Delaware, Maryland, Illinois, Virginia, West Virginia, Georgia, Florida, Pennsylvania, Ohio, Michigan, Tennessee, Kentucky, Alabama, Mississippi, Indiana, Wisconsin, North Carolina, South Carolina, Louisiana, and the District of Columbia.

NOTE: Applicant states the single purpose of this application is to acquire appropriate authority to conduct such brokerage operations at Plainville, Conn., rather than at its presently authorized point of Danbury, Conn.

NOTICE OF FILING OF PETITIONS

No. MC 30837 and No. MC 30837 (Sub-No. 185) (PETITION FOR MODIFICA-

TION OF EXISTING CERTIFICATES IN ACCORDANCE WITH THE DECISION OF THE COMMISSION IN No. MC-C-3024, filed December 2, 1963. Petitioner: KENOSHA AUTO TRANSPORT CORPORATION, Kenosha, Wis. Petitioner's attorney: Paul F. Sullivan, 910 17th Street NW., Washington, D.C., 20036. In view of the decision of the Commission in No. MC-C-3024, *National Automobile Transporters Association Petition for Declaratory Order*, 91 M.C.C. 395 (wherein provision is made for modification of existing authorities under certain conditions), the holder of the above-described operating authority, by petition filed December 2, 1963, requests the Commission to modify its certificate in No. MC-30837, specifically the last granting paragraph thereof under part (D), now reading as follows: "Trucks, truck tractors, chassis, and station-wagon type vehicles on truck chassis designed to transport passengers and property, with or without bodies and parts thereof, in initial movements, in truckaway service, from Fort Wayne, Ind., and Springfield, Ohio, to all points in the United States, with no transportation for compensation on return except as otherwise authorized", be modified by adding the following: "Trucks, truck tractors, chassis, and station-wagon type vehicles on truck chassis designed to transport passengers and property, with or without bodies and parts thereof, in secondary movements, in truckaway service, over irregular routes, between points in the States of Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan-Upper Peninsula, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, restricted to transportation of vehicles manufactured or assembled at Fort Wayne, Ind., or Springfield, Ohio, which have had an immediately prior movement by railroad"; and that to its Certificate No. MC 30387 (Sub-No. 185) be added the following: "Motor vehicles (other than automobiles) and chassis, in secondary movements, in truckaway, and parts of, or accessories for, such vehicles, when transported therewith, over irregular routes, between points in the States of Arizona, Arkansas, California, Colorado, Idaho, Illinois, Indiana, Iowa, Kansas, Louisiana, Michigan-Upper Peninsula, Minnesota, Mississippi, Missouri, Montana, Nebraska, Nevada, New Mexico, North Dakota, Oklahoma, Oregon, South Dakota, Texas, Utah, Washington, Wisconsin, and Wyoming, restricted to transportation of vehicles manufactured or assembled at Bridgeport, Conn., which have had an immediately prior movement by railroad". Any person or persons desiring to participate in this proceeding may file replies to said petition (original and fourteen (14) copies each) within 45 days from the date of this publication in the FEDERAL REGISTER.

No. MC 110098 (PETITION FOR INTERPRETATION OF AUTHORITY), filed December 26, 1963. Petitioner: ZERO REFRIGERATED LINES, San Antonio, Tex. Petitioner's attorney:

Donald L. Stern, 924 City National Bank Building, Omaha 2, Nebr. Petitioner holds authority to transport, among other things, "Meats, meat products and meat byproducts, and dairy products, as described in Appendix 1 to the Report in Descriptions in Motor Carrier Certificates, 61 M.C.C. 209, 272, 273, and 766, bakery goods, salads and salad dressing, candy and confections, and frozen foods, all in vehicles equipped with mechanical refrigeration, between points in Texas, on the one hand, and, on the other, points in Arizona, California, New Mexico, Oregon, and Washington." Petitioner has been serving Gebhardt Mexican Foods Co., of San Antonio, Tex., transporting the products of that company to points in the destination States above. Such transportation has been performed under the above authority in the belief that the plant of said shipper qualifies as a meat packinghouse. By petition filed December 26, 1963, petitioner requests the Commission for the issuance of an order finding that the transportation by it is legal and proper under the authority now held by it. Any person or persons desiring to participate in this proceeding, may, within 30 days from the date of such publication in the FEDERAL REGISTER, file an appropriate pleading.

APPLICATIONS UNDER SECTIONS 5 AND 210a(b)

The following applications are governed by the Interstate Commerce Commission's special rules governing notice of filing of applications by motor carriers of property or passengers under sections 5(a) and 210a(b) of the Interstate Commerce Act and certain other proceedings with respect thereto (49 CFR 1.240).

MOTOR CARRIERS OF PROPERTY

No. MC-F-8642. Authority sought for control and merger by AC TRANSPORTATION, INC., Mutton Hollow Road, Woodbridge, N.J., of the operating rights and property of PERTH AMBOY TRUCKING CORP., P.O. Box 206, Woodbridge, N.J., and DOBBIE TRANSPORTATION CO., INC., P.O. Box 192, Woodbridge, N.J., and for acquisition by RICHARD L. SENDELL, also of Mutton Hollow Road, Woodbridge, N.J., J. D. HOLMES, South Avenue, Garwood, N.J., MURRAY SIEGEL and JEAN SIEGEL, 1089 Elizabeth Avenue, Elizabeth, N.J., and IVESON A. MILLER, 254 West Fifth Avenue, Roselle, N.J., of control of such rights and property through the transaction. Applicants' representatives: Richard L. Sendell, Mutton Hollow Road, Woodbridge, N.J., and Albert R. Fink, P.O. Box 206, Woodbridge, N.J. Operating rights sought to be controlled and merged: (PERTH AMBOY TRUCKING CORP.) *Potatoes*, as a common carrier, over irregular routes, from points in Middlesex and Monmouth Counties, N.J., to Allentown, Wilkes-Barre, Pittston, and Scranton, Pa., and Schenectady, Troy, Albany, and Binghamton, N.Y.; *expansion joints and road-building equipment*, from East Rutherford, Linden, Pictin, Genasco, and New Brunswick, N.J., to Albany, N.Y.; *manufactured fertilizer*, and *animal manure*, from Carteret, N.J., to Allentown, Pa.; *pitch*,

asphalt, asphalt emulsion, and *water-proofing equipment and supplies*, from Genasco, Linden, Pictin, East Rutherford, and Manville, N.J., to points in New York and Pennsylvania, between New Brunswick, N.J., on the one hand, and, on the other, points in New York and Pennsylvania; (DOBBIE TRANSPORTATION CO., INC.) *Building and construction materials and supplies*, in bulk, in tank vehicles, as a common carrier, over irregular routes, between points in New Jersey, Delaware, and the District of Columbia, and that part of Pennsylvania and Maryland within 125 miles of Philadelphia, Pa., and including Philadelphia. AC TRANSPORTATION, INC., is authorized to operate as a common carrier in New Jersey, Maryland, Rhode Island, South Carolina, Virginia, New York, Connecticut, and Pennsylvania. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8643. Authority sought for purchase by JONES TRANSFER COMPANY, 927 Washington Street, Monroe, Mich., of a portion of the operating rights of DAYS TRANSFER, INC., 730 East Beardsley Avenue, Elkhart, Ind., and for acquisition by ROBERT J. DUFFEY, JOSEPH E. DUFFEY, and RALPH MANAUSSO, all of Monroe, Mich., of control of such rights through the purchase. Applicant's attorney: Robert A. Sullivan, 1800 Buhl Building, Detroit 26, Mich. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a common carrier over regular routes, between Ann Arbor, Mich., and Hamburg, Mich., between Ann Arbor, Mich., and South Lyon, Mich., serving all intermediate points. Vendee is authorized to operate as a common carrier in Michigan and Ohio. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8644. Authority sought for purchase by the THE MARYLAND TRANSPORTATION COMPANY, 1111 Frankfur Avenue, Baltimore 25, Md., of a portion of the operating rights of APEX EXPRESS, INC., 455 Seaman Avenue, Perth Amboy, N.J., and for acquisition by FREDERIC WEISS, RALPH W. WEISS, and FRED A. WEISS, all of Baltimore 25, Md., of control of such rights through the purchase. Applicants' attorneys: Spencer T. Money, Mills Building, Washington, D.C., and Maxwell A. Howell, 1511 K Street NW., Washington 25, D.C. Operating rights sought to be transferred: *General commodities*, except those of unusual value, and except dangerous explosives, livestock, films, alcoholic beverages, 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 Philadelphia, Pa., on the one hand, and, on the other, Baltimore, Md., Atlantic City, Ocean City, Roebling, N.J., and points in Philadelphia, Chester, and Delaware Counties, Pa. Vendee is authorized to operate as a common carrier in Maryland, Virginia, West Virginia,

Pennsylvania, New Jersey, New York, Connecticut, Delaware, Massachusetts, New Hampshire, Rhode Island, North Carolina, and the District of Columbia. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8645. Authority sought for purchase by HYMAN TRANSPORTATION COMPANY, 8 North State Street, Aberdeen, S. Dak., of the operating rights and property of BEN BLINDER, doing business as TRI-STATE TRANSPORTATION CO., 1501 A Avenue, Sioux Falls, S. Dak., and for acquisition by EUGENE PIKOVSKY, 2600 University Avenue SE., Minneapolis, Minn., of control of such rights and property through the purchase. Applicants' attorneys: Val M. Higgins, 1000 First National Bank Building, Minneapolis 2, Minn., and T. M. Bailey, Jr., Northwest Security Bank Building, Sioux Falls, S. Dak. Operating rights sought to be transferred: *General commodities*, excepting, among others, household goods and commodities in bulk, as a *common carrier* over regular routes, from Sioux City, Iowa, to Aberdeen, S. Dak., between Sioux City, Iowa, and Mitchell, S. Dak., serving certain intermediate points, between Mankato, Minn., and Madelia, Minn., serving all intermediate points, between Fairmont, Minn., and Luverne, Minn., serving all intermediate and certain off-route points, between Pierre, S. Dak., and Sioux City, Iowa, serving the intermediate points of Huron, S. Dak., and those between Pierre and Huron, unrestricted, and the off-route point of Onida, S. Dak., in the transportation of *meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as defined by the Commission; *general commodities*, excepting, among others, commodities in bulk, but not excepting household goods, between St. Paul, Minn., and Beresford, S. Dak., serving certain intermediate and off-route points, between Madelia, Minn., and Worthington, Minn., serving all intermediate points, between Sioux Falls, S. Dak., and Sioux City, Iowa, serving the intermediate point of Hudson, S. Dak., and certain off-route points, between Sioux City, Iowa, and Yankton, S. Dak., serving all intermediate points, between Beresford, S. Dak., and junction South Dakota Highway 46 and unnumbered County Highway, 1 mile west of junction South Dakota Highways 17 and 46, between junction South Dakota Highways 19 and 46, and junction South Dakota Highway 19 and unnumbered county highway approximately 3 miles east of Westerville, S. Dak., between Vermillion, S. Dak., and junction South Dakota Highway 50 and U.S. Highway 77, serving no intermediate points, between Centerville, S. Dak., and Sioux City, Iowa, serving the intermediate points of Hub City and Dalesberg, S. Dak.; *general commodities*, except livestock, classes A and B explosives, household goods as defined by the Commission, other than individual pieces of household furnishings, and commodities too heavy for the equipment used, between Centerville, S. Dak., and Westerville, S. Dak., serving the intermediate point of Wakonda, S. Dak.; *general commodities*, except those

of unusual value, classes A and B explosives, catalogs, household goods as defined by the Commission, commodities in bulk, commodities requiring special equipment, and those injurious or contaminating to other lading, between Sioux Falls, S. Dak., and Meridian, S. Dak., between Sioux Falls, S. Dak., and Yankton, S. Dak., serving all intermediate and certain off-route points, between Sioux Falls, S. Dak., and Yankton, S. Dak., serving all intermediate points except Parker, S. Dak., and certain off-route points; *general commodities*, between Beresford, S. Dak., and Sioux City, Iowa, serving all intermediate and certain off-route points, between Sioux Falls, S. Dak., and Valley Springs, S. Dak., between Brandon, S. Dak., and Corson, S. Dak., serving all intermediate points; *dairy products, poultry, butter, and eggs*, from Aberdeen, S. Dak., to Sioux City, Iowa, serving the intermediate points of Sioux Falls and Watertown, S. Dak.; *meats, meat products, meat byproducts, dairy products, and articles distributed by meat packinghouses*, as defined by the Commission, from junction of U.S. Highways 14 and 281 (four miles northwest of Wolsey, S. Dak.), to Cheyenne Agency, S. Dak., serving all intermediate and certain off-route points, from Cheyenne Agency to junction of U.S. Highways 83 and 14 (17 miles northeast of Pierre, S. Dak.), serving all intermediate points; *general commodities*, excepting, among others, household goods and commodities in bulk, over irregular routes, between Minneapolis and St. Paul, Minn., on the one hand, and, on the other, the Twin City Ordnance Plant in Mound View Township, Ramsey County, Minn.; *general commodities*, excepting, among others, household goods, but not excepting, commodities in bulk, between Minneapolis, St. Paul, South St. Paul, Invergrove, West St. Paul, Newport, North St. Paul, Columbia Heights, Robbinsdale, St. Louis Park, Hopkins, Edina, Richfield, Red Rock, McCarron's Lake, Fort Snelling, and State Fair Grounds, Minn.; *general commodities*, between points on the lines of the Chicago, Milwaukee, St. Paul and Pacific Railroad and the Chicago and North Western Railroad in Brule, Hughes, Hyde, Lyman, Stanley, and Sully Counties, S. Dak., on the one hand, and, on the other, points in such counties excepting points now located on such railroads; *butter*, from Tripp and Parkston, S. Dak., to Sioux City, Iowa; *eggs*, from Yankton and Tripp, S. Dak., to Sioux City, Iowa; *poultry*, from Parkston and Mitchell, S. Dak., to Sioux City, Iowa; *fruit and vegetables*, between Vermillion, S. Dak., and Omaha, Nebr.; *canned goods*, over irregular routes, in truckload lots only, from Sleepy Eye and Marshall, Minn., and Marshalltown, Iowa, to Mitchell, Brookings, Madison, and Sioux Falls, S. Dak.; *such commodities*, as are dealt in by wholesale hardware concerns, from Sterling and Dixon, Ill., and Minneapolis, and St. Paul, Minn., and points in the Chicago, Ill., Commercial Zone, supra, to Sioux Falls, S. Dak.; *theatre supplies*, from Chicago, Ill., to Sioux Falls, S. Dak.; *butter, eggs, and poultry*, from Sioux Falls, S. Dak., to

Chicago, Ill.; *carbonated beverages and empty containers therefor*, between Maywood, Ill., and Sioux Falls, S. Dak.; and *farm machinery, and farm implements*, between Sioux Falls, S. Dak., on the one hand, and, on the other, Moline, Rockford, and Rock Island, Ill. Vendee is authorized to operate as a *common carrier* in Minnesota, South Dakota, Iowa, North Dakota, Wisconsin, Illinois, and Nebraska. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8646. Authority sought for purchase by RINGLE EXPRESS, INC., 405 South Grant Avenue, Fowler, Ind., of a portion of the operating rights of C AND H TRUCKING COMPANY, INCORPORATED, Claypool, Ind., and for acquisition by ROBERT L. McGRUFF, Route 1, Box 335, Moline, Ill., of control of such rights through the purchase. Applicants' attorney: Robert C. Smith, 512 Illinois Building, Indianapolis 4, Ind. Operating rights sought to be transferred: *Theater, auditorium, and stadium seating*, uncrated, and *materials and supplies* used in the erection and installation of such seating, when shipped therewith, as a *common carrier* over irregular routes, from North Manchester, Ind., to points within the continental limits of the United States (except Alaska, and except Dothan, Mobile, Montgomery, and Opelika, Ala., and Birmingham, Ala., and points within 65 miles of Birmingham). Vendee is authorized to operate as a *common carrier* in all States in the United States (except Alaska and Hawaii), and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8647. Authority sought for control by CHEMICAL LEAMAN TANK LINES, INC., 520 East Lancaster Avenue, Downingtown, Pa., of FORBES TRUCKING CO., INC., 10 Morton Street, Carlton Hill, N.J., and for acquisition by S. F. NINESS, also of Downingtown, Pa., and ESTATE OF CLAIR S. LEAMAN (CHARLES E. FERNALD, EXECUTOR), 1813 Ranstead Street, Philadelphia 3, Pa., of control of FORBES TRUCKING CO., INC., through the acquisition by CHEMICAL LEAMAN TANK LINES, INC. Applicants' attorney: Leonard A. Jaskiewicz, Munsey Building, Washington 4, D.C. Operating rights sought to be controlled: *Bulk commodities*, in tank vehicles, except class A and B explosives, as a *common carrier* over irregular routes, between certain counties in New Jersey, on the one hand, and, on the other, New York, N.Y., and certain counties in New York; *animal, vegetable, mineral, and fish oil, chemicals, soap and soap products, and glycerin*, in special equipment (including tank vehicles), between certain counties in New Jersey, on the one hand, and, on the other, New York, N.Y., and certain counties in New York; *animal, vegetable, mineral, and fish oil, chemicals, soap and soap products, and glycerin*, between certain counties in New Jersey, on the one hand, and, on the other, certain points in Pennsylvania and New York; *dry sugar*, in bulk, from New York, N.Y., to points in Connecticut and Pennsylvania, and certain counties in New Jersey and New York;

sugar, dry, in bulk, in tank vehicles, from Philadelphia, Pa., to points in New Jersey. CHEMICAL LEAMAN TANK LINES, INC., is authorized to operate as a common carrier in Maryland, Pennsylvania, New Jersey, New York, Ohio, Michigan, Colorado, Illinois, Indiana, Delaware, Virginia, North Carolina, West Virginia, California, Kentucky, Tennessee, Connecticut, Massachusetts, Rhode Island, Arizona, Missouri, Minnesota, Wisconsin, Alabama, South Carolina, Iowa, Oklahoma, Georgia, Florida, Kansas, Louisiana, Nebraska, Arkansas, Maine, New Hampshire, Vermont, Texas, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

No. MC-F-8649. Authority sought for merger into EDWARD M. RUDE CARRIER CORP., R.F.D. No. 1, Falling Waters, W. Va., of the operating rights and property of WEST VIRGINIA MOTOR EXPRESS, INC., Post Office Box 369, Clarksburg, W. Va., and for acquisition by EDWARD M. RUDE, of Falling Waters, W. Va., of control of such rights and property through the transaction. Applicants' attorney: Francis J. Ortman, 1366 National Press Bldg., Washington 4, D.C. Operating rights sought to be merged: *Glass*, as a common carrier over irregular routes, from Clarksburg, W. Va., to New York, N.Y., and Cincinnati, Ohio; *groceries*, from Cincinnati, Ohio, to Clarksburg, W. Va.; *glass and glassware*, from Clarksburg, Fairmont, Weston, and Sistersville, W. Va., to Baltimore, Md., Washington, D.C., Philadelphia, Pa., and points within 25 miles of Philadelphia; *linoleum*, from Lancaster, Pa., to Clarksburg, W. Va., and points in West Virginia within 50 miles thereof; *sugar and groceries*, from Philadelphia, Pa., and Baltimore, Md., and points within 25 miles of each, to Clarksburg, W. Va., and points in West Virginia within 50 miles thereof; *glass and glass products*, from Clarksburg and Fairmont, W. Va., to points in Pennsylvania and Maryland with certain exceptions, and Virginia; *groceries and grocery store merchandise*, from Westminster and New Windsor, Md., and Littlestown, Pa., to Clarksburg, W. Va., and points in West Virginia within 50 miles thereof; *seeds and spray materials*, from Baltimore, Md., to Clarksburg, W. Va.; *beer*, from Bellaire, Ohio, to Clarksburg, W. Va.; *empty beer containers*, from Clarksburg, W. Va., to Bellaire, Ohio; *beer and empty beer containers*, between Clarksburg, W. Va., and Cincinnati, Ohio; *cork, felt base floor covering or tiling, asphalt composition tiling, and supplies and equipment*, used in the installation of such commodities and in the installation of linoleum, from Lancaster, Pa., to Clarksburg, W. Va., and points in West Virginia within 50 miles of Clarksburg; *such merchandise as is dealt in by wholesale, retail, and chain grocery food business houses*, from Philadelphia and Littlestown, Pa., Baltimore and Westminster, Md., and Cincinnati, Ohio, to Brave, Pa. EDWARD M. RUDE CARRIER CORP., is authorized to operate as a contract carrier in Pennsylvania, New Jersey, West Virginia, Maine, New Hampshire, Vermont, Massachusetts,

Rhode Island, Connecticut, New York, Delaware, Maryland, Virginia, Ohio, Kentucky, Tennessee, North Carolina, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

NOTE: EDWARD M. RUDE CARRIER CORP., controls WEST VIRGINIA MOTOR EXPRESS, INC., through ownership of capital stock pursuant to authority granted in Docket No. MC-F-8159.

No. MC-F-8650. Authority sought for purchase by WRIGHT MOTOR LINES, INC., 16th and Elm Streets, Rocky Ford, Colo., of the operating rights of MACLEOD'S, INC., 900 East Louisiana Avenue, Denver 10, Colo., and for acquisition by EARL BRAY, INC., and in turn by FRANK E. COCHRAN (EXECUTOR OF CLARA E. BRAY, ESTATE), SAM E. CARPENTER, MARY E. COCHRAN, and FRANK E. COCHRAN, all of Box 910, Cushing, Okla., of control of such rights through the purchase. Applicants' attorneys: Marion F. Jones, 526 Denham Building, Denver, Colo., 80202, John J. Guadio, Majestic Building, Denver, Colo., 80202, and Jay E. Lutz, Majestic Building, Denver, Colo., 80202. Operating rights sought to be transferred: *Malt beverages*, as a common carrier over irregular routes, from the plant site of Adolph Coors Company at Golden, Colo., to points in California. Vendee is authorized to operate as a common carrier in Kansas, Colorado, Oklahoma, South Dakota, Nebraska, Wyoming, Utah, Idaho, Texas, Arkansas, Missouri, New Mexico, Nevada, Montana, Washington, Louisiana, Oregon, Tennessee, Iowa, Arizona, and California. Application has been filed for temporary authority under section 210a(b).

No. MC-F-8648. Authority sought for control by EASTERN TRAILWAYS, INC., 417 West Fifth Street, Charlotte, N.C., of CAROLINA SCENIC STAGES, Old Asheville Road, Spartanburg, S.C., and for acquisition by (a) QUEEN CITY COACH COMPANY, also of Charlotte, N.C., and (b) VIRGINIA STAGE LINES, INCORPORATED, 401 East Water Street, Charlottesville, Va., and, in turn by (1) JOEL W. WRIGHT, 31 Busby Road, Asheville, N.C., JAMES F. MARTIN, 417 West Fifth Street, Charlotte, N.C., GUY D. CARPENTER, 19 Southwood, Asheville, N.C., ELSIE E. LOVE, 4001 Central Avenue, Charlotte, N.C., LILLIAN H. BRADLEY, Wadesboro, N.C., E. E. BOST, Newton, N.C., WAYNE E. WRIGHT, 120 Harris Street, Atlanta, Ga., W. E. SMITH, Albemarle, N.C., JAMES A. HARDISON, JR., Wadesboro, N.C., EDWARD HOOPER HARDISON, 308-B Wakefield Drive, Charlotte, N.C., and HAL J. LOVE, 417 West Fifth Street, Charlotte, N.C., and (2) CLAUDE A. JESSUP, JAMES L. JESSUP, and WALTER STREET EQUITY CORPORATION, all of 114 Fourth Street SE., Charlottesville, Va., and in turn by JAMES L. JESSUP, CLAUDE A. JESSUP, MARY IRVA JESSUP, all of 114 Fourth Street SE., Charlottesville, Va., and BETTY SUE JESSUP, Grady Ave., Charlottesville, Va., of control of CAROLINA SCENIC STAGES, through the acquisition by EASTERN TRAILWAYS, INC. Applicants' attorney: James E. Wilson,

111 E Street NW., Washington 4, D.C. Operating rights sought to be controlled: Passengers and their baggage, and express, mail, and newspapers in the same vehicle with passengers, as a common carrier over regular routes, between Asheville, N.C., and Augusta, Ga., between Marion, N.C., and Columbia, S.C., between Johnston, S.C., and junction South Carolina Highways 23 and 39 near Ridge Spring, S.C., between Chimney Rock, N.C., and Columbia, S.C., between Tryon, N.C., and Rutherfordton, N.C., between Shelby, N.C., and junction North Carolina Highway 18 and North Carolina-South Carolina State line, between Shelby, N.C., and Gaffney, S.C., between Shelby, N.C., and junction North Carolina Highway 18 and unnumbered highway, between Winnsboro, S.C., and Charlotte, N.C., between certain points in North Carolina, between certain points in South Carolina, between Columbia, S.C., and junction U.S. Highway 21 and South Carolina Highway 97, between Columbia, S.C., and Orangeburg, S.C., between junction South Carolina Highway 34 and unnumbered highway approximately 3 miles west of Winnsboro, S.C., and Chester, S.C., between Spartanburg, S.C., and Greer, S.C., between Greenville, S.C., and junction South Carolina Highway 291 and unnumbered highway, serving all intermediate points; passengers and their baggage, and express, and newspapers, in the same vehicle with passengers, between junction U.S. Highway 29 and South Carolina Highway 198, and Lyman, S.C., serving all intermediate points. EASTERN TRAILWAYS, INC., holds no authority from this Commission. However, its controlling stockholders, QUEEN CITY COACH COMPANY, and VIRGINIA STAGE LINES, INCORPORATED, are authorized to operate as common carriers in the following states respectively: (1) Tennessee, North Carolina, South Carolina, and Georgia; and (2) Virginia, North Carolina, West Virginia, Kentucky, Pennsylvania, Ohio, and the District of Columbia. Application has not been filed for temporary authority under section 210a(b).

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-359; Filed, Jan. 14, 1964;
8:46 a.m.]

[Notice 590]

MOTOR CARRIER APPLICATIONS AND CERTAIN OTHER PROCEEDINGS

JANUARY 10, 1964.

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

All hearings and pre-hearing conferences will be called at 9:30 a.m., United States standard time or 9:30 a.m., local daylight saving time, if

that time is observed, unless otherwise specified.

APPLICATIONS ASSIGNED FOR ORAL HEARING OR PRE-HEARING CONFERENCE

MOTOR CARRIERS OF PROPERTY

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 omission in his written statement is permissible.

No. MC 119767 (Sub-No. 17), filed December 30, 1963. Applicant: BEAVER TRANSPORT CO., a corporation, 100 South Calumet Street, Burlington, Wis. Applicant's representative: E. R. Kershner (same address as applicant). Authority sought to operate as a common carrier, by motor vehicle, over irregular routes, transporting: *Frozen foods*, from Macon, Marshall, Carrollton, St. Joseph, Moberly, and Milan, Mo., to points in Minnesota, Wisconsin, and the upper peninsula of Michigan.

Note: Common control may be involved.

HEARING: February 6, 1964, at the Pickwick Motor Inn, McGee and 10th Street, Kansas City, Mo., before Examiner William J. O'Brien, Jr.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-360; Filed, Jan. 14, 1964; 8:46 a.m.]

NOTICE OF FILING OF MOTOR CARRIER INTRASTATE APPLICATIONS

JANUARY 10, 1964.

The following applications for motor common carrier authority to operate in intrastate commerce seek concurrent motor carrier authorization in interstate

or foreign commerce within the limits of the intrastate authority sought, pursuant to section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. These applications are governed by Special Rule 1.245 of the Commission's rules of practice, published in the FEDERAL REGISTER, issue of April 11, 1963, p. 3533, which provides, among other things, that protests and requests for information concerning the time and place of State Commission hearings or other proceedings, any subsequent changes therein, and any other related matters shall be directed to the State Commission with which the application is filed and shall not be addressed to or filed with the Interstate Commerce Commission.

The following are seven (7) applications submitted by the Michigan Public Service Commission, for publication in the FEDERAL REGISTER under provisions of section 206(a)(6) of the Interstate Commerce Act, as amended October 15, 1962. State Docket No. C-38, Case No. 2, filed November 22, 1963. Applicant: W. FORD JOHNSON CARTAGE, INC., 3755 Central Avenue, Detroit 10, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, between Detroit, Mich., and Lansing, Mich., via Interstate Highway 96, but subject to the following limitations: (1) Restricted against service to points not otherwise authorized, (2) access routes may be used only for connection with intersecting routes otherwise authorized, and (3) access routes may be utilized with commercial zones of points otherwise authorized.

HEARING: February 6, 1964, at 9:30 a.m., in the Offices of the Commission, Lewis Cass Building, Lansing, Mich.

State Docket No. C-51, Case No. 3, filed November 22, 1963. Applicant: GEORGE P. AND CLARE E. MAIERS, doing business as MAIERS & SONS MOTOR FREIGHT, 875 East Huron Avenue, Vassar, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, between Detroit, Mich., and Bay City, Mich., via Interstate Highway 75, but subject to the following limitations: (1) Restricted against service to points not otherwise authorized, (2) access routes may be used only for connection with intersecting routes otherwise authorized, and (3) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 6, 1964, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

State Docket No. C-239, Case No. 1, filed November 22, 1963. Applicant: INTERCITY TRUCKING SERVICE, INC., 14333 Goddard Street, Detroit 12, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of

public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, (1) between Detroit, Mich. and Flint, Mich., via Interstate Highway 75; (2) between Detroit, Mich., and Lansing, Mich., via Interstate Highway 96; and (3) between Detroit, Mich., and Jackson, Mich., via Interstate Highway 94, but subject to the following limitations: (a) Restricted against service to points not otherwise authorized, (b) access routes may be used only for connection with intersecting routes otherwise authorized, and (c) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 5, 1964, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

State Docket No. C-323, Case No. 1, filed November 22, 1963. Applicant: JOHN WAHL CARTAGE, INC., 14333 Goddard Street, Detroit 12, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, between Detroit, Mich., and Bay City, Mich., via Interstate Highway 75, but subject to the following limitations: (1) Restricted against service to points not otherwise authorized, (2) access routes may be used only for connection with intersecting routes otherwise authorized, and (3) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 5, 1964, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

State Docket No. C-3412, Case No. 6, filed November 22, 1963. Applicant: OGDEN & MOFFETT COMPANY, 3565 24th Street, Port Huron, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, between Detroit, Mich., and Port Huron, Mich., via Interstate Highway 94, but subject to the limitations: (1) Restricted against service to points not otherwise authorized, (2) access routes may be used only for connection with intersecting routes otherwise authorized, and (3) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 6, 1964, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

State Docket No. C-3742, Case No. 3, filed November 22, 1963. Applicant: EARL C. SMITH, INC., 6464 Strong Street, Detroit 11, Mich. Applicant's attorney: Walter N. Bieneman, Suite 1700—One Woodward Avenue, Detroit 26, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, (1) between Detroit, Mich., and Port Huron, Mich., via Interstate Highway 94, and (2) between Detroit, Mich., and Flint, Mich., via Interstate Highway 75; also

via Interstate Highway 94 to junction U.S. Highway 23, thence via U.S. Highway 23; also via Interstate Highway 96 to junction U.S. Highway 23, thence via U.S. Highway 23, but subject to the following limitations: (a) Restricted against service to points not otherwise authorized, (b) access routes may be used only for connection with intersecting routes otherwise authorized, and (c) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 5, 1964, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

State Docket No. C-6714, Case No. 2, filed December 16, 1963. Applicant: CENTRAL TRANSPORT, INC., 3391 East McNichols, Detroit, Mich. Applicant's attorney: William B. Elmer, 22644 Gratiot Avenue, East Detroit, Mich. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *general commodities*, over regular routes between Lansing, Mich. and Detroit, Mich., via Interstate Highway 96, in intrastate, interstate and foreign commerce, subject to the following restrictions: (a) Restricted against service to points not otherwise authorized, (b) access routes may be used only for connection with intersecting routes otherwise authorized, and (c) access routes may be utilized within commercial zones of points otherwise authorized.

HEARING: February 3 and 4, at 9:30 a.m., in the Lewis Cass Building, Lansing, Mich.

Requests for procedural information, including the time for filing protests, concerning these applications should be addressed to the Michigan Public Service Commission, Lewis Cass Building, Lansing, Mich., 48913, and should not be directed to the Interstate Commerce Commission.

State Docket No. 3687, exact filing date unknown. Applicant: OK VAN & STORAGE CO. OF NEW MEXICO, Truck Bypass at South Main, P.O. Box 1316, Las Cruces, N. Mex. Applicant's attorney: J. D. Weir, P.O. Box 877, Las Cruces, N. Mex. Certificate of public convenience and necessity sought to operate a freight service as follows: Transportation of *mobile homes and trailers*, to and from points and places in Dona Ana, Luna, Hidalgo, Grant, Catron, Sierra, Socorro, Otero, and Lincoln Counties, N. Mex., and to and from points and places in said Counties, to and from other points and places in New Mexico, over irregular routes, under non-scheduled service.

NOTE: Applicant states he also proposes to conduct operations mentioned hereinabove in interstate commerce.

HEARING: January 22, 1964, at 9:30 a.m. in the Dona Ana County Courthouse, Las Cruces, N. Mex.

Requests for procedural information, including the time for filing protests, concerning this application should be addressed to the New Mexico State Corporation Commission, Motor Transportation Department, Santa Fe, N. Mex., and

should not be directed to the Interstate Commerce Commission.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-361; Filed, Jan. 14, 1964;
8:46 a.m.]

FOURTH SECTION APPLICATIONS FOR RELIEF

JANUARY 10, 1964.

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. 38749: *Hot top compounds to points in Texas*. Filed by Southwestern Freight Bureau, agent (No. B-8491), for interested rail carriers. Rates on hot top compounds, as described in the application, in carloads, from points in Illinois, Ohio, and Pennsylvania, to points in Texas.

Grounds for relief: Carrier competition.

Tariffs: Supplements 213 and 167 to Southwestern Freight Bureau, agent, tariffs I.C.C. 4400 and 4397, respectively.

FSA No. 38750: *Commodities between points in Texas*. Filed by Texas-Louisiana Freight Bureau, agent (No. 491), for interested rail carriers. Rates on iron or steel articles, alcohols and chemicals, in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Intrastate rates and maintenance of rates from and to points in other states not subject to the same conditions.

Tariff: Supplement 8 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

FSA No. 38752: *Iron or steel bars from Joliet, Ill.* Filed by Western Trunk Line Committee, agent (No. A-2346), for interested rail carriers. Rates on iron or steel reinforcing bars, in carloads, from Joliet, Ill., to Minneapolis, Minnesota Transfer and St. Paul, Minn.

Grounds for relief: Market competition.

Tariff: Supplement 70 to Western Trunk Line Committee, agent, tariff I.C.C. A-4271.

AGGREGATE-OF-INTERMEDIATES

FSA No. 38751: *Commodities between points in Texas*. Filed by Texas-Louisiana Freight Bureau, agent (No. 492), for interested rail carriers. Rates on iron or steel articles, alcohols and chemicals, in carloads, from, to and between points in Texas, over interstate routes through adjoining states.

Grounds for relief: Maintenance of depressed rates published to meet intrastate competition without use of such rates as factors in constructing combination rates.

Tariff: Supplement 8 to Texas-Louisiana Freight Bureau, agent, tariff I.C.C. 998.

By the Commission.

[SEAL] HAROLD D. McCoy,
Secretary.

[F.R. Doc. 64-362; Filed, Jan. 14, 1964;
8:47 a.m.]

DEPARTMENT OF LABOR

Wage and Hour Division

CERTIFICATES AUTHORIZING EMPLOYMENT OF LEARNERS AT SPECIAL MINIMUM RATES

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.), and Administrative Orders No. 561 (27 F.R. 4001) and No. 579 (28 F.R. 11524) the firms listed in this notice have been issued special certificates authorizing the employment of learners at hourly wage rates lower than the minimum wage rates otherwise applicable under section 6 of the Act. The effective and expiration dates, occupations, wage rates, number or proportion of learners and learning periods, for certificates issued under general learner regulations (29 CFR 522.1 to 522.9), and the principal product manufactured by the employer are as indicated below. Conditions provided in certificates issued under the supplemental industry regulations cited in the captions below are as established in those regulations.

Apparel Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.20 to 522.25, as amended).

The following learner certificates were issued authorizing the employment of 10 percent of the total number of factory production workers for normal labor turnover purposes. The effective and expiration dates are indicated.

Berks Sportswear, Inc., 1141 Moss Street, Reading, Pa.; effective 12-30-63 to 12-29-64 (ladies' shorts and slacks).

Blue Bell, Inc., Tishomingo, Miss.; effective 1-1-64 to 12-31-64 (men's and boys' work and sport trousers).

Blue Buckle Overall Co., 1415 Kemper Street, Lynchburg, Va.; effective 12-27-63 to 12-26-64. Learners may not be employed at special minimum wage rates in the production of skirts (boys' semidress pants and ladies' and misses' slacks and blouses).

Carolina Sleepwear Corp., Weldon, N.C.; effective 12-26-63 to 12-25-64 (ladies' pajamas and babydolls).

Dillon Manufacturing Co., Inc., Wayne Road, Savannah, Tenn.; effective 12-30-63 to 12-29-64 (men's washable service shirts and men's and women's washable service hospital garments).

I.B.S. Manufacturing Co., New Albany, Miss.; effective 1-1-64 to 12-31-64 (men's and boys' sport shirts).

Irwin Manufacturing Co., New Albany, Miss.; effective 1-1-64 to 12-31-64 (men's and boys' sport shirts).

Russell Springs Manufacturing Corp., Russell Springs, Ky.; effective 1-11-64 to 1-10-65 (men's and women's sport shirts).

Rutherford Garment Co., a division of Kellwood Co., Rutherford, Tenn.; effective 12-29-63 to 12-28-64 (men's and boys' outerwear jackets).

W. E. Stephens Manufacturing Co., Inc., Pulaski, Tenn.; effective 1-2-64 to 1-1-65 (men's and boys' work and sport pants).

Sun Garment Co., 2401 Hyde Parkway, St. Joseph, Mo.; effective 12-30-63 to 12-29-64 (men's work shirts).

Vernon Manufacturing Co., Inc., 700 Texas Street, Vernon, Tex.; effective 1-1-64 to 12-31-64 (men's and boys' trousers and shorts).

The Warner Bros. Co., Marianna, Fla.; effective 12-28-63 to 12-27-64 (women's corsets and brassieres).

The Warner Bros. Co., Moultrie, Ga.; effective 1-5-64 to 1-4-65 (women's corsets and brassieres).

The Warner Bros. Co., Thomasville, Ga.; effective 12-28-63 to 12-27-64 (women's corsets and brassieres).

Waverly Garment Co., Waverly, Tenn.; effective 1-4-64 to 1-3-65 (men's and boys' cotton work pants).

The following learner certificates were issued for normal labor turnover purposes. The effective and expiration dates and the number of learners authorized are indicated.

Angelica Uniform Co., Mountain View, Mo.; effective 1-1-64 to 12-31-64; 10 learners (men's washable service uniforms).

Princess Kent, Inc., Fort Kent, Maine; effective 1-14-63 to 1-13-65; 10 learners (girl's nightwear).

The following learner certificates were issued for plant expansion purposes. The effective and expiration dates and the number of learners authorized are indicated.

Campo Slacks, Inc., Houtzdale, Pa.; effective 12-30-63 to 6-29-64; 75 learners (men's and boys' slacks).

Manchester Industries, Inc., Manchester, Tenn.; effective 12-26-63 to 6-25-64; 100 learners (men's and boys' sport shirts).

Glove Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.60 to 522.65, as amended).

Boss Manufacturing Co., 105 Elm Street, Chillicothe, Mo.; effective 12-30-63 to 12-29-64; 10 percent of the total number of machine stitchers for normal labor turnover purposes (work gloves).

Hosiery Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.40 to 522.43, as amended).

Abner Hosiery Mill, Inc., 1020 Chapel Hill Road, Burlington, N.C.; effective 12-30-63 to 6-29-64; 35 learners for plant expansion purposes (seamless).

Knitted Wear Industry Learner Regulations (29 CFR 522.1 to 522.9, as amended, and 29 CFR 522.30 to 522.35, as amended).

The Arrow Co., division of Cluett, Peabody & Co., Inc., Eveleth, Minn.; effective 1-2-64 to 7-1-64; 20 learners for plant expansion purposes (men's woven underwear and knit pajamas).

Meade Knitting Mills, Inc., Tot Dellinger Road, Cherryville, N.C.; effective 1-1-64 to 6-30-64; 45 learners for plant expansion purposes (infants' and children's sweaters).

Regulations Applicable to the Employment of Learners (29 CFR 522.1 to 522.9, as amended).

The following learner certificates were issued in Puerto Rico to the companies hereinafter named. The effective and

expiration dates, learner rates, occupations, learning periods, and the number or proportion of learners authorized to be employed, are as indicated.

Adele Manufacturing Corp., P.O. Box 325, Rio Grande, P.R.; effective 11-18-63 to 11-3-64; 5 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours (men's cotton shirts) (replacement certificate).

Alfredo Manufacturing Corp., P.O. Box 325, Rio Grande, P.R.; effective 11-11-63 to 11-10-64; 15 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours (men's cotton pajamas).

Alicia Embroidery, P.O. Box 234, St. Just, P.R.; effective 11-3-63 to 3-20-64; 5 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours; and (2) hand cutting of applique on embroidery panels for a learning period of 240 hours at the rates of 72 cents an hour for the first 160 hours and 84 cents an hour for the remaining 80 hours (embroidery on ladies' lingerie) (replacement certificate).

Anasco Sports Co., Inc., P.O. Box 723, Anasco, P.R.; effective 11-26-63 to 3-3-64; 10 learners for normal labor turnover purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (athletic shoes) (replacement certificate).

Andrea Shoe Corp., Antonio Luchetti St., P.O. Box 407, Villalba, P.R.; effective 12-5-63 to 2-25-64; 44 learners for plant expansion purposes, in any factory productive occupations (with certain exceptions), each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (tennis shoes) (replacement certificate).

Andrea Shoe Corp., Antonio Luchetti St., P.O. Box 407, Villalba, P.R.; effective 12-5-63 to 8-25-64; 15 learners for normal labor turnover purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (tennis shoes) (replacement certificate).

Andrew Hosiery Mills, Inc., P.O. Box 1127, Cayey, P.R.; effective 12-16-63 to 12-15-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) looper for a learning period of 960 hours at the rates of 68 cents an hour for the first 480 hours and 74 cents an hour for the remaining 480 hours; (2) mender for a learning period of 720 hours at the rates of 68 cents an hour for the first 360 hours and 74 cents an hour for the remaining 360 hours; (3) preboarder for a learning period of 360 hours at the rate of 68 cents an hour; and (4) examiner; knitter, each for a learning period of 240 hours at the rate of 68 cents an hour (seamless hosiery).

Balcourt Manufacturing Co., Inc., P.O. Box 520, Isabela, P.R.; effective 11-3-63 to 6-2-64; 5 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator; final presser; hand sewer, each for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours

at the rate of 71 cents an hour (men's raincoats and jackets) (replacement certificate). Bayuk International, Inc., P.O. Box 417, Ciales, P.R.; effective 12-2-63 to 12-1-64; 12 learners for normal labor turnover purposes, in the occupation of sorter; sizer and typer; grader, each for a learning period of 240 hours at the rate of 72 cents an hour (wrapper type tobacco).

Caribe General Electric, Inc., P.O. Box 92, Palmer, P.R.; effective 11-3-63 to 5-15-64; 60 learners for normal labor turnover purposes, in the occupations of: (1) welder; molder; calibrator; power press operator, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours; and (2) assembler; plastic finisher; plater, each for a learning period of 240 hours at the rate of \$1.00 an hour (electrical products) (replacement certificate).

Caribe Precision Balls, Inc., P.O. Box 174, Roosevelt, P.R.; effective 11-3-63 to 1-20-64; 5 learners for normal labor turnover purposes, in the occupation of grinder; inspectress, each for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (miniature precision balls) (replacement certificate).

Caribe Staple Co., Inc., P.O. Box 95, Fajardo, P.R.; effective 11-3-63 to 5-19-64; 5 learners for normal labor turnover purposes, in the occupation of machine operator; inspector; inspector-packer, each for a learning period of 240 hours at the rate of 94 cents an hour (industrial staples) (replacement certificate).

Cinta Metrica, Inc., Buenos Aires Street, P.O. Box 3307, Mayaguez, P.R.; effective 10-16-63 to 4-15-64; 32 learners for plant expansion purposes, in the occupation of chalk line assembler; hi-speed hammer operator; cord assembler; semiautomatic spray painter, each for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (chalk line markers and replacement line).

Claxre Corp., P.O. Box 801, Roosevelt, P.R., Villa Prades Industrial Development, Rio Piedras, P.R.; effective 11-3-63 to 2-29-64; 5 learners for normal labor turnover purposes, in the occupation of basic hand and/or machine production operation; assembler; inspector and tester, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (photoelectric cells) (replacement certificate).

Columbia Manufacturing Co., P.O. Box 333, San Lorenzo, P.R.; effective 11-4-63 to 11-3-64; 5 learners for normal labor turnover purposes, in the occupation of induction brazer; inspector, each for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (drills).

Commonwealth Sports Products, Inc., 66 Comercio Street, Aguadilla, P.R.; effective 12-2-63 to 12-1-64; 5 learners for normal labor turnover purposes, in the occupations of: (1) stitcher machine operator for a learning period of 320 hours at the rates of 61 cents an hour for the first 160 hours and 71 cents an hour for the remaining 160 hours; and (2) final inspector for a learning period of 160 hours at the rate of 61 cents an hour (leather sports gloves).

Cranbar Corp., Barrio El Tuque, Ponce W. Ind. Dev., P.O. Box "N", Ponce, P.R.; effective 12-5-63 to 1-27-64; 26 learners for normal labor turnover purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (rubber and canvas shoes) (replacement certificate).

Del Monte de Puerto Rico, Inc., Melecon Playa, P.O. Box 3205-Marina Station, Mayaguez, P.R.; effective 11-4-63 to 11-3-64; 25

learners for normal labor turnover purposes, in the occupation of tuna fish cleaner and packer, each for a learning period of 160 hours at the rates of 94 cents an hour for the first 80 hours and \$1.10 an hour for the remaining 80 hours (tuna fish and byproducts).

Juana Diaz Co., Inc., P.O. Box 273, Juana Diaz, P.R.; effective 11-3-63 to 8-14-64; 13 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Juana Diaz Co., Inc., P.O. Box 273, Juana Diaz, P.R.; effective 11-3-63 to 3-31-64; 20 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Juana Diaz Co., Inc., P.O. Box E, Ponce, P.R.; effective 11-3-63 to 4-21-64; 15 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres and girdles) (replacement certificate).

Economy Industries, Inc., P.O. Box 305, Rio Grande, P.R.; effective 11-3-63 to 4-28-64; 5 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator; final presser, each for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours; and (2) machine operation other than sewing machine-collar turner and trimmer, each for a learning period of 160 hours at the rate of 72 cents an hour (ladies' blouses) (replacement certificate).

Electronic Mica Co., Inc., 300 Tapia Street, Santurce, P.R.; effective 11-21-63 to 5-20-64; 15 learners for plant expansion purposes, in the occupations of: (1) punch press operator; finished mica sorter, each for a learning period of 240 hours at the rate of 88 cents an hour; and (2) mica splitter; raw mica sorter, each for a learning period of 160 hours at the rate of 83 cents an hour (mica).

Electronic Mica Co., Inc., 300 Tapia Street, Santurce, P.R.; effective 11-21-63 to 11-20-64; 5 learners for normal labor turnover purposes, in the occupations of: (1) punch press operator; finished mica sorter, each for a learning period of 240 hours at the rate of 83 cents an hour; and (2) mica splitter; raw mica sorter, each for a learning period of 160 hours at the rate of 83 cents an hour (mica).

Emily, Inc., P.O. Box 610, Adjuntas, P.R.; effective 11-3-63 to 3-24-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Finrico, Inc., P.O. Box 1127, Cayey, P.R.; effective 11-18-63 to 11-17-64; 10 learners for normal labor turnover purposes, in the occupation of machine stitche; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters).

General Electric Switchgear, Inc., P.O. Box 86, Palmer, P.R.; effective 11-27-63 to 11-26-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) punch press operator; screw machine operator; milling machine operator; welder; male assembler, class 3, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours; and (2) drill press operator; miscellaneous machine operator; machine setup man; male assembler, class 2;

female assembler, class 2, each for a learning period of 240 hours at the rate of \$1.00 an hour (electrical products).

General Electric Wiring Devices, Inc., P.O. Box 274, Juana Diaz, P.R.; effective 11-3-63 to 2-29-64; 16 learners for normal labor turnover purposes, in the occupation of molder; assembler, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (electrical wiring devices) (replacement certificate).

General Enterprises, Inc., P.O. Box 396, Lajas, P.R.; effective 11-3-63 to 3-27-64; 15 learners for normal labor turnover purposes, in the occupations of: (1) machine embroidery and re-embroidery operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours; (2) hand cutting of applique on embroidery panels for a learning period of 240 hours at the rates of 72 cents an hour for the first 160 hours and 84 cents an hour for the remaining 80 hours; and (3) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 72 cents an hour (embroidered ladies' underwear) (replacement certificate).

Gibson Caribe, Inc., P.O. Box 197, Luquillo, P.R.; effective 11-3-63 to 2-3-64; 5 learners for normal labor turnover purposes, in the occupation of punch press operator; stoke press operator; furnace operator; press operator; power press operator; rivet machine operator; powder mixer operator; milling machine operator; assembly operator; lathe operator; powder metal quality analyst, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (electrical contacts) (replacement certificate).

Glamourette Fashion Mills, Inc., P.O. Box 737, Quebradillas, P.R.; effective 11-3-63 to 7-21-64; 23 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topper; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; (2) machine stitche; presser; hand sewer; finishing operation involving hand sewer, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours; and (3) winder, dyer machine operator, each for a learning period of 240 hours at the rate of 88 cents an hour (sweaters) (replacement certificate).

Gordonshire Knitting Mills, Inc., P.O. Box 1127, Cayey, P.R.; effective 11-3-63 to 5-19-64; 25 learners for normal labor turnover purposes, in the occupations of: (1) sweater looper; knitter, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitche (seaming) for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Harjon, Inc., P.O. Box 97, Carolina, P.R.; effective 11-3-63 to 6-23-64; 5 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (girdles) (replacement certificate).

IBEC Packing Co., Inc., P.O. Box 3145, Marina Station, Mayaguez, P.R.; effective 11-3-63 to 7-28-64; 15 learners for normal labor turnover purposes, in the occupation of tuna fish cleaner and packer, each for a learning period of 160 hours at the rates of 94 cents an hour for the first 80 hours and \$1.10 an hour for the remaining 80 hours (processing of tuna fish) (replacement certificate).

IBEC Packing Co., Inc., P.O. Box 3145, Marina Station, Mayaguez, P.R.; effective 11-3-63 to 1-28-64; 85 learners for plant expansion purposes, in the occupation of tuna fish cleaner and packer, each for a learning period of 160 hours at the rates of 94 cents an hour for the first 80 hours and \$1.10 an hour for the remaining 80 hours (processing of tuna fish) (replacement certificate).

International Shoe Corp. of P.R., and/or Island Shoe Co., and Manati Shoe Co., P.O. Box 365, Manati, P.R.; effective 11-26-63 to 3-31-64; 98 learners for normal labor turnover purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (shoes) (replacement certificate).

Isabel Products, Inc., P.O. Box 816, Santa Isabel, P.R.; effective 11-3-63 to 3-3-64; 80 learners for plant expansion purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 88 cents an hour (girdles and brassieres) (replacement certificate).

Isabel Products, Inc., P.O. Box 816, Santa Isabel, P.R.; effective 11-3-63 to 3-3-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (girdles and brassieres) (replacement certificate).

Janrico, Inc., P.O. Box 152, Rincon, P.R.; effective 11-3-63 to 1-29-64; 5 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Jaru, Inc., a Delaware Corp., P.O. Box 356, Caguas, P.R.; effective 11-3-63 to 7-21-64; 32 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Jaru, Inc., a Delaware Corp., P.O. Box 356, Caguas, P.R.; effective 11-3-63 to 1-21-64; 68 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Kaufman Shoe Co., Inc., Borinquen Road, Aguadilla, P.R.; effective 12-5-63 to 4-27-64; 100 learners for plant expansion purposes, in the occupation of backer; cutter; stitche; vulcanizer; finisher; packer, each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (shoes and slippers) (replacement certificate).

Knitco (P.R.), Inc., P.O. Box 99, Toa Alta, P.R.; effective 11-3-63 to 1-20-64; 15 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topper; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitche; mender; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Lady Lillian, Inc., P.O. Box 254, Maunabo, P.R.; effective 11-3-63 to 5-16-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a

learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (ladies' underwear) (replacement certificate).

Lares Mills, Inc., Km. 32.9 Highway No. 111, Lares, P.R.; effective 11-3-63 to 3-13-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 71 cents an hour (men's and boys' polo shirts) (replacement certificate).

Lares Mills, Inc., Bo. San Felipe, Lares, P.R.; effective 11-26-63 to 3-13-64; 62 learners for plant expansion purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 71 cents an hour (men's and boys' polo shirts) (replacement certificate).

La Torre Co., Inc., P.O. Box 605, Albonito, P.R.; effective 11-3-63 to 8-18-64; 45 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 72 cents an hour (ladies' underwear, sleepwear, and shoulder straps) (replacement certificate).

La Vega Co., Inc., P.O. Box 605, Albonito, P.R.; effective 11-11-63 to 11-10-64; 10 learners for normal labor turnover purposes, in the occupation of lace and motif burner or separator, each for a learning period of 240 hours at the rates of 72 cents an hour for the first 160 hours and 84 cents an hour for the remaining 80 hours (ladies' slips, petticoats, and sleepwear).

Lighting, Inc., Urb. Ext. "El Comandante", P.O. Box 657, Carolina, P.R.; effective 11-3-63 to 1-27-64; 5 learners for normal labor turnover purposes, in the occupation of basic hand and/or machine production operation; assembly of fluorescent lighting fixture, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (fluorescent lighting fixtures) (replacement certificate).

Linda Bra, Inc., P.O. Box 397, Aguas Buenas, P.R.; effective 11-3-63 to 3-10-64; 20 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Malcolm Knitting Mills, Inc., P.O. Box 1127, Cayey, P.R.; effective 11-3-63 to 5-5-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) machine knitter for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitcher; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (sweaters) (replacement certificate).

Mansco International Corp., P.O. Box 1198, Guayama, P.R.; effective 11-3-63 to 9-15-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours; and (2) machine operation other than sewing machine; gripper setting machine; marking machine;

box making machine, each for a learning period of 160 hours at the rate of 71 cents an hour (men's underwear) (replacement certificate).

Manuela Manufacturing Co., Inc., P.O. Box 69, Naranjito, P.R.; effective 11-3-63 to 3-5-64; 18 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (ladies' embroidered underwear) (replacement certificate).

Marlena Marie Shoe Corp., P.O. Box 88, Humacao, P.R.; effective 11-26-63 to 8-4-64; 10 learners for normal labor turnover purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (shoes) (replacement certificate).

Marlena Marie Shoe Corp., P.O. Box 88, Humacao, P.R.; effective 11-26-63 to 2-4-64; 40 learners for plant expansion purposes, in any factory productive occupation (with certain exceptions), each for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 76 cents an hour for the remaining 240 hours (shoes) (replacement certificate).

Medical Sterile Products, Inc., Bo. Ensenada, Km. .04 Road No. 413, P.O. Box 338, Rincon, P.R.; effective 11-25-63 to 5-24-64; 75 learners for plant expansion purposes, in the occupation of grinder; buffer; assembler, each for a learning period of 480 hours at the rates of 95 cents an hour for the first 240 hours and \$1.05 an hour for the remaining 240 hours (sharpening of scalpel blades).

Melisa Bra, Highway No. 1, Km. 34.2, P.O. Box 905, Caguas, P.R.; effective 11-3-63 to 1-21-64; 15 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Midland Knitting Mills, Inc., P.O. Box 267, San German, P.R.; effective 11-3-63 to 1-31-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topser; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitcher; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (ladies' full-fashioned sweaters) (replacement certificate).

National Packing Co., P.O. Box 186, Playa, Ponce, P.R.; effective 11-3-63 to 7-14-64; 60 learners for normal labor turnover purposes, in the occupation of fish cleaner for a learning period of 160 hours at the rates of 94 cents an hour for the first 80 hours and \$1.10 an hour for the remaining 80 hours (tuna fish canning) (replacement certificate).

Newport Bra Co., Inc., P.O. Box 10008, Caparra Heights, P.R.; effective 11-3-63 to 4-3-64; 31 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 88 cents an hour (brassieres and accessories) (replacement certificate).

Northridge Knitting Mills, Inc., P.O. Box 267, San German, P.R.; effective 11-3-63 to 1-31-64; 15 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topser; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an

hour for the remaining 240 hours; and (2) machine stitcher; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (ladies' full-fashioned sweaters) (replacement certificate).

Paradise Manufacturing, Inc., P.O. Box 408, Gurabo, P.R.; effective 11-3-63 to 6-30-64; 15 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Paradise Manufacturing, Inc., P.O. Box 408, Gurabo, P.R.; effective 11-3-63 to 5-2-64; 15 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Playtex Caribe, Inc., P.O. Box 938, Manati, P.R.; effective 11-3-63 to 2-29-64; 86 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 80 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Playtex Caribe, Inc., P.O. Box 938, Manati, P.R.; effective 11-3-63 to 8-30-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Puritana Manufacturing Corp., P.O. Box 8, Aguas Buenas, P.R.; effective 11-3-63 to 4-28-64; 38 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topser; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitcher; presser, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (full-fashioned sweaters and shirts) (replacement certificate).

Rapid Electric Co. of P.R., Inc., P.O. Box 414, Arecibo, P.R.; effective 12-2-63 to 12-1-64; 5 learners for normal labor turnover purposes, in the occupation of basic hand and/or machine production operations; painter; sprayer; circular shear operator; bending brake operator; notching press operator; band saw operator; spot welder; arc welder, each for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (steel cabinets for rectifieds and transformers).

Rio Monte Manufacturing Corp., P.O. Box 325, Rio Grande, P.R.; effective 11-18-63 to 11-3-64; 5 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 71 cents an hour for the first 240 hours and 82 cents an hour for the remaining 240 hours (men's cotton pajamas) (replacement certificate).

Rosita Mills, Inc., P.O. Box 846, Bayamon, P.R.; effective 11-3-63 to 3-9-64; 11 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topser; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; (2) machine stitcher; hand sewer, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours; and (3) winder for a learning period of 240 hours at the rate of 88 cents an hour (full-fashioned knitted outerwear) (replacement certificate).

Rosita Mills, Inc., P.O. Box 846, Bayamon, P.R.; effective 11-3-63 to 3-9-64; 22 learners for plant expansion purposes, in the occupations of: (1) knitter; topper; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; (2) machine stitcher; hand sewer, each for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours; and (3) winder for a learning period of 240 hours at the rate of 88 cents an hour (full-fashioned knitted outerwear) (replacement certificate).

Sabana Grande Manufacturing Corp., P.O. Box 354, Sabana Grande, P.R.; effective 11-3-63 to 7-22-64; 11 learners for normal labor turnover purposes, in the occupations of: (1) machine fixer; looper, each for a learning period of 960 hours at the rates of 68 cents an hour for the first 480 hours and 74 cents an hour for the remaining 480 hours; (2) mender for a learning period of 720 hours at the rates of 68 cents an hour for the first 360 hours and 74 cents an hour for the remaining 360 hours; and (3) knitter; examiner and inspector, each for a learning period of 240 hours at the rate of 68 cents an hour (ladies' seamless hosiery) (replacement certificate).

Sabana Grande Manufacturing Corp., P.O. Box 354, Sabana Grande, P.R.; effective 11-3-63 to 1-22-64; 145 learners for plant expansion purposes, in the occupations of: (1) machine fixer; looper, each for a learning period of 960 hours at the rates of 68 cents an hour for the first 480 hours and 74 cents an hour for the remaining 480 hours; (2) mender for a learning period of 720 hours at the rates of 68 cents an hour for the first 360 hours and 74 cents an hour for the remaining 360 hours; and (3) knitter; examiner and inspector, each for a learning period of 240 hours at the rate of 68 cents an hour (ladies' seamless hosiery) (replacement certificate).

St. Regis Paper and Bag Corp. of P.R., P.O. Box 247 Playa, Ponce, P.R.; effective 11-3-63 to 2-29-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) bag sewer; sleever, each for a learning period of 240 hours at the rate of 94 cents an hour; and (2) valver for a learning period of 160 hours at the rate of 94 cents an hour (paper bags) (replacement certificate).

Sally Manufacturing Corp., P.O. Box 268, Juana Diaz, P.R.; effective 11-3-63 to 9-30-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Savage Arms, Inc., Star Route No. 55, Minillas, Bayamon, P.R.; effective 11-3-63 to 8-30-64; 10 learners for normal labor turnover purposes, in the occupation of machine operator; finisher; assembler, each for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (firearms) (replacement certificate).

Sportec Corp. of America, P.O. Box 1527, Ponce, P.R.; effective 11-3-63 to 3-17-64; 18 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a total learning period of 480 hours, with learner rates for the first and second 240

hours of this period as follows: children's polo shirts, creepers and cardigans, 73 cents and 84 cents; ladies' and girls' outerwear, 72 cents and 84 cents; boys' polo shirts, 71 cents and 82 cents; children's, ladies', and girls' pants, 77 cents and 90 cents; ladies' and girls' skirts, 78 cents and 91 cents (replacement certificate).

Swan Tricot Mills Corp., Km. 66.8 Road No. 2, P.O. Box 693, Arecibo, P.R.; effective 11-3-63 to 4-6-64; 36 learners for plant expansion purposes, in the occupations of: (1) threader for a learning period of 720 hours at the rates of 72 cents an hour for the first 360 hours and 78 cents an hour for the remaining 360 hours; (2) machine knitter; warper, each for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 78 cents an hour for the remaining 240 hours; and (3) creeler; cutter, each for a learning period of 240 hours at the rate of 72 cents an hour (tricot cloth) (replacement certificate).

Tedros Corp., P.O. Box 393, Carolina, P.R.; effective 11-3-63 to 2-14-64; 14 learners for normal labor turnover purposes, in the occupations of: (1) sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours; and (2) final inspection of fully assembled garments for a learning period of 160 hours at the rate of 88 cents an hour (brassieres) (replacement certificate).

Tinto, Inc., P.O. Box 1127, Cayey, P.R.; effective 11-3-63 to 3-31-64; 5 learners for normal labor turnover purposes, in the occupation of dyeing machine operator for a learning period of 240 hours at the rate of 88 cents an hour (dyeing of sweaters) (replacement certificate).

Transducer Corp., P.O. Box 196, Luquillo, P.R.; effective 11-3-63 to 9-15-64; 5 learners for normal labor turnover purposes, in the occupation of coil winder; assembler; wiring girl; precision machinist, each for a learning period of 480 hours at the rates of \$1.00 an hour for the first 240 hours and \$1.13 an hour for the remaining 240 hours (magnetic tape recorder heads for computers) (replacement certificate).

Virginia Garment Co., P.O. Box 79, San Sebastian, P.R.; effective 12-2-63 to 12-1-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 72 cents an hour for the first 240 hours and 84 cents an hour for the remaining 240 hours (ladies' underwear—panties).

West Manufacturing Corp., P.O. Box 3207, Mayaguez, P.R.; effective 12-5-63 to 5-3-64; 77 learners for plant expansion purposes, in the occupation of vulcanizer; finisher; packer, each for a learning period of 480 hours at the rates of 76 cents an hour for the first 240 hours and 88 cents an hour for the remaining 240 hours (basketball shoes) (replacement certificate).

Weststone Knitting Mills, Inc., P.O. Box 267, San German, P.R.; effective 11-3-63 to 1-31-64; 10 learners for normal labor turnover purposes, in the occupations of: (1) knitter; topper; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitcher; presser, each for a learning period of 320 hours at the rates of 88 cents

an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (ladies' sweaters) (replacement certificate).

Willida, Inc., Barrio Marias, Route No. 402, Km. 8, Anasco, P.O. Box 273, Mayaguez, P.R.; effective 12-2-63 to 6-1-64; 75 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres and girdles).

Willida, Inc., P.O. Box 391, Ponce, P.R.; effective 11-3-63 to 2-14-64; 75 learners for plant expansion purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Willida, Inc., P.O. Box 391, Ponce, P.R.; effective 11-3-63 to 8-14-64; 10 learners for normal labor turnover purposes, in the occupation of sewing machine operator for a learning period of 480 hours at the rates of 88 cents an hour for the first 320 hours and 98 cents an hour for the remaining 160 hours (brassieres) (replacement certificate).

Wire Products Co., Inc., Matadero Road, Puerto Nuevo, P.R.; effective 11-29-63 to 11-28-64; 2 learners for normal labor turnover purposes, in the occupation of machine operator for a learning period of 480 hours at the rates of 94 cents an hour for the first 240 hours and \$1.10 an hour for the remaining 240 hours (welded wire mesh).

Yauco Super Knits, Ltd., P.O. Box 652, Yauco, P.R.; effective 11-3-63 to 7-7-64; 15 learners for normal labor turnover purposes, in the occupations of: (1) knitter; looper, each for a learning period of 480 hours at the rates of 88 cents an hour for the first 240 hours and \$1.03 an hour for the remaining 240 hours; and (2) machine stitcher for a learning period of 320 hours at the rates of 88 cents an hour for the first 160 hours and \$1.03 an hour for the remaining 160 hours (full-fashioned sweaters) (replacement certificate).

Each learner certificate has been issued upon the representations of the employer which, among other things, were that employment of learners at special minimum rates is necessary in order to prevent curtailment of opportunities for employment, and that experienced workers for the learner occupations are not available. Any person aggrieved by the issuance of any of these certificates may seek a review or reconsideration thereof within fifteen days after publication of this notice in the FEDERAL REGISTER pursuant to the provisions of 29 CFR 522.9. The certificates may be annulled or withdrawn, as indicated therein, in the manner provided in 29 CFR Part 528.

Signed at Washington, D.C., this 6th day of January 1964.

ROBERT G. GRONWALD,
Authorized Representative of
the Administrator.

[F.R. Doc. 64-347; Filed, Jan. 4, 1964; 8:46 a.m.]

CUMULATIVE CODIFICATION GUIDE—JANUARY

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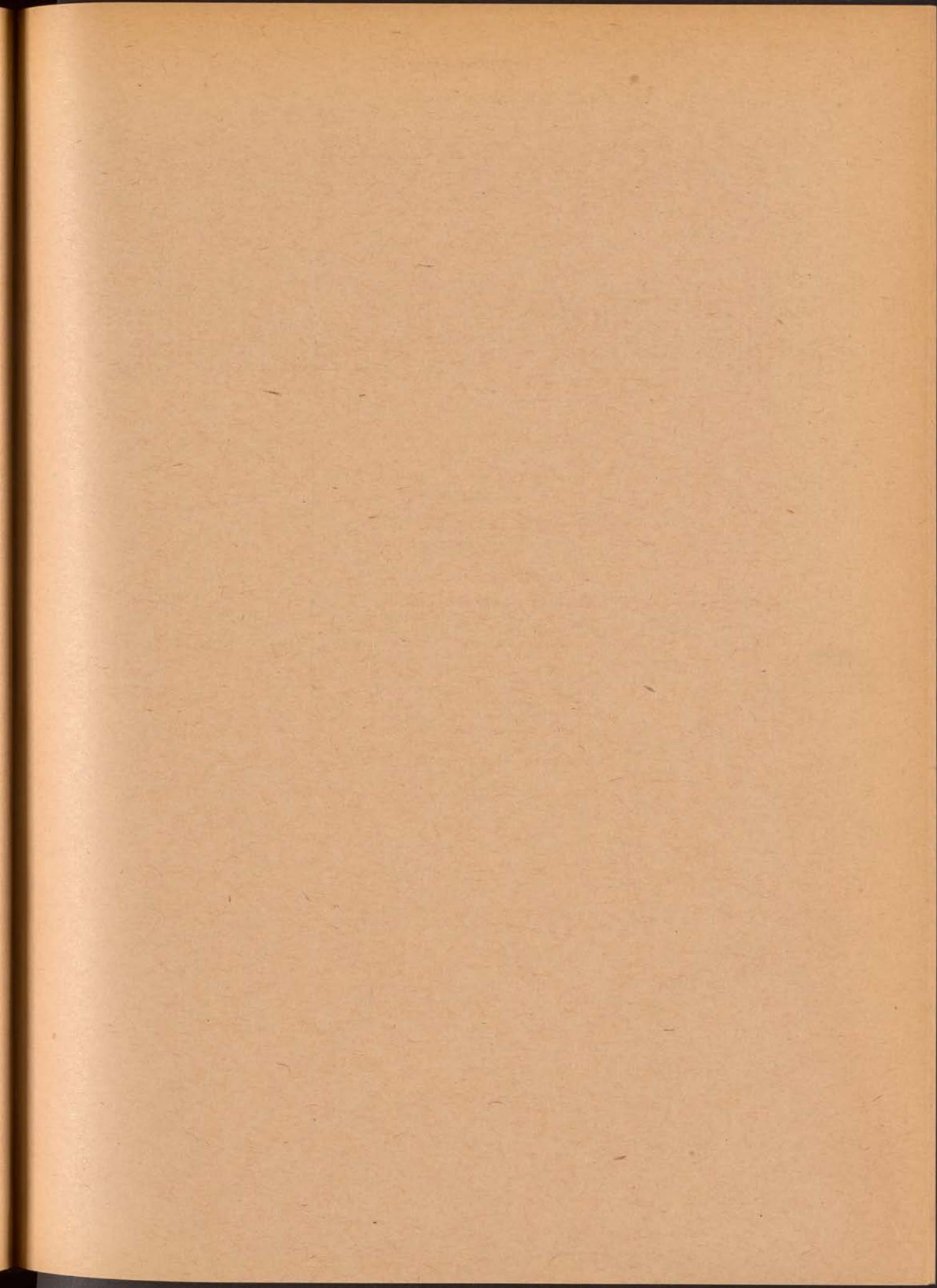
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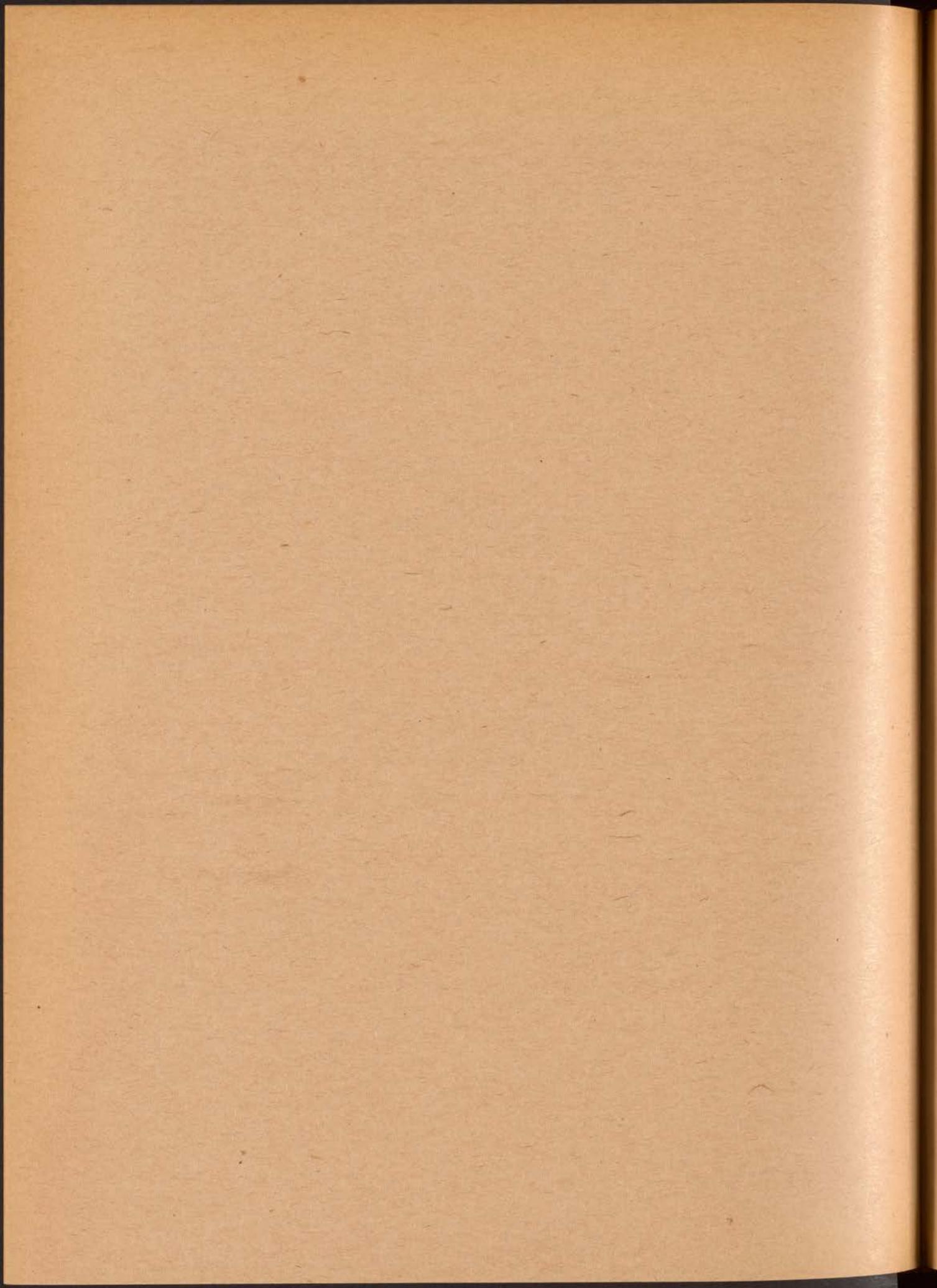
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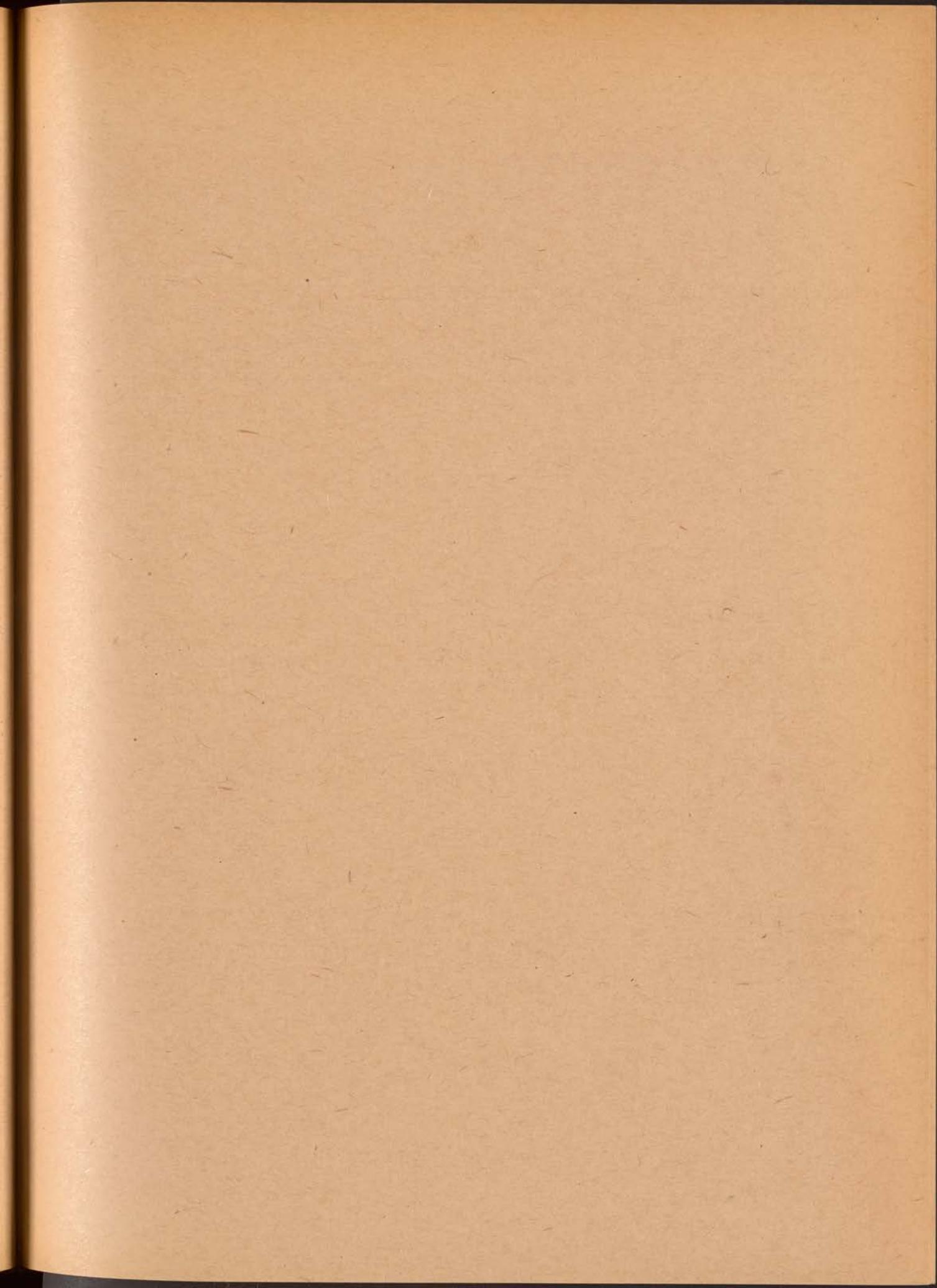
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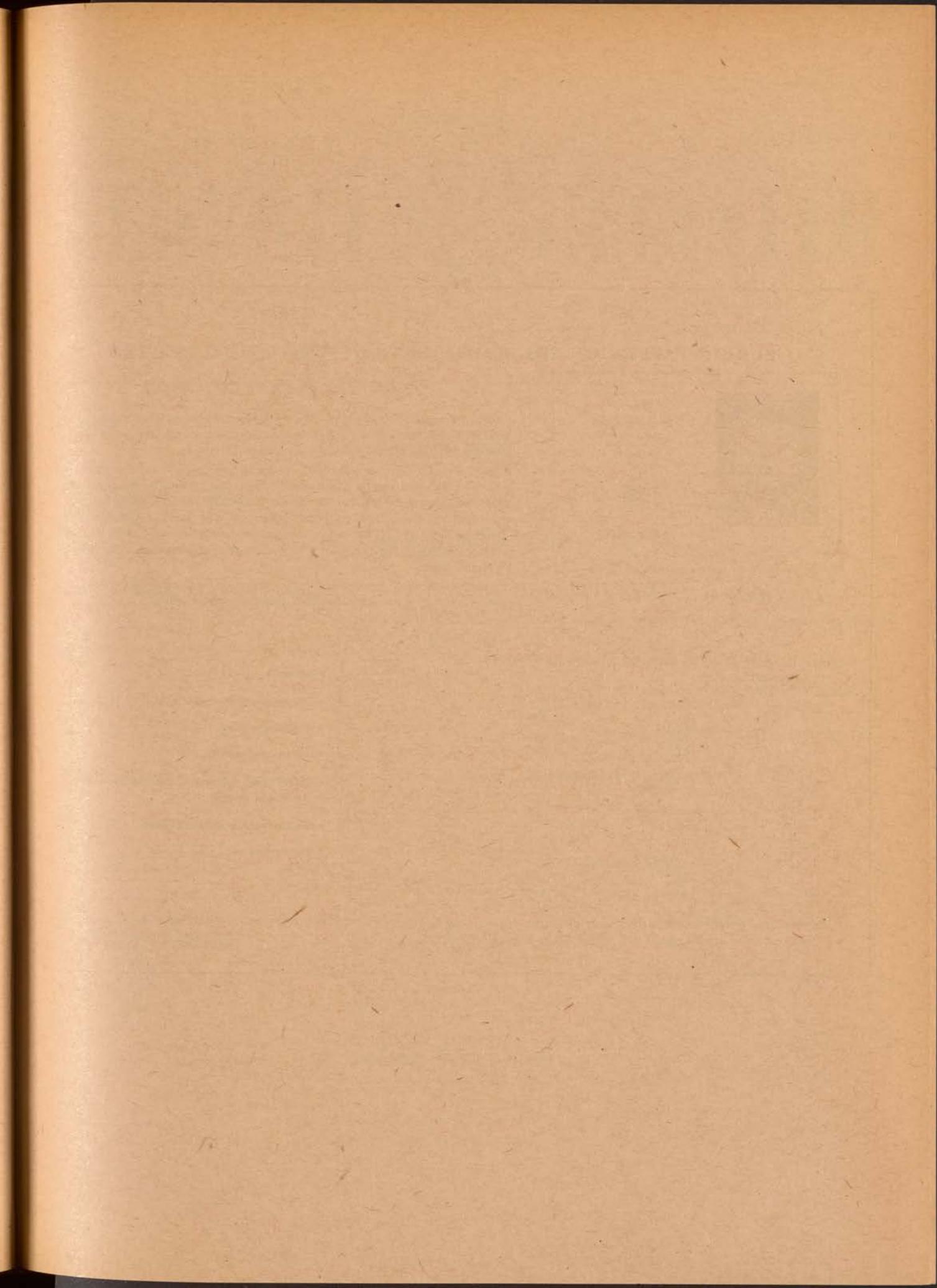
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